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House of Representatives

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
October 16, 2001.

I hereby appoint the Honorable MARK STEVEN KIRK to act as Speaker pro tempore on this day.

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

MESSAGE FROM THE SENATE

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

S. 1447. An act to improve aviation security, and for other purposes.

MORNING HOUR DEBATES

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2001, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to not to exceed 30 minutes, and each Member, except the majority leader, the minority leader, or the minority whip, limited to not to exceed 5 minutes.

The Chair recognizes the gentleman from California (Mr. FILNER) for 5 minutes.

BORDER STATES EXPERIENCING STATE OF ECONOMIC EMERGENCY

Mr. FILNER. Mr. Speaker, I rise on behalf of the towns and cities along the southern border with Mexico in our Nation. These areas are dying economically and need our assistance now.

In the wake of the events of September 11, this country has embarked upon unprecedented procedures to increase our domestic security, and those procedures are proper. We must have a new sense of preparedness; we must have a new sense of being on guard in this dangerous time of the 21st century.

But as we increase our security efforts, we have not taken the steps to address the effects on our economy and on our quality of lives as we take those steps. Yes, we must be prepared and, yes, we have to take these security measures and, yes, we are going to have inconveniences that we have never experienced before, but let us think these out thoroughly and take the steps to increase our resources, if necessary, to make up for the problems caused by the increased security.

We have grounded, for example, much of general aviation around this country, causing incredible hardships on one sector of our economy. We can think that through and change that situation. We bailed out the airlines, but all of the businesses and the economy related to airline flight, whether travel agencies or rental cars or hotels, and all the people associated with staffing those areas have been laid off, those businesses are in trouble, and yet, this Congress has taken no steps to help them.

In an area where I know best because I represent the border district in San Diego, California, which borders with Mexico, towns and cities all along the Mexican border have taken a hit such as no other American community has taken because of the security measures. Yes, we have to protect our northern and southern borders from any infiltration by terrorists and, yes, we have to inspect all of the pedestrians and all the vehicles and all of the trucks that cross those borders, and we have to do it more thoroughly than we ever did before. But let us increase the resources to do it and not try to do it with fewer resources.

For example, at the biggest border crossing in the world between 2 nations in my district of San Ysidro, California, where between 50,000 and 100,000 people cross per day, the wait at the border because of the new security checks has gone from a half-hour to 4 hours, to 5 hours, to 7 hours, 8 hours or more. In fact, nobody knows how long the wait will be as they start off for jobs legally, for education legally, for cross-border cultural activities legally. Nobody knows how long it is going to take to cross that border, whether we are talking about San Ysidro and Otay Mesa and Tecate and Calexico, California; and Nogales, Naco and Douglas, Arizona; and Brownsville, Harlingen, San Benito, McAllen, Pharr, Edinburg, Roma, Zapata, Rio Grande City, and El Paso, Texas. These areas depend economically on cross border traffic, cross border legal traffic. Legal traffic. People who have the proper documents to work and shop in our Nation.

So businesses all along the border are suffering losses from 50 to 80 to 90 percent of their income. They are additional victims of September 11 and nobody seems to be worrying about them.

Yes, increase the border security. Assure all Americans that no terrorists are crossing. But let us increase the resources.

I have been told by the Director of the INS in San Diego that if she had 20 more inspectors per shift, that is 100 more positions in San Diego, which would cost roughly $5 million or $6 million, she can reduce the border wait from 6 hours to 20 minutes and assure us of the level 1 security that this country demands and our citizens want. We can do the security and we can keep a reasonable flow across that border if we give some resources to the INS and to the Customs Service.

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I have asked the Governor of California, and my colleagues have asked the Governors of their border States, to declare a state of emergency to bring attention to this economic disaster area. We have asked the President of the United States to declare a national state of emergency. Let us get help now to the border communities. We can have security and economic activity at the same time.

PRIVATE-PUBLIC CONTROL OF AVIATION WORKFORCE WORKS BEST

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, the gentleman from Florida (Mr. STEARNS) is recognized during morning hour debates for 5 minutes.

Mr. STEARNS. Mr. Speaker, it seems that one of the continuing objections to the upcoming legislation that is dealing with aviation security is the whole question of the federalization of the employee workforce at the airport. I rise today in opposition to total airport workforce federalization, and I am here to convince my colleagues of the same. Mr. Speaker, in general, foreign governments provide an average of 10 to 15 percent of security personnel, while the private sector provides the remaining security personnel.

I would like to share my experience in coming up here on United Airlines. It was Monday afternoon and I had advanced through the ticket counter and the x-ray machine where both my carry-on and myself was inspected. The flight attendant and another employee of United Airlines politely detained me. It seems that a pair of trimming scissors which I carry in a small manicure kit had been detected with the metal detector. They asked, of course, permission to open up my bag, which I gave them, and they asked me also to turn on my laptop computer. They proceeded to investigate my person, in the form of hand metal detection and a pat-down, and finally they permitted me to board but, of course, not before confiscating my trimming scissors. Throughout the few minutes that it took, the two employees were resolute, thorough and professional.

I understand on Wednesday, October 3, a bipartisan group of members of the Committee on Transportation and Infrastructure met with top security officials at El-Al, Israel's state airline. This airline is widely considered to be the most secure in the world, and any of my colleagues who have flown it can probably attest to that fact. These experts emphasized that when they find a screener to be negligent, that individual is relieved of his or her job immediately. They will simply not stand for any incompetent employee to remain in place. In a proven example of public-private partnership, the Ben Gurion Airport Authority in Tel Aviv conducts training, establishes standards, and manages the overall effort, while a private company conducts the pre-board screening and other security functions.

Furthermore, in Europe, following a spate of terrorism, events that occurred in the 1970s and the 1980s, the aviation system exchanged their previously nationalized workforce to a private sector approach and workforce. In these European airports these privately contracted screeners are highly trained, paid, and retained. We can glean advice from these precedents: London Heathrow and Gatwick, Belfast, Rome, Athens, and Paris, and the aforementioned Tel Aviv.

Now, I know Federal employees can do the job. I have great respect for them. In fact, I am one myself. My father was an employee of the Federal Government for 35 years. The case, Mr. Speaker, is not against government employees, but for the private-public arrangement. It is a better model from all of the experience of other airports, and we should learn from them.

The solution also comes from the Transportation Secretary, Norman Mineta's aviation workforce proposal, which would combine the best of both the private and public sector worlds. It would institute Federal Government control and oversight, while retaining the flexibility and accountability inherent in the private sector. It would take steps to promote the function of baggage screening to a higher level of professionalism. Specifically, the administration's proposal would implement practices of more stringent hiring, training, and better pay and benefits. Moreover, screeners would work in conjunction with law enforcement officers, including both local airport police and Federal marshals.

Mr. Speaker, I believe this is the answer to the real problem of security at our airports. Based upon a tradition of what works at other airports, I believe a private-public arrangement is the best solution. I hope my colleagues will support this approach.

Mr. Speaker, I will insert into the RECORD at this time a sheet distributed by the gentleman from Florida (Mr. MICA), chairman of the Subcommittee on Aviation, entitled "Fact vs. Fiction: The Truth About Airline Security." It further summarizes the arguments for a public-private arrangement for effective airline security and has the statistics that bear out the argument that I have made.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC.

FACT VS. FICTION: THE TRUTH ABOUT AIRLINE SECURITY

DEAR COLLEAGUE: Let me provide you with the truth relating to effective airline security screening.

Fiction: We must create a new 27,000 Federal employee bureaucracy to model European success.

Fact: Most airports in Europe provide security through a coordinated effort of public sector oversight and supervision of private screening contractors. In general, foreign governments provide an average of 10 to 15 percent of security personnel, while the private sector provides the remaining 85–90 percent of security personnel.

Amsterdam: 2,000 private; 200–250 law enforcement.

Brussels: 700 private; 40 law enforcement.

Paris-Charles DeGaulle: 500–600 private; 100 police.

Paris-Orly: 350–400 private; 50 police.

Lyons: 150 private; 30 police.

Nice: 150–250 private, 20–30 police.

Frankfurt: 350 private; 500 federal, with plans to increase private participation.

Geneva: 250 contract, 250 government.

Stockholm: 200 private; 40 law enforcement.

Norway Oslo; 150 private; 20 law enforcement.

Helsinki: 150 contract; 20 law enforcement.

Berlin: 450 private; 60 law enforcement.

London Heathrow: 3,000 private contractors for screening; hundreds doing guard and perimeter security for the private British Airports authority; and 20 federal law enforcement.

London Gatwick: 1,500 private contractors doing screening; hundreds doing guard and perimeter security for private British airports Authority; and 11 federal law enforcement.

Sincerely,

JOHN L. MICA,
Chairman, Subcommittee on Aviation.

BIPARTISANSHIP IN DANGER OF SHATTERING

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, the gentleman from Oregon (Mr. BLUMENAUER) is recognized during morning hour debates for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, at a time when people are justifiably concerned about the spread of toxic agents in our mail system here on Capitol Hill, I personally have a greater fear that we are going to fall prey to an agent that I think, in its own way, is every bit as toxic. The bipartisanship and cooperative problem-solving that the President and our legislative leadership have talked about and that the American public needs, not just symbolically, but in a practical, hard-headed way, is in danger of being shattered.

□ 1245

Everybody here on Capitol Hill knows that, to date, the reality is not quite as bright as the rhetoric and the promise. Our desperate desire for unity and cooperation has temporarily obscured some deep divisions.

There were rocky times on several items in the aftermath of the tragedy on September 11, although it appeared as though the President's challenge was being met by the gentleman from Illinois (Speaker HASTERT) and the Democrats, the gentleman from Missouri (Mr. GEPHARDT).

A series of three events has the potential to deal a body blow to our fragile accord.

The first, unfortunately, has already occurred, with an unnecessary decision by the President and the Republican leadership to abandon a carefully crafted, bipartisan antiterrorist bill from

the Committee on the Judiciary. They replaced it at the last minute, without consultation and without even the opportunity for amendment, and without Members on this Chamber floor knowing fully the implications of what they were voting on, and locked it into statute for years to come.

The second threat is brewing as we speak. The economic stimulus package which, without the President's steady hand and the leadership of the gentleman from Illinois (Speaker HASTERT), is going to turn into a grab bag of tax cuts that are to be charitable, wildly controversial, and extremely problematic in terms of affecting our economic recovery.

Here again, this is legislation that does not need to happen immediately. We can take our time and do it right in a cooperative and thoughtful fashion.

Last, and it is important and perhaps most frustrating, there is legislation that may be advanced that is designed to accentuate our differences on international trade, instead of enhancing bipartisan cooperation that is possible.

There is a little contest that is brewing between the legislation of the gentleman from California (Chairman THOMAS) and that of the gentleman from New York (Mr. RANGEL) and the gentleman from Michigan (Mr. LEVIN), differences that are significant but not insurmountable.

If the decision is made to force this through and draw bright lines on trade issues instead of bringing us together, more than just an opportunity will be lost on the divisive and potentially explosive issue of trade. We could also slow the bipartisan momentum that is needed to deal appropriately with the threats of terrorism and the dangers to our economy.

The American public deserves better. This is a unique opportunity to do our best. The President and the Republican leadership should join with the Democratic leadership rising to this occasion.

The President can start today by insisting that any bill for trade promotion authority needs to have at least 250 votes on this floor, and we can do it. It should make serious advances in promoting trade while protecting the environment, worker rights, and having legislation that does not put foreign investor interests ahead of those that are of legitimate American and private citizen interests. He should exercise the unique leadership opportunity that he has to bring Congress and the American public together.

As our President and the legislative leadership have all united in communicating to the American public, we are in a long-term struggle. We are going to need the executive to do its job, we need Congress to function, we need to be able to trust each other, and we need our committees to operate the way that they are designed to do.

We all need to do our best. We can start with the contentious issue of international trade and make it into a bipartisan victory for us all.

SUPPORT ECONOMIC SECURITY AND RECOVERY ACT OF 2001

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, the gentleman from Illinois (Mr. WELLER) is recognized during morning hour debates for 5 minutes.

Mr. WELLER. Mr. Speaker, these are important times for our Nation as we respond to the attack on September 11, as we work to provide leadership to address the challenges that we face, as we work to provide the solutions to the military challenge, the international and national security issues, and also the economic security issues.

I particularly wanted to commend President Bush for the strong, commanding leadership that he has shown in response to the attack. I also want to commend the leadership of this Congress, particularly the Speaker of the House, for his calm, strong leadership that he has shown as we address the terrorist attack on September 11.

We have had several challenges. We have given full authority to the President for the military action that is now under way. We have funded that military action with $40 billion, as well as the emergency and recovery effort. We have worked to address the financial challenges of our aviation sector, we have passed legislation out of this House, and we are working out the differences with the Senate on providing special powers for our intelligence and law enforcement agencies to go after terrorists.

There is another challenge that we have before us, though. That is a challenge that we were already feeling prior to September 11. That was our economic challenge.

President Bush inherited a weakening economy. The last 12 or 14 months we have seen changes in the direction of the economy. Unfortunately, the terrorist attack was also a psychological blow on our economy, causing many consumers and business decisionmakers to step back.

The question is, what type of action should we take? Clearly, we need to act quickly. We need to provide strong leadership. We need to give confidence back to consumers, as well as business decisionmakers to spend and invest in the future of our economy.

I believe, as we look at what type of approach we need to take, that we need to be thinking short-term, what can we do to cause investment over the short-term to protect current jobs and get this economy growing again; essentially, a cash register effect; incentives that will cause business decision-makers as well as consumers to spend and invest.

Let me give an example of one sector of the economy that has had a big impact on our overall economy over the past decade which currently has been suffering. That is the technology sector. Over the past decade, the technology sector has generated one-third of all our growth in jobs; in fact, the majority of assets today that have been purchased come out of the technology sector.

I would note in 1994, or in the year 2000, private investment in information processing equipment software grew at an average rate of 28 percent. Investment in computers and peripheral computers grew at an astounding 113 percent average annual rate during that same period of time.

However, that trend has reversed, and that sector that grew one-third of our jobs is now in a slump. We have seen a loss of almost 400,000 jobs in technology and telecommunications since January of this year, and actually an 8.4 percent drop in investment from the fourth quarter of 2000 to the second quarter of 2001.

We do need to act quickly. We need to provide incentives to invest in the creation of jobs, as well as revitalize important sectors of our economy. Clearly, the technology sector needs help.

This past week, the Committee on Ways and Means moved out of the committee and the legislation will now be before us in this House this week, what some call an economic stimulus package, but legislation that is called the Economic Security and Recovery Act, legislation designed to put more money in consumers' pockets, as well as provide incentives to invest.

There are three provisions in this legislation that will have a big impact in helping revitalize the technology sector, which we need to revitalize if we are going to get this economy growing again.

The three provisions include the 30 percent expensing, providing greater incentives to invest by business for the next 3 years, a temporary provision; increasing the opportunity for small business to invest from the current level of $24,000 to $35,000; and also, the net operating losses carryback, allowing businesses losing money now to credit that loss against previous income paid in previous years to get a refund to free up capital that they can invest.

These provisions will make a big difference in revitalizing the technology sector. As we look at depreciation reform, the opportunity for a business to expense 30 percent of the purchase cost of that asset will reward investment.

Currently, a computer is depreciated over 5 years. By expensing that first 30 percent, that would be a big incentive to allow a business to recover the cost of investing in technology, computers, software, peripheral equipment, medical technology, high technology telephone station equipment, wireless equipment, as well as DSL and networking equipment they can expense now with 30 percent, with the legislation we passed out of the Committee on Ways and Means that will be before the House this week.

That will reward investment in the creation of jobs. I would also note, it will reward investment in providing greater security. The vast majority of

offices and factories are all owned by the private sector. We need to help the private sector make their facilities more secure.

With this expensing provision of 30 percent expensing, they can recover the cost of electronic access equipment, biometrics, television surveillance, as well as computers and software to protect their data and information systems; also, electronic alarm systems and other components.

The bottom line is, this legislation, the Economic Security and Recovery Act, the legislation before the committee or the House this week, will reward investment, will create jobs. It will boost the technology sector, and will also help private companies make their offices and their factories much more secure.

I urge bipartisan support for this legislation. We need to get the economy moving again.

THE IMPORTANCE OF FEDERALIZING THE WORK FORCE FOR AVIATION SECURITY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, the gentleman from Oregon (Mr. DEFAZIO) is recognized during morning hour debates for 5 minutes.

Mr. DeFAZIO. Mr. Speaker, when the gentleman from Florida (Mr. STEARNS) spoke in the well earlier about virtues of a privatized aviation security system and the handout of our colleague, the gentleman from Florida (Mr. MICA), I did not object to it being put in the RECORD. I should have, because it was not written by the gentleman from Florida (Mr. MICA) or his staff; it was written by a former FAA senior employee who is now earning hundreds of thousands of dollars representing the private security firms, including the private security firm currently under indictment and prosecution by the Federal Government, Arkenbright. So that is his information, and the veracity of it is definitely in question.

In fact, according to an article in last week's Washington Post, at Schiphol Airport in Amsterdam, there are 1,300 police agents to supervise 1,500 private screeners, who are much better paid, trained, and have higher qualifications than in the United States.

If that is the route they want to go, we would end up having something more expensive than a totally federalized system with one Federal law enforcement person to supervise every two private employees. It would be bigger. It would be absurdly bigger than what we could do with the normal scope of supervision in a Federal agency.

The issue of private firms in the U.S., we have tried it. It has failed miserably. I am glad he had a good experience leaving Florida and they found his cuticle scissors, that is great; but they are missing other things, like fake hand grenades, fully-assembled weapons, knives, bombs, or simulated bombs, which the FAA regularly gets through these systems.

The largest private security firm in the country, previously successfully prosecuted by the Federal Government, fined $1.5 million, Arkenbright, and put on probation, who still is providing security, is now being prosecuted again.

Under the current system, the Federal Government cannot remove these incompetents and criminals from doing the job. This company is still employing known criminals, despite its probation. It is still hiring known criminals, despite its probation.

Thirty-two percent of its files include new violations and false statements on their employees. Yet, today they are providing security at Dulles, Reagan, Logan, LaGuardia, Los Angeles, Trenton, Detroit, Phoenix, Las Vegas, Columbus, Dallas, Fort Worth, Seattle and Cedar Rapids.

So my colleague, the gentleman from Florida, in his just visceral dislike of Federal employees, and more Federal employees and Federal bureaucracy, wants to continue a failing private bureaucracy that is not properly protecting the security of the American people.

Mr. Speaker, when we come through Customs, those are Federal law enforcement agents. When we come through INS, they are Federal law enforcement agents. If we go to Hawaii, the agriculture agents are Federal law enforcement agents. Even the beagles that they use in the airport have been deemed to be Federal law enforcement agents.

But my colleagues on the other side of the aisle, a minority of my colleagues on the other side of the aisle, just cannot stand the idea that the people who are the first line of defense at the airport to screen the baggage and the customers might be Federal law enforcement agents.

This is a blinding ideological position to take. After all that has happened, after all the documented failures, after the continued prosecutions in court, we have given the private firms every opportunity and they have failed the American traveling public miserably.

We need legislation, and we should take the legislation up today. But instead, today we will take up, and no offense to any of these people, they are outstanding people, the Francis Bardanouve United States Post Office Building Act; the Earl T. Shinhoster Post Office Designation Act; the Congressman Julian C. Dixon, of whom I was a great fan, Post Office Building Designation Act; a bill to make permanent the authority to redact financial disclosure statements of judicial employees and judicial officers, et cetera, et cetera.

It has been more than a month since the attack by the terrorists, and the use of our own civilian aviation as weapons. Yet, not one penny has been mandated by the House to change that system. Not one single line of statute has been changed.

The first line of defense is still failing us; the House of Representatives must not fail us. The bill should come up today, and if they cannot bring it up today, how about tomorrow? They have got an alternative, we have got an alternative. Let us have a legislative process and see whose alternative wins.

I do not think they want to do that, because I suspect that they know that many of their Members would vote for the more comprehensive approach, instead of continuing to buy the worst security we can get on the cheap.

□ 1300

AMERICA SHOULD PROVIDE MEALS AND EDUCATION FOR THE WORLD'S NEEDY CHILDREN

The SPEAKER pro tempore (Mr. KIRK). Under the Speaker's announced policy of January 3, 2001, the gentleman from Massachusetts (Mr. MCGOVERN) is recognized during morning hour debates for 5 minutes.

Mr. MCGOVERN. Mr. Speaker, over the past 5 weeks, discussions on how best to combat terrorism over the longer term have begun in the Congress and the Bush administration and in the international community.

The terrible events of September 11 are bringing governments and people together to reflect not only on how to meet the immediate challenge of rooting out the terrorist leaders and destroying the al-Qaeda network, but also on how to eliminate poverty, hunger, ignorance and intolerance, which often breed despair, disaffection, and deep resentment. It is not enough to demonstrate what we are against. We need to be equally forceful in showing the world what we are for.

Perhaps no one has articulated this longer term challenge better than Britain's prime minister, Tony Blair. Prime Minister Blair has called upon the international community to foster and use the ''power of a global community for good.''

He stated that such a community would encourage political inclusion and democratic principles throughout the world. It would more than redouble efforts to find just and lasting solutions to the world's lingering conflicts, including the Middle East. It would pledge to the people of Afghanistan that the West will not just walk away, as we have before, at the end of this conflict, leaving unresolved the political, social, and economic crises that have worn down Afghanistan for more than 2 decades.

Further, the international community should seize the moment as a new opportunity to tackle the serious problems of poverty, hunger, illiteracy, disease, and intolerance that have plagued so much of the developing world. We should forge partnerships to bring greater social and economic opportunities to Africa and other regions of the world.

This is an exciting agenda, one which will create a stronger international

community linked even more deeply by our joint efforts to better the lives of the neediest and most vulnerable population of the world.

Mr. Speaker, I would like to speak about one concrete action the Bush administration could take in order to create lasting good out of acts of such profound evil.

Inspired by Senators George McGovern and Bob Dole, a $300 million pilot program, the Global Food for Education Initiative, was launched last year to provide one nutritious meal each day in a school setting to nine million of the world's neediest children. Contracts to carry out 49 projects in 38 countries were awarded to the United Nations World Food Programme and experienced U.S. private voluntary organizations, such as Catholic Relief Services, Save the Children, CARE, Mercy Corps, Land O'Lakes, and Africare. About half of these projects are now underway, with the other half awaiting final clearance, including projects in Pakistan and Tajikistan.

School feeding programs have proven that they attract more children to attend school and keep them there, especially girls. Education is a critical element in empowering women, regardless of race, religion, or class.

Mr. Speaker, the administration should exercise its discretionary authority and announce immediately that it will continue the pilot program for a second year and expand the program to include additional school-feeding programs for the children of Afghanistan.

The United States, so blessed with agricultural resources, should call upon other donor Nations to contribute to this global effort, not just with food, but also with resources to create and expand schools. In addition, health resources, such as deworming medicine, immunizations, clean water, and vitamins, could be provided by other Nations in coordination with these school meals.

The international community, including the United States, has pledged to reduce by half the incidence of hunger in the world by the year 2015. Over the same period, we have stated our determination to provide universal education to all. The Global Food for Education Initiative is one concrete action the United States can take to achieve these goals.

The gentlewoman from Missouri (Mrs. EMERSON) and I have introduced legislation, H.R. 1700, to establish and fund the Global Food for Education Initiative. The farm bill, recently passed by the House, authorizes the establishment of this program; and I am hopeful that the Senate will include funding for this program in its version of the farm bill.

The administration, using its own discretionary authorities, can act now to continue and expand this program. I urge the White House, the Department of Agriculture and the Department of State to announce today the continuation of the Global Food for Education Initiative. I urge the President to reach out to our coalition partners and ask them to provide additional education and health resources.

We can truly make a difference in the lives of the world's neediest children. All we need is the political will to make it happen.

WASHINGTON, DC,
September 27, 2001.

Hon. ANN M. VENEMAN,
Secretary of Agriculture, Jamie L. Whitten Building, Washington, DC.

DEAR SECRETARY VENEMAN: We are writing to ask you to continue funding for the Global Food for Education Initiative (GFEI) for fiscal year 2002, using your authority under Section 416(b) of the Agricultural Trade Development and Assistance Act of 1954. Most of the projects initiated under this pilot program have operated for less than a full year, and some have not yet even been initiated. Clearly, the pilot program requires at least one more year of continued funding before evaluating how it has affected the incidence of child hunger, school enrollment and attendance, and the other indicators established by the USDA.

We are proud to be working closely with former Senators George McGovern and Bob Dole, who initially conceived this idea, to promote the pilot program and, hopefully, to establish it as a permanent program. It is critical that the GFEI pilot program not be abandoned at this very early stage. We fear that, were this program to abruptly end after so brief a venture, recipient countries and other donor nations might interpret this as a demonsration of U.S. disregard for the need to address the roots of poverty, hunger, illiteracy and intolerance. In these very difficult times, it is important that the United States continue to demonstrate its longstanding commitment to help better the condition of the world's neediest children and to share our prosperity with less fortunate peoples.

Once again, we urge you to exercise your discretionary authority under Section 416(b) to continue the GFEI pilot program. We look forward to working with you and other members of the Administration to make the vision articulated by George McGovern and Bob Dole a reality.

Sincerely,

JAMES P. MCGOVERN,
Member of Congress.
JO ANN EMERSON,
Member of Congress.

THE COALITION IN SUPPORT OF THE GEORGE MCGOVERN-ROBERT DOLE INTERNATIONAL FOOD FOR EDUCATION AND CHILD NUTRITION ACT,
Washington, DC, October 3, 2001.

Hon. ANN M. VENEMAN,
Secretary of Agriculture, Jamie L. Whitten Building, Washington, DC.

DEAR SECRETARY VENEMAN: Our coalition, comprised of members of the agriculture community, transportation sector, business associations, private voluntary organizations and international Food aid agencies, respectfully requests that you continue funding for the Global Food for Education Initiative for fiscal year 2002, using your authority under section 416(b) of the Agricultural Trade Development and Assistance Act of 1954. Most of the projects initiated under this pilot program have operated for less than a full year. Accordingly, there has not been ample time to evaluate changes in school enrollment, child nutrition and other potential indicators of the program's effectiveness.

The importance and potential impact of the initiative is far-reaching. Over 300 million children are chronically undernourished in the world today and more than 130 million children do not attend school. By providing meals at schools, global school feeding programs help to alleviate hunger among school children and increase attendance rates by providing an incentive for families to send children to school. We are proud to be working closely with USDA to implement and support these programs.

We fear that an abrupt end to this initiative will send a negative message to many countries, institutions and people involved in this effort. It is important that both developing and developed countries have confidence in our continued commitment to help better the conditions of the world's neediest children. The United States has a proud tradition of being the world's largest donor of food assistance. In these especially difficult times, it is important to continue that American tradition.

Thank you for your consideration of this request and we look forward to continuing our partnership with the Department of Agriculture in support of global school feeding programs.

Sincerely,

American Soybean Association; American School Food Service Association; Archer Daniels Midland/ADM Milling Co.; Bartlett Grain Co.; California Farm Bureau; Cargill; Congressional Hunger Center; Cereal Food Processing Company; CHS Coops; Dry Bean Council; Friends of the World Food Program.

Land O'Lakes, Inc.; National Farmers Union; National Cooperative Business Association; North American Millers Association; Opportunities Industrialization Centers; International; Pacific Agribusiness; Port of Lake Charles; Siberia Project; US Dairy Export Council; USA Rice Federation.

[From the International Herald Tribune, Sept. 11, 2001]

SCHOOL FOOD CAN STEM THE PANGS OF POVERTY

(By George McGovern)

There are more than 300 million chronically hungry children in the world today who are condemned to lives of disease, illiteracy and, in many cases, physical deformity. Trapped in city slums, desolate villages, settlements and refugee camps, these children often live short lives of poverty and despair.

At the United Nations Special Session on Children this week, participants will review the progress made over the past decade for the world's poor children and will try to agree on what needs to be done. At the first such session, held in 1990, heads of state adopted a set of goals that included to improve living conditions, to create more educational opportunities and to provide essential food to malnourished children.

Unfortunately, 11 years later, only mixed results have been achieved. In a 141-page report the UN secretary-general, Kofi Annan, said that the progress has been offset by setbacks that are ''serious enough to threaten earlier gains.''

Before we find ourselves 10 years on with similar disappointing results, I would like to urge this year's special session participants to commit to a simple and effective idea that, if fully implemented, would dramatically improve the lives of these impoverished children. That idea is a global school feeding program.

Of the world's 300 million chronically hungry children, 170 million are often forced to learn on empty stomachs because they receive no food at school; 130 million don't attend class at all. More than 60 percent of these children are girls.

Many factors contribute to their hunger. Those who attend class often lack money to buy breakfast or lunch or must travel long distances to get to school, meaning they arrive hungry. Trying to learn on an empty stomach is nearly impossible.

Children who don't go to school at all are usually involved in helping their families make a living. An education for these children is not an option.

It is widely agreed that basic education is the best investment to improve the physical, social and economic conditions of the poor. A Unesco survey showed that in countries with an adult literacy rate of about 40 percent, gross national product per capita averaged $210 annually; in those countries with at least 80 percent literacy, GNP per capita was $1,000 and above.

Education is particularly critical for women and girls. Research shows that girls who go to school marry later, practice greater restraint in spacing births and have an average of 50 percent fewer children. They are also more informed about health risks, like the AIDS virus, and can better protect themselves and their children.

The catalyst for educating poor children is food. Research and decades of experience by aid agencies like the UN World Food Program show that school feeding can alleviate hunger, dramatically increase attendance and improve school performance. It also compensates poor parents for the loss of their children's labor while they attend class.

Using food to attract poor children to school and to keep them there may seem like a surprisingly simple way to make an impact. And it is. For an average of just 19 cents per day, or 34 dollars annually, a child can be fed for 180 schooldays a year.

Aid agencies have the expertise and global reach to make it happen. And donor governments are interested. Already, the U.S. Congress is contemplating a bill, endorsed by both former Republican Senator Bob Dole and me, which would commit the United States to an annual contribution toward a global program. I urge Congress and President George W. Bush to support this bill, and for other heads of state and leaders in the private sector and aid community to take up a similar commitment.

This week's special session is the place to begin. A simple, focused and realistic plan of action could help resolve the two most devastating burdens that poor children must carry today: malnutrition and illiteracy. School feeding is the key.

[From the Washington Post, Oct. 8, 2001]

MR. BLAIR'S VISION

The United States took the lead in the military strike yesterday, as it will take the lead in the broader offensive against terrorist networks. But the broad coalition supporting and participating in the offensive showed that this is not a fight of America against the world but of the world against lawlessness. Some nations may join in because they fear the terrorists, some, because they want to stay on America's good side. But most—the allies who will be valuable over time—join in because they understand the importance of the values that came under attack September 11.

The spokesman for this most valued category is indisputably Tony Blair, the British prime minister. His government committed its forces to the armed campaign that began yesterday. He had credibly presented to the world the most cogent outline of the evidence against Osama bin Laden and the al Qaeda network. He had personally carried the diplomatic effort to Pakistan and his condolences to New York City. And perhaps more valuable than any of that has been his staunch refutation of the anti-American compromisers who by finding fault with the United States—often real fault—would excuse the terrorists; he has coupled his response with eloquent explanation of the stakes involved in this new war. Now that a new military phase has begun, it is worth recalling a preview Mr. Blair provided in a speech to his Labor Party conference last week.

''The action we take will be proportionate, targeted,'' the prime minister said. ''We will do all we humanly can to avoid civilian casualties. But understand what we are dealing with . . . They have no moral inhibition on the slaughter of the innocent. If they could have murdered not 7,000 but 70,000, does anyone doubt they would have done so and rejoiced in it? There is no compromise possible with such people, no meeting of minds, no point of understanding with such terror. Just a choice: Defeat it or be defeated by it. And defeat it we must.''

To his own people, Mr. Blair urged confidence in ultimate victory in this ''fight for freedom'' because ''our way of life is a great deal stronger and will last a great deal longer than the actions of fanatics, small in number and now facing a united world against them.'' To the Americans, Mr. Blair promised simply: ''We were with you at the first. We will stay with you to the last.''

Finally, Mr. Blair offered his vision of victory in this unorthodox campaign: ''It is that out of the shadow of this evil should emerge lasting good: destruction of the machinery of terrorism wherever it is found; hope amongst all nations of a new beginning where we seek to resolve differences in a calm and ordered way; greater understanding between nations and between faiths; and above all justice and prosperity for the poor and dispossessed, so that people everywhere can see the chance of a better future through the hard work and creative power of the free citizen, not the violence and savagery of the fanatic.'' Not a bad set of goals to keep in mind as a long campaign begins.

GUAM EARTHQUAKE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, the gentleman from Guam (Mr. UNDERWOOD) is recognized during morning hour debates for 5 minutes.

Mr. UNDERWOOD. Mr. Speaker, I wanted to take this opportunity to alert my colleagues of an earthquake that jolted Guam shortly after 11 a.m. D.C. time on Friday, which was 1:03 a.m. Chammorro Standard Time on Guam, Saturday, October 13.

The earthquake measured a preliminary magnitude of 7.0 on the Richter scale, and the epicenter was located some 45 miles south-southeast of Guam's capital, Hagatna. Many of the island villages were without water and power, and due to the time that the earthquake occurred, which was in the middle of the night, official structural damage assessments could not be made until the morning after.

I am pleased to report that FEMA officials, as well as a four-person team from the Army Corps of Engineers, who are structural and water system experts, are on island to assist with the damage assessment, and I understand that the governor of Guam, Carl Gutierrez, will soon be transmitting a major disaster declaration to President Bush.

There have been widespread reports of broken water lines in southern portions of the island, causing disruption in water service in my own home village of Yona, where I live. We have not had water since the earthquake, and I have recently received confirmation that a main water line that services the northern and southern parts of the island has sustained major structural damage. Although there is visible damage in a few areas, I am concerned; and I think all of the people of Guam are most primarily concerned that the island's water infrastructure received major damage that we have yet to assess.

Public works crews are also currently assessing the damage to three bridges in the villages of Inarajan, Talofofo, and Pago Bay, all of which are vital links and provide the only means of land access to the southern end of the island.

One bridge has already been assessed and reported to have sustained structural damage and minimal travel is being allowed on these bridges at this point.

Schools will open tomorrow which would be Wednesday Guam-time. They have been closed for the past 2 days until they were declared structurally safe for our school children and until water and power were restored to the buildings for their health and welfare. Reports have already been received that two of our middle schools, Jose L. Rios and Oceanview, have received major structural damage and may be demolished pending further assessments. This is particularly crucial because Jose L. Rios has just been recently rebuilt from a typhoon in 1998. Because many of our public schools are already overcrowded, particularly our middle schools, I am concerned that many of the other schools on the island will not be able to absorb our displaced students.

All of this was aggravated by a sudden 6 inches of rain, a downpour, the following day which caused flooding to many parts of the island, especially Barrigada.

This earthquake could not have come at a worse time for Guam, as our economy has already been struggling from the Asian economic crisis and the after effects of the September 11 attacks. Guam's economy is primarily fueled by tourists, especially from Asia, Japan. We get about 1½ million tourists a year. Our travel and tourism industry will again bear the brunt of this earthquake and the attacks of September 11 as tourists will be less likely to travel to Guam over the next few weeks given the current string of events.

Our business community will continue to hurt and the greater impact of our economy will be damaging. Albeit

the island has probably sustained a great deal of structural damage in its water system, collectively, and for some of our families, damages to their homes; I am extremely thankful that there were no fatalities or injuries.

This is the strongest earthquake to hit the island since the 8.0 rated earthquake in August of 1993. I am proud to say that Guam's building codes are one of the most stringent; and as a result, we were spared the tragedy of the loss of human life. I hope that once a complete and thorough assessment of the damage has been completed, I know that we can count on FEMA. I know we can count on the rest of the Federal Government to help the people of Guam and this body to help the people of Guam as well.

HONORING CAPTAIN JAY P. JAHNKE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, the gentleman from Texas (Mr. BENTSEN) is recognized during morning hour debates for 5 minutes.

Mr. BENTSEN. Mr. Speaker, I rise today to recognize a brave Houston firefighter who lost his life this weekend while battling a fire in a Houston high-rise condominium. Like firefighters in New York and Northern Virginia, who willingly put their lives on the line on September 11, 2001, Captain Jay P. Jahnke of the Houston Fire Department died this weekend while living his lifelong dream of becoming a firefighter. He entered a blazing building to do his job, regardless of personal risk and as firefighters always do.

Captain Jahnke led the first team to arrive on the scene of an early morning fire this past Saturday in West Houston. The burning 40-story condominium complex houses hundreds of individuals. His courageous and valiant efforts, for which he gave his life, saved many lives of people he never even knew.

Captain Jahnke leaves behind a legacy of valor and unyielding commitment to the common good. My thoughts and prayers are with Captain Jahnke's family; his wife, Dawn; his 11-year-old daughter, Jayne; his 8-year-old son Hunter; his mother, Katherine; brother, Jeff; and sisters, Karen and Mary Ann. I offer my sincere condolences to his more than 3,200 brothers and sisters in the Houston Fire Department, especially those at Fire Station No. 2.

The Jahnke family has deep roots and a proud tradition in the Houston Fire Department. Captain Jahnke's father, Claude, was a district fire chief, and he is related to more than a dozen current firefighters. Every day at Houston's 87 fire stations and at fire stations across the Nation, thousands of men and women shelve fear and self-interest to form our front line of homeland defense. They enter blazing buildings and risk their lives to save strangers.

Captain Jay Jahnke's selflessness, compassion, and concern for others is yet another example of how firefighters, police, and other rescue personnel show us how good people can be. We are in his debt and that of firefighters throughout the land.

RECESS

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

Accordingly (at 1 o'clock and 12 minutes p.m.), the House stood in recess until 2 p.m.

□ 1400

AFTER RECESS

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

PRAYER

His Eminence, Theodore Cardinal McCarrick, Archbishop of Washington, offered the following prayer:

O Lord, our God, once again we come before You in a troubled time, grateful for Your presence in our lives and for the love with which You continue to bless us.

Today in a special way we ask You to bless this House of the people. Keep its Members safe and strong so that they may lead this Nation forward along the road of peace and justice in the pursuit of life, liberty and happiness for all.

Let not fear or anxiety ever rule us but let us find strength and purpose in our trust in You.

From the beginning of our history You have carried us in Your hands. Accompany us now in the difficult journey of these days so that we may accomplish all that which You desire in the power of Your Holy Name. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from New York (Mrs. MCCARTHY) come forward and lead the House in the Pledge of Allegiance.

Mrs. MCCARTHY of New York 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.

HIS EMINENCE, THEODORE CARDINAL MCCARRICK, ARCHBISHOP OF WASHINGTON

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

Mrs. MORELLA. Madam Speaker, it is my honor and privilege this afternoon to welcome His Eminence, Theodore Cardinal McCarrick, Archbishop of Washington. I want to thank him for offering the opening prayer.

Cardinal McCarrick has a long and distinguished record of service to the Church in New York, Puerto Rico, New Jersey, and now here in Washington, which includes my district of Montgomery County, Maryland. He certainly is a gift to the Archdiocese of Washington. The Archdiocese is very diverse with a population that has both common and also specific needs. Upon being named to the College of Cardinals this year, he said that his new responsibilities will not change his pledge to reach out ''to serve the poor and the stranger among us with all my heart and strength.'' And he has been doing just that.

Ordained as a priest for the Archdiocese of New York in 1958, Cardinal McCarrick received a Ph.D. from and held several posts at the Catholic University of America here in Washington. He has served as the President of the Catholic University of Puerto Rico, auxiliary bishop of New York, the first Bishop of Metuchen, New Jersey, and Archbishop of Newark.

He was installed as Archbishop of Washington on January 3, 2001; and 7 weeks later, he was elevated to the College of Cardinals by Pope John Paul II. He is known for his efforts on behalf of international human rights, religious freedom and migration, and serves on the U.S. Commission for International Religious Freedom. He also speaks many languages.

Madam Speaker, on behalf of my colleagues, I thank Cardinal McCarrick for leading us in prayer today. I welcome him to the United States House of Representatives. We appreciate his presence, his guidance and his blessing on this House as we begin our critical work today.

DISPENSING WITH CALL OF PRIVATE CALENDAR ON TODAY

Mr. CASTLE. Madam Speaker, I ask unanimous consent that the call of the Private Calendar be dispensed with today.

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

There was no objection.

PERMISSION TO FILE CONFERENCE REPORT ON H.R. 2904, MILITARY CONSTRUCTION APPROPRIATIONS ACT, 2002

Mr. HOBSON. Madam Speaker, I ask unanimous consent that the managers on the part of the House have until midnight, October 16, 2001, to file a conference report on the bill (H.R. 2904) making appropriations for military construction, family housing, and base

realignment and closure for the Department of Defense for the fiscal year ending September 30, 2002, and for other purposes.

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

There was no objection.

THE LION AND THE EAGLE STAND OUT AS BEST OF FRIENDS AND STRONG ALLIES

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

Mr. PITTS. Madam Speaker, in the current crisis, dozens of nations have rushed to our side, not to defend America specifically, but to defend civilization. President Bush said, ''Either you are with us or you are with the terrorists.'' The world knows that is true.

But one nation stands out and their leader stands out, too. Tony Blair, the Prime Minister of Britain, has proven once again that the people of the United Kingdom are unwavering friends who will always stand with us when we are in need.

Our military men and women are facing danger today, risking their lives in the fight against terrorism. One nation's soldiers are fighting alongside them, Great Britain's. Prime Minister Blair recalled the time when Hitler was bombing London and America came to her aid. Today Britain is returning the favor.

Many nations have united to defend decency and civilization, and each is contributing in its own way; but the lion and the eagle stand out as best of friends and strong allies. Thank you, Britain. Together we will prevail.

HONORABLE DAVID TRIMBLE

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

Mr. PENCE. Madam Speaker, I rise today having just come from a memorable luncheon where I and my colleagues, including the distinguished chairman of the Committee on International Relations, welcomed the Honorable David Trimble, a member of Parliament, in Washington, D.C.

David Trimble has served as leader of Northern Ireland's Ulster Unionist Party. It is one of the strongest of the parties that want continued ties to Great Britain, but it was David Trimble who led the charge for peace and was rightly recognized by the Nobel Committee with a Nobel Peace Prize in 1998.

Madam Speaker, he came today to give us sage advice that the boundaries of the world of terrorism have reached for 30 years from Northern Ireland and the Middle East into the very heart of America.

I will reflect later today on this floor about the advice that he gave my colleagues, but let me just reiterate the comments of the gentleman from Illinois (Mr. HYDE), who today looked the Right Honorable David Trimble in the eye and said in a momentous tone, ''Stay engaged, David Trimble. It is men such as you that times such as these so richly require.''

APPOINTMENT OF MEMBERS TO NATIONAL COUNCIL ON THE ARTS

The SPEAKER pro tempore. Without objection, and pursuant to the National Foundation on the Arts and Humanities Act of 1965 (20 U.S.C. (995)(b)), amended by section 346(e) of Public Law 105–83, the Chair announces the Speaker's appointment of the following Members of the House to the National Council on the Arts:

Mr. BALLENGER of North Dakota,

Mr. MCKEON of California.

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. 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 votes on postponed questions will be taken after debate has concluded on all motions to suspend the rules, but not before 6 p.m. today.

EXPRESSING SENSE OF CONGRESS THAT PUBLIC SCHOOLS MAY DISPLAY ''GOD BLESS AMERICA''

Mr. CASTLE. Madam Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 248) expressing the sense of the Congress that public schools may display the words ''God Bless America'' as an expression of support for the Nation.

The Clerk read as follows:

H. CON. RES. 248

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that public schools may display the words ''God Bless America'' as an expression of support for the Nation.

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

The Chair recognizes the gentleman from Delaware (Mr. CASTLE).

GENERAL LEAVE

Mr. CASTLE. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H. Con. Res. 248.

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

There was no objection.

Mr. CASTLE. Madam Speaker, I yield 3 minutes to the gentleman from South Carolina (Mr. BROWN), the distinguished author of this resolution.

(Mr. BROWN of South Carolina asked and was given permission to revise and extend his remarks.)

Mr. BROWN of South Carolina. Madam Speaker, I thank the gentleman from Ohio (Mr. BOEHNER), the gentleman from Delaware (Mr. CASTLE), and the gentleman from Texas (Mr. ARMEY) for helping me bring this bill to the floor today.

I think it is very important that we bring this up today because while more than a month has passed since September 11 there is still a great deal of anxiety in America. The events of September 11 have affected us all, whether we lost a loved one or not. The freedoms that America took for granted before this date have been shaken. Now, more than ever, many people are searching for strength and solace.

Like the rest of my colleagues, I will never forget standing on the steps of the Capitol on the evening of the attack and singing ''God Bless America.''

I am a newcomer to Congress and I have not had a chance to know each and every Member of this body very well. However, that night I felt closer to each of my colleagues than at any other time. We were all together, not as Republicans and Democrats, but as Americans united in support of our Nation.

Madam Speaker, since that time, Congress has worked very hard to take necessary action to combat terrorism on many different fronts. But on September 11, as the damage was still being assessed, I think it was important for us to come together as a symbol of unity and sing ''God Bless America.''

When I learned that some schools are being challenged for showing this same type of support for our Nation, I was deeply troubled.

The case that was first brought to my attention is in Rocklin, California where the American Civil Liberties Union wrote a letter to Terry Thornton, the principal of Breen Elementary School, calling its display of ''God Bless America'' a ''hurtful, divisive message.''

I take exception to that statement and believe the message sent by the ACLU is extremely wrong-headed. I further commend Principal Thornton for standing up for the principles of this country by refusing to take down this sign.

Pride in America is higher than I have seen at any time in my lifetime, and it seems like actions such as this are trying to dampen the spirit in our country. To threaten a public school for showing the same type of patriotism that we showed on the Capitol steps is the opposite of what this country is all about.

I introduced this resolution because Congress needs to make it abundantly clear that the kind of message displayed on the marquee of Breen Elementary is part of what makes our country great.

As former President John Adams said, ''It is religion and morality alone which can establish the principles upon which freedom can securely stand.''

Madam Speaker, I urge my colleagues to be mindful of these words and vote in favor of this resolution.

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

Madam Speaker, I thank the gentleman for offering this resolution. I rise in strong support of this resolution because it acknowledges the important role our schools play in times of crisis. The tragic events of September 11 have left a lifelong scar on our children.

Many have asked why would someone do such a thing. Many are worried for their parents that may be fighting to end terrorism. There are so many questions that need to be answered, and fears to be addressed, but our teachers and our schools have risen to the occasion.

□ 1415

As a Representative from New York whose district was impacted by the terrorist acts of September 11, I have witnessed firsthand the remarkable job our teachers and school officials have exhibited to calm the fears of our children. In fact, you can find these exceptional acts of professionalism in schools throughout this great country.

Children of all ages, as well as many adults, still find it difficult to comprehend the full magnitude of so much destruction and loss of life. Many of these children lost a parent. Many lost a brother or a sister or a cousin. However, all of them want to know why. Our schools have risen to this challenge by allowing children to ask the difficult questions and answering them in a way that makes them feel safe and proud. Schools across the country have become more than educational institutions. They have become a healing ground that answers our children's questions, comforts them during this time of need, and instills a sense of unity. I am proud to say our schools have answered this challenge with open arms.

Not only have our teachers answered the tough questions with compassion and understanding, they have instilled a new sense of patriotism in the minds of our children. The Pledge of Allegiance to this country as well as the Star-Spangled Banner that is sung before events outside of the classroom will continue to unite us as Americans. The words of these national themes are just as important now as they were 200 years ago.

I applaud our schools for their ability to help the children of this country understand there is no place for terrorism in this world and that the United States will do everything in its power to eliminate it.

I urge all my colleagues to support this resolution.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, many of the original 13 colonies that became the United States of America were settled by men and women of deep religious convictions who crossed the Atlantic Ocean to practice their faith freely. It is therefore no surprise that a religious people rose in rebellion against Great Britain in 1776, and many American statesmen believed that religion was indispensable to the maintenance of republican institutions. Yet, when the first 10 amendments to the Constitution were ratified, religion was addressed in the first, with most Americans agreeing that the Federal Government should not choose one religion over another.

Today, in response to the devastation of September 11, a surge of civic pride is sweeping the Nation. As teachers recall lessons of history and democracy, children wear their patriotism to school in red, white, and blue. Others create and display banners proclaiming ''God Bless America.''

Unfortunately, instead of pulling us closer together, some believe that these acts, and the use of the words ''God Bless America,'' are pushing us farther apart. I believe in the separation of church and state, and we should not ask a child to recite a prayer that is not his or her own. That said, the first amendment does not remove all traces of religion from the classroom and it does not expel God from the school yard. Students can pray, religious clubs can meet after school and religious materials may be read during free time.

Still, some have asked principals to remove ''God Bless America'' signs from their schools. I believe we should all take a step back and recognize that different people view these words in different ways. For some they hold a deeply religious connotation. Yet for other Americans they are a patriotic expression, not a religious one.

In the aftermath of September 11, we are all healing, and none more slowly than our children. So long as schools are not erecting permanent religious symbols in a way that suggests advocacy of a particular religion, I believe our children can draw their own strength and meaning from these words and symbols. So let us take this expression as it is meant, much as we did when Republicans and Democrats burst into that song of the same name by Irving Berlin on the steps of the U.S. Capitol. More than anything, it was then, and it is now, an expression of pride and a slogan for peace.

I commend the gentleman from South Carolina for his resolution. I urge the support of it.

Madam Speaker, I yield such time as he may consume to the gentleman from Pennsylvania (Mr. PITTS).

Mr. PITTS. Madam Speaker, right now this country is united like never before. The President has a 90 percent approval rating. His handling of the war has a 94 percent approval rating. Bipartisanship is the rule of the day in Congress, and the flag is flying everywhere.

One organization, however, it seems, has a problem with this patriotism. When Breen Elementary School in California put up a banner that says ''God Bless America,'' the ACLU decided they had a problem with it. Get this. They said it was hurtful and divisive. I do not know what planet the ACLU is living on, but there is nothing hurtful or divisive about saying ''God Bless America.'' September 11, that was hurtful. Saying ''God Bless America'' is anything but hurtful or divisive. It is unifying. In fact, that is the whole point of saying ''God Bless America.'' We are all Americans. The American family has come together as a Nation. To some people, saying ''God Bless America'' is just a slogan. To some, a patriotic expression. To others, it is a prayer. But it means something to everyone. And, of course, it comes from that wonderful Irving Berlin song made so famous by Kate Smith. But it is not hurtful, and it is not divisive.

The ACLU should stop wasting America's time with threats of ridiculous lawsuits. I urge my colleagues to pass this resolution unanimously.

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

I will only say that I urge all of my colleagues to support this resolution. In this time of crisis in this Nation, we have seen so many of our neighbors and friends come together. Again, we have to work together. Let us not lose the main focus here. We are Americans. We have to stand together. I support this resolution and ask my colleagues to as well.

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

Mr. CASTLE. Madam Speaker, I yield myself such time as I may consume. I would say in closing that I agree with the gentlewoman from New York. I agree with the sponsor of the resolution, the gentleman from South Carolina, and I think we agree with virtually all Americans who believe very strongly that this is something that helps in our schools and helps our children.

I encourage each and every one of us to support it.

Mr. BOEHNER. Mr. Speaker, I am proud to support House Concurrent Resolution 248.

The terrorist attacks of September 11 and ongoing threats to our security have left us all searching for comfort. They have also brought us together in our support for our Nation and for those defending us and our values. I believe we need to encourage even more public displays of support for America. One way to do this is by supporting the use of the phrase ''God Bless America,'' including the use of the phrase by schools. These words can provide the comfort communities need and show appropriate support for America.

This House concurrent resolution makes clear Congress' support for displaying the

words ''God Bless America'' by public schools as an expression of support for the Nation. We would expect schools, especially in this time, to want to convey the national ideal of patriotism for this country. It is only appropriate that we support schools in their quest to exemplify this idea. We must support the expression of patriotism for the Nation by schools. I believe that the words ''God Bless America,'' as used by this country's Founding Fathers, appropriately show this support.

I urge my colleagues to support House Concurrent Resolution 248.

Mr. DOOLITTLE. Mr. Speaker, I submit these remarks with shock, sadness, and disgust. In the wake of the horrific terrorist attacks September 11, Breen Elementary School—located in my district in my hometown of Rocklin, CA—displayed a sign supporting both the victims of the attacks and our troops overseas engaged in America's war on terrorism. The sign simply—yet poignantly—stated ''God Bless America.''

Incredulously, the American Civil Liberties Union decided that the sign was inappropriate, defiantly proclaiming that the words sent a ''hurtful, divisive message.'' Apparently they are driven by the patently false perception that the sign somehow separates the line between church and state and is thus violative of the Constitution.

But Mr. Speaker, this isn't about separation of church and state, this is about purging God and all things religious completely out of American life. The ACLU and those that fund it are waging a cynical crusade, a war against all those who find comfort and solace in our Lord, plain and simple.

How dare they try to stifle the spirit of Americans in these incredibly difficult times? How dare they hide behind the Constitution, perverting its meaning and twisting its words into a gag rule against the people it empowers? How dare they parade around our country purporting to protect the rights of Americans who choose not to practice religion while simultaneously behaving like secularist thieves, tirelessly trying to steal the rights of those who wish to express their faith in God and country?

Mr. Speaker, I urge the swift passage of this resolution, which expresses the sense of the Congress that public schools may display the words ''God Bless America'' as an expression of support for the Nation.

As stewards of the ''People's House.'' we need to assure the citizens of our great Nation that their Congress stands behind them fully and unequivocally. That we support their right to express their support for those who have died in the horrible attacks and for those overseas, who are willing to give up their lives to preserve the right of all Americans to express themselves without fear or apprehension.

Shame on the ACLU, for trying to stifle the spirit of not only the citizens of my hometown, but for trying to intimidate all Americans who freely yearn to express theyir love for this great country.

Mr. DEMINT. Mr. Speaker, I often rise in this House and speak about securing America's future. After the attacks of September 11, these words have taken on a whole new meaning.

Securing America's future involves everything from strengthening our military and economy to educating our children.

As we face this time of trial, we are reminded of the roots of our great nation and we are keenly aware of the values we hold dear.

We are aware that freedom is not free, that liberty comes at a price, that the sacrifices of our founders and countless Americans have helped secure our present freedoms.

Too many have fought too hard for too long for the principles of this nation to abandon them now.

So I rise today to wholeheartedly support H. Con. Res. 248, introduced by my colleague from South Carolina, Mr. BROWN.

This resolution expresses the sense of Congress that public schools may display the words ''God Bless America'' as an expression of support for the nation. It should shame every Member of Congress that a vote is even necessary to allow school children to ask God to bless our country.

This is America—the land of the free. ''God'' is not a banned word. Yet there are some who would tell our children that they cannot use that word as it might offend others.

Our schoolchildren deserve the right to pray, to assemble, and to freely acknowledge God.

As we educate our children on the principles of this nation, let us not forget that this nation was founded upon an acknowledgment of Almighty God as the giver of life and liberty.

Mr. Speaker, in the past I have brought before the House of Representatives a proposal to help schools stand up for their students' freedom of religious expression and counter the chilling effect that misinformation and lawsuits can have on our schools.

I will introduce this Student Freedom of Religious Expression language again, and hope my colleagues will support the measure.

Right now, in my home District, there is a high school student petitioning for the right to pray in school. I support him and believe he has that right.

Mr. Speaker, I do not believe that schoolchildren must leave their religious beliefs outside the schoolhouse door.

I challenge the schoolchildren and educators across this nation to be thankful for the liberties this nation grants them, carry that thankfulness in their hearts, and be free to express their thanks and supplication to God at any hour of the day.

Mr. Speaker, let no one rob us of the right to ask blessings from God on our great nation.

Again, I urge my colleagues to support this resolution and close by saying Let Freedom Ring and God Bless America.

Mr. CASTLE. 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 Delaware (Mr. CASTLE) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 248.

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. CASTLE. 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.

RECOGNIZING HISTORIC SIGNIFICANCE OF UNITED STATES-AUSTRALIAN RELATIONSHIP

Mr. HYDE. Madam Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 217) 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, as amended.

The Clerk read as follows:

H. CON. RES. 217

Whereas the relationship between the United States and Australia extends beyond security cooperation and is based on common values, mutual respect, and a shared desire to see a world at peace in which all peoples can enjoy the benefits of democratic governance, fundamental human rights, and the prosperity that market-oriented economies bring;

Whereas the United States and Australia are jointly committed to combating terrorism around the world;

Whereas the United States and Australia share a wide range of common interests in Asia and the Pacific, such as growth and liberalization of international trade, regional cooperation on economic development, environmental protection, and the peaceful settlement of disputes;

Whereas the United States and Australia share the goals of effective multilateral cooperation in arms control and nonproliferation, halting the spread of weapons of mass destruction, and ensuring the effective operation of nonproliferation and arms control regimes;

Whereas the Australia-United States Trade and Investment Framework Agreement (TIFA) provides for consultations on trade and investment policy issues;

Whereas since 1985 the United States and Australia have held annual bilateral Australia-United States Ministerial Talks (AUSMIN) to develop and enhance their relationship;

Whereas United States Presidential visits to Australia in 1991 and 1996 and visits of the Australian Prime Minister to the United States in 1995, 1997, and 1999 have underscored the strength and closeness of the alliance;

Whereas the Sydney Declaration of 1996 reaffirmed and strengthened the defense alliance between the United States and Australia and the intention of both countries to work cooperatively with other states in the region and to encourage collective solutions to problems and security challenges in the region;

Whereas the United States and Australia are committed to close bilateral cooperation on legal, counternarcotics, and other global issues through the Mutual Legal Assistance Treaty (MLAT) of 1997;

Whereas the United States and Australia have worked together closely in the World Trade Organization (WTO), as active members of the Asia-Pacific Economic Cooperation (APEC) forum, and as strong supporters of the Association of South East Asian Nations (ASEAN) and the ASEAN Regional Forum (ARF) to encourage and improve regional cohesion;

Whereas the various phases of the multinational and United Nations operations in

East Timor were a striking example of regional cooperation to achieve shared goals;

Whereas as evidenced by the recent situation in East Timor and the economic crisis of 1997, the international and economic security in the Asia-Pacific region is dynamic and the vitality and relevance of the alliance since the end of the Cold War is obvious;

Whereas the alliance between the United States and Australia during World War II was formalized in a 1951 security treaty commonly referred to as the ''ANZUS Treaty'', which provides that the United States and Australia will act to meet a common danger in the event of an armed attack in the Pacific against either country and strengthen the fabric of peace in the Pacific region;

Whereas Australia and the United States have maintained a close relationship with one another, and with the United Nations, regional organizations, associations, and other authorities in the Pacific region as a means to maintain international peace and security;

Whereas forces of the United States and Australia have served alongside one another in many theaters of war and as part of United Nations peacekeeping operations throughout the world;

Whereas the alliance between the United States and Australia has been characterized by an extraordinary degree of cooperation that includes information sharing, combined exercises, joint training and educational programs, and joint facilities;

Whereas the Australia-United States security relationship, having proved its value for five decades, will remain a cornerstone of Asia-Pacific security into the 21st century; and

Whereas September 1, 2001, marks the 50th anniversary of the ANZUS Treaty: Now, therefore, be it

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

(1) expresses its appreciation to the Government and people of Australia for the support given to the United States in the aftermath of the terrorist attacks on September 11, 2001;

(2) pays tribute to the relationship between the United States and Australia and looks forward to the continued growth and development of all aspects of the relationship;

(3) reaffirms the commitment of the United States to its alliance with Australia under the ANZUS Treaty and to the importance of security cooperation between the United States and Australia and the importance of their mutual security commitments, as was demonstrated by their joint decision to invoke Article IV of the Treaty, which commits both countries to act to meet a common danger;

(4) reaffirms the importance of the trade and economic relationship between Australia and the United States and expresses its commitment to further strengthen it; and

(5) expresses its strong support for continued close cooperation between Australia and the United States on economic and security issues in the Asia-Pacific region and globally.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. HYDE) and the gentleman from California (Mr. LANTOS) 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 within which to revise and extend their remarks 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, of the United States' many formal relationships around the world, our alliance with Australia is among the most important and enduring. This year, we celebrate the 50th anniversary of that alliance, one which I am pleased to say is as strong today as when the ANZUS Treaty was signed half a century ago. But the bonds connecting the United States and Australia are far deeper than those outlined in a simple piece of paper, regardless of its undoubted importance. We share common origins, common political institutions and governing principles, a common commitment to peace and freedom around the world. That commitment was tested many times in the past century, when Australian and U.S. forces fought side by side in a series of conflicts from World War I and World War II to the wars in Vietnam and the Persian Gulf. Many of the fallen share common graves.

Today, we recognize not only the past importance of our alliance with Australia but its continuing significance in a new century of unfamiliar challenges and unplumbed dangers. The strength of that alliance was newly demonstrated in the wake of the terrorist attacks on America September 11 when our Australian ally immediately pledged its unconditional support for the United States. That support included the decision by the Australian government to invoke article IV of the ANZUS Treaty which commits both countries to cooperate in responding to an attack. I should note this was the first time that article IV has been jointly invoked in the 50-year history of the ANZUS alliance.

In this new century, the United States and Australia will have need of reliable friends and proven allies. The knowledge that we do not face our challenges alone, that we will meet them with steadfast partners such as Australia, is of incalculable importance and reassurance to the United States. It is for these and other reasons that I call up this resolution, recognizing the historic significance of the 50th anniversary of the alliance between Australia and the United States under the ANZUS Treaty. I look forward to the day when we will celebrate the first century of that alliance.

Madam Speaker, I reserve the balance of my time.

Mr. LANTOS. Madam Speaker, I yield myself such time as I may consume. I rise in strong support of H. Con. Res. 217.

I would first like to commend Chairman HYDE for introducing this important resolution. I would also like to express my appreciation to the gentleman from Iowa (Mr. LEACH) and the gentleman from American Samoa (Mr. FALEOMAVAEGA) for joining us as original cosponsors.

Madam Speaker, 5 weeks ago today, the House was scheduled to consider this important resolution which commemorates the 50th anniversary of the ANZUS treaty. This critical treaty established the strong security bonds between the United States and our friend Australia. Then came the horrendous attacks on the twin towers and the Pentagon. The Capitol was evacuated and the congressional schedule was dramatically altered.

Australia's outstanding response to the September 11 attacks has given us a firsthand opportunity to appreciate fully the strength of the relationship between the United States and Australia and the role that this treaty can play in furthering our relationship.

On the 12th of September, Madam Speaker, Australian Prime Minister John Howard, in Washington for an official visit, joined us in this very hall to hear President Bush address the Nation. The Prime Minister had already offered his full and complete support for a strong and united response against the acts of terrorism. And President Bush rightfully acknowledged that strong support.

On the 14th of September, Australia invoked article IV of the treaty which requires the United States and Australia to act to meet a common danger. And on the 28th of September, Australia froze the assets of all 27 terrorist organizations identified by the President in an executive order, including Osama bin Laden and his cohorts.

On the 4th of October, Australia formally committed a wide range of air, ground, and naval forces to join with American forces in the fight against terrorism, including a detachment of special forces and air-to-air refueling aircraft.

□ 1430

The Australian Government announced that it is ready to consider further military contributions as well.

Madam Speaker, the last 5 weeks have shown that the United States-Australia relationship is stronger than it has ever been, and the reasons for considering this important resolution are more important and compelling today than ever before.

But we should not be surprised at the overwhelmingly positive response of our Australian friends to the September 11 attack. From human rights to trade to international peacekeeping, the United States and Australia have a common agenda, and the relationship between our two nations simply could not be closer.

Australia assumed the leadership role in the Asia-Pacific region and has contributed greatly to the economic and political stability of the region. East Timor is the perfect example of Australia's leadership in the Asia-Pacific area. The Australians led the charge in bringing peace and stability

to the troubled island after the Indonesians and the militias they support burned their way out of East Timor. Their military peacekeepers have been the backbone of the United Nations peacekeeping force still in East Timor. We are all pleased, Madam Speaker, that the East Timorese have recently conducted their first free elections since becoming independent from Indonesia.

The resolution before the House today recognizes the importance of the 50th anniversary of the treaty; and it reaffirms the importance of close economic security, political and cultural ties between the United States and our friends in Australia. Our resolution recognizes the strong support provided by Australia to the United States in the aftermath of the September 11 terrorist outrage.

Madam Speaker, I urge all of my colleagues to support H. Con. Res. 217.

Madam Speaker, I am particularly pleased to yield 5 minutes to my friend, the gentleman from America Samoa (Mr. FALEOMAVAEGA), the ranking Democrat on the Subcommittee on East Asia and the Pacific.

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

Mr. FALEOMAVAEGA. Madam Speaker, I rise in strong support of House Concurrent Resolution 217. I am honored to join the chairman of the House Committee on International Relations, the gentleman from Illinois (Mr. HYDE); our ranking Democrat member, the gentleman from California (Mr. LANTOS); and the Chair of our Subcommittee on East Asia and the Pacific, the gentleman from Iowa (Mr. LEACH), in jointly introducing this measure which honors the close friendship and extraordinarily deep relationship between Australia and the United States.

As many of our colleagues may know, last month marked the 50th anniversary of our alliance with Australia under the ANZUS Treaty. The resolution before us properly recognizes that this vital security relationship has made historic and significant contributions to peace and stability in the Asia-Pacific region and will continue to do so throughout the new century.

Even before the ANZUS Treaty was signed in 1951, however, Australia and the United States have worked together in partnership to confront common threats to democracy. From the summer of 1918, when the U.S. 33rd National Guard Division joined Australian troops at the Battle of Le Hamel in France, we have fought together as allies in World War I, World War II, the Korean and Vietnam Wars, and, more recently, in conflicts in the Persian Gulf and even Somalia.

Madam Speaker, it was during World War II in particular at the Battle of the Coral Sea where United States and Australia naval forces joined in one of the allies' finest hours in the Pacific Theater. On May 4, 1942, the joint forces of American and Australian warships stopped the Axis armada, which had never before been defeated, in its historic march across the Pacific region. By crushing the fearsome enemy fleet, a planned invasion of Australia was stymied and marked the strategic and pivotal turning point in World War II, leading to the victory for allied forces and the protection of the free world.

It was this victorious alliance between the United States and Australia that the ANZUS Security Treaty was born, which holds that the U.S. and Australia will act to meet the common danger in the event of an attack against either country.

Madam Speaker, when the horrific terrorist attacks against our Nation occurred on September 11 of last month, Australia took immediate steps to demonstrate their commitment and support of the United States in this crisis.

I deeply commend Prime Minister John Howard, who was in Washington at the time, for his strong leadership and standing in solidarity with America. Within days, Australia invoked article IV of the ANZUS Treaty, following with a concrete commitment of military assets, including special forces detachments, military aircraft and amphibious command capability. When requested by President Bush, Australia also took steps to immediately freeze the assets of terrorist organizations.

Madam Speaker, the quick and timely response of Australia in coming to our Nation's aid to combat international terrorism leaves no doubt in our minds that our friends are indeed very serious about their security commitments to the United States.

In addition to our extensive defense and intelligence cooperation, Australia has worked closely with the United States to combat global problems such as the HIV–AIDS crisis, the international criminal syndicates and narcotics trafficking, and the proliferation of weapons of mass destruction and missile technology.

We have also served together in international peacekeeping forces, for which in particular Australia should be deeply commended for its outstanding leadership of multinational operations in East Timor, which resolved the crisis and restored stability in that newborn nation.

Madam Speaker, the United States and Australia also share a robust trade relationship. We are Australia's second largest trading partner, with an annual trade exceeding $22 billion a year; and our two nations consult and work closely in the World Trade Organization and APEC for the promotion of international trade and regional economic development. To further boost our trade relationship, it is necessary and appropriate that a free trade agreement be finalized between our nations.

Madam Speaker, for all these reasons and more, I urge our colleagues to support passage of this measure that honors our common heritage with Australia: the respect of human rights, the rule of law, the trust in free market economies, and our fundamental belief in government by democratic rule.

Madam Speaker, adoption of this measure sends a strong message reaffirming the deep respect and enduring bonds of friendship that have bound and will always bind the people of the United States with the good people of Australia.

Mr. BEREUTER. Mr. Speaker, as a cosponsor of House Concurrent Resolution 217, this Member rises in strong support for the bill which recognizes the historic significance of the fiftieth anniversary of the alliance between Australia and the United States under the ANZUS Treaty. The measure also pays tribute to the United States-Australia relationship, reaffirms the importance of economic security cooperation between the United States and Australia, and welcomes the state visit by Australian Prime Minister John Howard.

This member would like to commend the efforts of the distinguished gentleman from Illinois and Chairman of the International Relations Committee (Mr. HYDE), and the distinguished gentleman from California and Ranking Minority Member of the International Relations Committee (Mr. LANTOS) for introducing and moving forward this legislation.

Mr. Speaker, when the ANZUS Treaty was signed on September 1, 1951, no one could have anticipated that 50 years later, Australia would invoke Article 4 of the treaty to assist the U.S. in its efforts against the threat of terrorism. Indeed, the treaty was negotiated and signed during the Cold War when the spread of Communism to Pacific countries loomed as the major threat. It was considered much more likely at that time that the U.S. would need to invoke the treaty to aid and defend the other signatories. Now, the threat of Communism has disappeared, but U.S.-Australian military ties remain very strong and, in fact, poised to defeat the new threats to global security, including threats to financial, transportation, and immigration systems.

Currently, Australia has offered the services of 150 elite Special Air Service soldiers and 2 Royal Australian Air Force Boeing 707 refueling aircraft. Additionally, the Australian Government has indicated that, if necessary, they could contribute long-range surveillance support and an amphibious command ship to the war on terrorism.

Mr. Speaker, this commitment on the part of the Australians is to be commended as is the role it has previously played in defending the shared interests of the U.S. and Australia. Indeed, in every major 20th Century conflict—World War I, World War II, Korea, Vietnam, and the Gulf War, Australian forces have joined American forces on the front lines. It is important to note that Australia's defense forces have cooperated and coordinated closely with the U.S. The command, control, and communications systems of both countries in important respects are integrated. Also, Australia has long been designated as one of America's most important non-NATO allies. Japan is the only other country in the Asia-Pacific region to share this distinction.

Not only has Australia been a key ally to the U.S. in previous conflicts and continues to be so in this current conflict, it has been a stabilizing force in its neighborhood. Australia did

not shirk from its regional responsibilities when a crisis erupted in East Timor. Australia stepped forward readily, early, and decisively to lead the multi-national peacekeeping intervention in East Timor and it remains a principal guarantor of security there. Australia's continued leadership in the Pacific will be critical following the terrorist attacks of September 11th as Indonesia, a neighbor and the world's most populous Muslim country, and the Philippines grapple with their response to the attacks.

Mr. Speaker, the U.S. and Australia share similar backgrounds as former British colonies and as destinations for huge numbers of immigrants who were seeking a fresh start. Freedom flourishes in both countries. Indeed, the U.S. and Australia are very much like close cousins. Now, we, as cousins, are facing a potentially long and complicated war in a world very different from the one which necessitated the ANZUS Treaty. This Member urges his colleagues to vote for H. Con. Res. 217 to show continued support for Australia—our international cousin, our friend, and our very valuable and trusted ally.

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

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 concurrent resolution, H. Con. Resolution 217, 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. LANTOS. 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.

AUTHORIZING PRESIDENT TO EXERCISE WAIVERS OF FOREIGN ASSISTANCE RESTRICTIONS WITH RESPECT TO PAKISTAN

Mr. HYDE. Madam Speaker, I move to suspend the rules and pass the Senate bill (S. 1465) to authorize the President to exercise waivers of foreign assistance restrictions with respect to Pakistan through September 30, 2003, and for other purposes.

The Clerk read as follows:

S. 1465

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

SECTION. 1. EXEMPTIONS AND WAIVER OF APPROPRIATIONS ACT PROHIBITIONS WITH RESPECT TO PAKISTAN.

(a) FISCAL YEAR 2002 AND PRIOR FISCAL YEARS.—

(1) EXEMPTIONS.—Any provision of the foreign operations, export financing, and related programs appropriations Act for fiscal year 2002, or any provision of such Act for a prior fiscal year, that prohibits direct assistance to a country whose duly elected head of government was deposed by decree or military coup shall not apply with respect to Pakistan.

(2) PRIOR CONSULTATION REQUIRED.—Not less than 5 days prior to the obligation of funds for Pakistan under paragraph (1), the President shall consult with the appropriate congressional committees with respect to such obligation.

(b) FISCAL YEAR 2003.—

(1) WAIVER.—The President is authorized to waive, with respect to Pakistan, any provision of the foreign operations, export financing, and related programs appropriations Act for fiscal year 2003 that prohibits direct assistance to a country whose duly elected head of government was deposed by decree or military coup, if the President determines and certifies to the appropriate congressional committees that such waiver—

(A) would facilitate the transition to democratic rule in Pakistan; and

(B) is important to United States efforts to respond to, deter, or prevent acts of international terrorism.

(2) PRIOR CONSULTATION REQUIRED.—Not less than 5 days prior to the exercise of the waiver authority under paragraph (1), the President shall consult with the appropriate congressional committees with respect to such waiver.

SEC. 2. INCREASED FLEXIBILITY IN THE EXERCISE OF WAIVER AUTHORITY OF MTCR AND EXPORT ADMINISTRATION ACT SANCTIONS WITH RESPECT TO PAKISTAN.

Any waiver under 73(e) of the Arms Export Control Act (22 U.S.C. 2797b(e)), or under section 11B(b)(5) of the Export Administration Act of 1979 (50 U.S.C. App. 2410b(b)(5)) (or successor statute), with respect to a sanction that was imposed on foreign persons in Pakistan prior to January 1, 2001, may be exercised—

(1) only after consultation with the appropriate congressional committees; and

(2) without regard to the notification periods set forth in the respective section authorizing the waiver.

SEC. 3. EXEMPTION OF PAKISTAN FROM FOREIGN ASSISTANCE PROHIBITIONS RELATING TO FOREIGN COUNTRY LOAN DEFAULTS.

The following provisions of law shall not apply with respect to Pakistan:

(1) Section 620(q) of the Foreign Assistance Act of 1961 (22 U.S.C. 2370(q)).

(2) Such provision of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2002, as is comparable to section 512 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2001 (Public Law 106–429; 114 Stat. 1900A–25).

SEC. 4. MODIFICATION OF NOTIFICATION DEADLINES FOR DRAWDOWNS AND TRANSFER OF EXCESS DEFENSE ARTICLES TO RESPOND TO, DETER, OR PREVENT ACTS OF INTERNATIONAL TERRORISM.

(a) DRAWDOWNS.—Notwithstanding the second sentence of section 506(b)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2318(b)(1)), each notification under that section with respect to any drawdown authorized by subclause (III) of subsection (a)(2)(A)(i) that the President determines is important to United States efforts to respond to, deter, or prevent acts of international terrorism shall be made at least 5 days in advance of the drawdown in lieu of the 15-day requirement in that section.

(b) TRANSFERS OF EXCESS DEFENSE ARTICLES.—Notwithstanding section 516(f)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j(f)(1)), each notification under that section with respect to any transfer of an excess defense article that the President determines is important to United States efforts to respond to, deter, or prevent acts of international terrorism shall be made at least 15 days in advance of the transfer in lieu of the 30-day requirement in that section.

SEC. 5. APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.

In this Act, the term ''appropriate congressional committees'' means the Committee on Foreign Relations and the Committee on Appropriations of the Senate and the Committee on International Relations and the Committee on Appropriations of the House of Representatives.

SEC. 6. TERMINATION DATE.

Except as otherwise provided in section 1 or 3, the provisions of this Act shall terminate on October 1, 2003.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. HYDE) and the gentleman from California (Mr. LANTOS) 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 within which to revise and extend their remarks and include extraneous material on S. 1465.

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, the pending bill permits the President to scrape from the hull of a great ship, the foreign relations law of the United States, some of the barnacles that prevent us from aiding our ally, Pakistan. It is an appropriate response to the emergency situation confronting our Nation and to the difficulties facing Pakistan as it assists us to stabilize their region.

Pakistan has been for decades a friend of the United States. It stood by us, for example, by committing its armed forces on our side in the Gulf War, unlike some of its neighbors who were mild and somewhat equivocal in their response to Saddam Hussein. Of course, it was the launching place for our long, difficult joint effort to free the Afghan people of the Soviet Army.

While Pakistan and the United States have had serious disagreements on proliferation policy and other issues and we remain concerned with the overthrow of the elected government by President Musharref, we can and should work with Pakistan during the coming years and establish a new relationship based on trust, mutual interest, and common values.

The bill waives for fiscal years 2002 and 2003 legislative provisions with respect to Pakistan prohibiting direct assistance on account of the deposition of a duly elected head of government by a military coup. It provides additional flexibility by eliminating certain notification periods with respect to certain provisions of the Arms Export Control

Act and the Export Administration Act. It exempts Pakistan from certain provisions of law which would prevent it from receiving assistance should it be in default on certain debts. It permits drawdowns of defense articles and the transfer of excess defense articles subject to shorter congressional notification periods.

Madam Speaker, our military is in the air over Afghanistan as we speak. Our forces are depending on Pakistani facilities and intelligence. Our assistance to Pakistan helps ensure the stability of the government of an ally and the welfare of its people. I urge my colleagues to support this bill and send it to the President for his signature.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, I rise in strong support of S. 1465. This is a very significant piece of legislation; and I want to commend my distinguished friend, the gentleman from Illinois (Chairman HYDE), for bringing this bill to the floor in an expedited fashion.

As we speak, Madam Speaker, the Secretary of State of the United States is in Pakistan underscoring the importance of our relationship and the importance of this legislation.

We are engaged in an epic struggle against the forces of international terrorism; and our fighting men and women are risking their lives as we speak to end this terrible threat, not only to the United States, but to every civilized country on the face of this planet. In this fight, we have called upon all nations to make every contribution they can to prevail against these forces of evil.

Pakistan in particular, by geography and history, must shoulder an unusually heavy burden in this effort. While it is true that Pakistan had a hand in creating the Taliban, it is also true that Pakistan today is playing a critical role in ensuring that Afghanis know Afghanistan is no longer a base for international terrorism.

President Musharref's decision to stand with the United States and the civilized global community was a wise and courageous choice. But as we laud him for making the right choice, we must acknowledge that it will not be an easy commitment to keep. The terrorist attacks on September 11 shed light on the life-and-death struggle that is being waged for the future of Pakistan. It is a battle against the destructive and anarchist forces of religious fanaticism and violence which seek to capitalize on the despair of the poor.

□ 1445

It is a battle that President Musharraf must win to restore hope to the people of Pakistan and to secure a future for the children of Pakistan. It is vital, Madam Speaker, that the United States demonstrate to the people and government of Pakistan our commitment to help them secure that future as long as Pakistan continues its commitment to eradicate international terrorism. It is for this reason that I support the legislation before us today.

The situation in South Asia, Madam Speaker, is highly volatile, and I am convinced that any military assistance or armed sales in the current environment would only serve to further inflame tensions in the region. I urge our administration to refrain from actions that will accelerate the arms race on the subcontinent and further destabilize the already fragile situation there. I will continue to monitor this issue closely.

Finally, I want to reiterate to the people of Pakistan our continued support for a return to democracy in that country. President Musharraf has given his word that he is committed to democracy and we in Congress intend to hold him to his word.

Madam Speaker, I urge all of my colleagues to support S. 1465.

Mr. LANTOS. Madam Speaker, I am pleased to yield 5 minutes to the gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. Madam Speaker, I want to thank the gentleman from California (Mr. LANTOS), the ranking member, for yielding me this time.

I come to the House floor today to rise in opposition to S. 1465, as we know, a bill that waives certain sanctions against Pakistan. Section 508 of the Foreign Operations Act for fiscal year 2001 was passed by Congress to prohibit the export of U.S. weapons and military assistance to countries whose duly-elected head of government is deposed. In 1999, General Perez Musharraf overthrew the civilian-elected government of Pakistan in a military coup and since then has governed Pakistan under military rule. As a result, section 508 sanctions have been in place and U.S. policy has maintained that no military assistance would be provided to Pakistan.

Under the current circumstances due to the attacks of September 11, I do feel that it is appropriate to provide economic assistance to Pakistan because of General Musharraf's willingness to support the U.S. in seizing Osama bin Laden and eliminating the al-Qaeda terrorist network. Pakistan is not only a country suffering from severe poverty in some regions, but it is also a fragile society. Pakistan's pleas to the U.S. for economic help are understandable, and any humanitarian, education, economic, and social assistance is worthy of being granted on an expedited basis.

However, Madam Speaker, I stand strong in my argument against military aid to Pakistan, even under the current circumstances. Since the first day of U.S. military action against the Taliban in Afghanistan, it has become clear that Pakistan's armed forces are not participating in the antiterrorism effort in Afghanistan. If Pakistan's forces are not being used directly against the Taliban and terrorist groups, there is no justification for providing military aid.

South Asia is today one of the most politically volatile areas in the world. Pakistan is a nuclear power, but has been unstable and, like I said earlier, very fragile. Until sound democracy is established in Pakistan, it is unclear what purpose military artillery and weapons will be used for.

My fear is that if we provide weapons to Pakistan or lead to that possibility, they may inadvertently fall into the wrong hands and be used in ways contrary to U.S. interests. And Pakistan has Iran to the west of its borders and India to the east. Sri Lanka and several other countries contribute to the volatile makeup of the region.

Historically, U.S. arms exports to Pakistan have been used against India, primarily through cross-border military action in Kashmir. We saw a terrifying example of this on October 1 when a suicide car bomb exploded in front of the Jammu and Kashmir State Assembly while it was in session. This terrorist attack left at least 40 dead and many more injured. Jaish-e-Muhammad, a Pakistani-based group, is the terrorist group that came forward and claimed responsibility for this horrific act. This group is now on the Treasury Department's list of terrorist groups whose assets will be frozen by the U.S., but this example of cold-blooded murder by a Pakistani-based group should be evidence enough that weapons can and will fall into the hands of terrorist networks and potentially be used against India or other U.S. allies.

The Pakistan government is currently not only supportive of the Taliban but, in fact, is one of the proponents that created the Taliban movement in Afghanistan. Due to the deep ties between Pakistan and the Taliban, and the deep ties between the Taliban and Osama bin Laden, I feel that it is in the best interests of the U.S. to uphold its current policy of restricting military assistance at this time. Given Pakistan's instability, nuclear proliferation capabilities, and current military rule, I do not see a reasonable argument for compromising our democratic values by waiving section 508.

Finally, for my colleagues that feel that we should grant Pakistani aid requested, including military aid, I would note that under section 614 of the Foreign Assistance Act, the U.S. may provide weapons and military assistance when U.S. national security interests are at stake. Given that Osama bin Laden and his al-Qaeda network have not only savagely attacked us, but continue to pose a threat to the U.S., the President could provide U.S. military assistance to Pakistan under section 614. Unless the President certifies that that assistance provided under 614 is insufficient, there is no reason for Congress to waive section 508.

If and when Pakistan takes steps towards establishing a democracy with a civilian-elected government, perhaps section 508 would be irrelevant. However, General Musharraf has shown no steps towards returning Pakistan to democratic rule and, in fact, has moved in the opposite direction for at least the past several months. On June 20 he declared himself President of Pakistan, which is a clear indication of his desire to maintain a dictatorial stronghold. Musharraf's past actions include dissolving Pakistan's National Assembly and four provincial assemblies. He has claimed that he will hold fair national elections by 2002; however, this has only been lip service so far. As a self-proclaimed President, Musharraf may be seen with more credibility in the eyes of the international community at large, but the fact remains that the people of his Nation never elected him. I believe that repealing section 508 clearly sends the wrong message, given the General's actions.

Mr. LANTOS. Madam Speaker, I am pleased to yield 4 minutes to the distinguished gentlewoman from New York (Mrs. LOWEY), the ranking Democratic member of the Subcommittee on Foreign Operations, Export Financing and Related Programs.

Mrs. LOWEY. Madam Speaker, I rise in reluctant support of S. 1465, and I would like to address several concerns about this bill which would authorize the President to exercise certain waivers with respect to Pakistan.

In recent weeks, the President has invoked special authorities to enable the provision of $100 million in economic assistance for Pakistan. I have been consulted on these decisions and I have supported them as necessary to carry out our campaign against terrorism. But the passage of this bill today will remove all remaining legislative restrictions on assistance to Pakistan for both fiscal year 2002 and fiscal year 2003. It is my understanding that the administration will soon inform Congress of its intention to provide an additional $500 million in economic assistance to Pakistan to be taken from the $40 billion emergency supplemental.

There is simply no question that the United States should move rapidly to provide economic assistance to Pakistan in light of its cooperation in the war on terrorism, and because of the severe economic crisis there, but I caution my colleagues against relinquishing our role in this process. With the passage of this bill, we give extraordinary discretion to the administration to determine the extent and content of our assistance. While I support a bold and significant assistance program for Pakistan, I believe it must have appropriate congressional oversight.

The Pakistani government has requested billions in economic assistance to meet its cash shortfall and to address its significant infrastructure, education, and health needs, and I expect we will provide $600 million to respond to that request. But at the moment, there is no clear plan for how this assistance will flow, and we have very little monitoring capacity to ensure funds are spent for their intended purposes. Under normal circumstances, Congress has a role in directing the use of appropriated funds prior to their disbursement, and I hope we will be included in the current process as well.

At this point, we have not been informed of any plan to provide significant military assistance to Pakistan. However, that could and likely will change as the situation develops. There are no legislative guidelines in place to ensure that we will have appropriate assurances from the Pakistani government that the use of such assistance will be restricted to the fight against terrorism. While it is my expectation that the President would seek and obtain such assurances, Congress does not currently require him to do so.

Finally, I am puzzled that this bill takes the unusual step of waiving a provision of law on a bill that is not yet written: the fiscal year 2003 Foreign Operations bill. I understand and support the need to send a strong signal to Pakistan and to provide some assurance that our commitment to them is long term, but I submit that providing $600 million is a very strong signal. The Committee on Appropriations, under the leadership of the gentleman from Florida (Mr. YOUNG), has responded with speed and cooperation to the President's request for resources to fight this war. We neglect our oversight responsibilities when we provide prospective waivers for bills that have yet to be written.

Madam Speaker, I support this bill, but I urge my colleagues to carefully consider these concerns as we move forward.

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

Mr. HOLT. Madam Speaker, I rise today to address my colleagues regarding S. 1465.

As we pass this legislation today, I wanted to note for the record certain reservations I have about authorizing the President to waive sanctions against Pakistan. I am in favor of providing aid to Pakistan and helping them develop economically. This development is crucial for a transition to a democratic form of government. Our relationship with Pakistan is especially important in light of the events since September 11. We must continue to cement our alliance with Pakistan and all interested countries in order to maintain our campaign against al Qaeda and the Taliban. However, I question whether waiving restrictions on U.S. arms exports is the best way to help these countries.

South Asia, as we now know, is an extremely volatile area. In the last 50 years, India and Pakistan, who both have nuclear capabilities, have fought three conflicts. As we have seen in just the last few days, the area around Kashmir continues to be a source of tension in the region. Any weapons that we export to these countries could be used in future conflicts. Do we really want to contribute to the instability of this region by providing more weapons?

United States law prohibits the export of arms to government in power due to a military coup. Section 508 of the Foreign Operations Act for FY01 prohibits the export of weapons and military assistance to countries whose duly elected head of government is deposed. Reversing this policy without making any stipulations about the re-establishment of democracy could send the wrong message to undemocratic regimes.

These are extraordinary times. Extreme measures may be necessary. But the President has already exercised his right to provide American weapons and military assistance when national security interests are at stake, as allowed by section 614 of the Foreign Assistance Act. Congress should not waive sanctions on arms export to India and Pakistan unless the President shows that the assistance he has already provided is insufficient.

If these sanctions are waived, there is no guarantee that the United States has any control over the weapons exported. Our experiences in Somalia, Iran, Iraq, an Afghanistan demonstrate this. How do we know that American weapons will not fall into the hands of potential enemies and threaten our troops at a future date? The Taliban may own up to 100 Stinger missiles that were provided by the United States in the 1980s for their clash with the Soviet Union.

As I mentioned earlier, I worry about the message that the United States sends to undemocratic regimes by allowing exports to countries without stipulations about the establishment of democracy. To allow such a waiver regardless of a country's human rights standards violates one of the central tenets of U.S. foreign policy. Congress should exercise caution, for allowing such waivers now may lead to broader waivers later. The fight against terrorism should not be at the expense of our principles.

Madam Speaker, instead of providing military aid, the United States should target its aid toward the more immediate needs of the people of Pakistan and India. Pakistan and India rank No. 127 and No. 114, respectively, in the U.N.'s Human Development Index. More weapons will not move them up in these rankings. The United States should provide economic assistance to the people of Pakistan and India—not more weapons.

Mr. GILMAN. Madam Speaker, I reluctantly rise in support of S. 1465, a bill that would waive certain restrictions on U.S. assistance to Pakistan.

While we need to attempt to be helpful to President Musharraf for permitting the United States access to its bases and in an attempt to build a relationship with Pakistan, I am very concerned about working too closely with Pakistan at this point and providing for them to have too much of a role in forming the future Government of Afghanistan.

In the past, the Government of Pakistan and President Musharraf have given to the Taliban the support they needed to take and stay in power. Pakistani military officials have guided and counseled Taliban military leaders in their war against the National Alliance. Indeed without the support of Pakistan the Taliban would not even exist.

The Taliban originated from Islamic fundamentalist religious schools in Pakistan. President Musharraf and other Pakistani leaders throughout the years have provided the

Taliban a lifetime by giving it military, economic, and logistical support.

As Secretary Powell seeks to be helpful to the Afghans as they attempt to form a new government I would hope that we do not take Pakistani advice to install a ''reinvented'' Taliban in power.

We should also not forget that Pakistan, bin Laden, and the Taliban have been responsible for terrorist acts that have led to the deaths of innocent Indian civilians in Kashmir and throughout India for many years.

Pakistan has used its military against India time and time again. Given that, while it makes sense to give Pakistan economic support I do not believe that it is wise to give it military support until we are clear about the way in which it intends to use that support. Accordingly, I reluctantly support S. 1465.

Mr. BEREUTER. Madam Speaker, this Member rises in strong support for S. 1465, a bill authorizing the President to exercise waivers of foreign assistance restrictions with respect to Pakistan through September 30, 2003. This Member would like to commend the distinguished gentleman from kansas serving in the other body, Mr. BROWNBACK, who previously served in this body, for his commitment to develop an expertise in South Asian and Central Asian issues and for introducing S. 1465. This Member would also like to thank the gentleman from Illinois, the chairman of the International Relations Committee, Mr. HYDE, for expeditiously moving this measure to the floor.

Pakistan is located in a neighborhood where its alignment with the United States during the cold war was neither an easy nor popular choice, and yet Pakistan served well as an ally to the United States during that era. Following the unspeakable and horrific terrorist attacks on September 11, 2001, the world has entered a new era, and, to its credit, Pakistan has once again made a choice that was neither easy nor popular—that is, to align itself with the United States in the war against global terrorism.

Madam Speaker, this legislation provides President Bush with the tools he needs to encourage Pakistan's continued participation in United States efforts to combat terrorism. It provides the President with the opportunity to provide increased assistance to Pakistan is critical and very appropriate at this time.

However, this Member would note that even if the terrorist attacks had not occurred, reviewing current sanctions against Pakistan, as provided in S. 1465, would have been appropriate. Following the October 12, 1999, unfortunate, but bloodless coup, which brought him to power, General Musharraf has abided by the Pakistani Supreme Court's prescribed timetable for reinstating local elections, and he continues to promise that Pakistan will conduct Federal elections in October 2002. Additionally, freedom of the press appears to be improving according to the Pakistan Country Report on Human Rights Practices for 2000. While the Pakistani economy continues to suffer, reports indicate that General Musharraf's administration has made progress in improving transparency and in liberalizing trade. Certainly, these steps would have warranted the consideration of resuming foreign assistance which could foster continued improvements in these areas. It could also assist in supporting improvements in other human rights areas.

Madam Speaker, this Member encourages his colleagues to support S. 1465.

Mr. ACKERMAN. Madam Speaker, I rise in support of S. 1465 but do so with some serious reservations. While I think we all agree that the President needs a significant amount of flexibility in order to effectively prosecute the war on terrorism, I believe we should be careful about the types of assistance that could flow to Pakistan under this particular proposal.

Clearly, everyone supports the provision of economic assistance to Pakistan. Among the poorest nations in the world, Pakistan was, until a recent rescheduling, in default on U.S. loans and continues to need assistance with its massive foreign debt. In addition, the Pakistani economy remains weak although General Musharaff should be given credit for adhering to the structural adjustment plan required by the International Monetary Fund. Pakistan should also be given assistance to provide health care and education. Life expectancy is low, infant mortality is high, and too many of Pakistan's children are educated in Madrassas that provide only lessons in hatred.

The problem with this bill is that it opens the door to a significant new arms relationship with Pakistan and before the United States even considers going down that road, we must consider who the arms are likely to be used against. It is clear from looking at Pakistan's immediate neighbors that the threats to Pakistan are low. In Afghanistan, the expectations for a post-Taliban government are that it would not be a threat to Pakistan. Since China is Pakistan's long-time partner on nuclear and missile-related technologies, it is unlikely Pakistan would use the weapons there. There are tensions between Iran and Pakistan but they don't seem to rise to the level of armed conflict. That leaves India, which is where any weapons we provide are likely to be used. We should think long and hard before we agree to supply Pakistan with any weapons or spare parts that would be used against India. India strongly supports the U.S.-led coalition against terrorism and does so without preconditions or reservations. Now is not the time for the U.S. to abandon its democratic friends in South Asia, or elsewhere.

One final point, Madam Speaker, we should remember that among the sanctions we are waiving here today are those imposed because of the October 1999 coup in Pakistan. The message from this waiver must not be that democracy is no longer important. In fact, the one lesson we should draw from the current situation is that democracy remains the solution to extremism everywhere. We must continue to urge Pakistan to return to democracy as soon as possible.

Ms. JACKSON-LEE of Texas. Madam Speaker, I rise in support of this legislation, which will allow for the temporary waiver of economic restrictions with respect to Pakistan.

We currently find ourselves involved in a military action far from home. This is only possible due to the coordinated efforts of many nations that have demonstrated their commitment to eliminating terrorism from the earth. Pakistan has contributed mightily to our efforts in Afghanistan, both diplomatically and otherwise.

Madam Speaker, President Clinton imposed sanctions on Pakistan and India for their dual nuclear tests in 1998 under the Glenn Amendment of the Arms Export Control Act. In addition, the October 1999 overthrow of the democratically elected government of Pakistan triggered additional sanctions under the Foreign Appropriations Act. Foreign Assistance Act also imposed restrictions on Pakistan for arrearages in bilateral debt payments. On September 22, 2001, President Bush triggered waivers to lift remaining sanctions on Pakistan as a good faith gesture towards this nation for its cooperation in eradicating terrorism. The Congress must also demonstrate its commitment to our allies in this struggle, while respecting the long-term policy goals our sanctions are designed to promote and protect. This legislation achieves this goal by granting the President waiver authority for fiscal year 2002. However, for the following fiscal year, the waiver is only extended if the President can show this Body that the waiver would ''facilitate the transition to democratic rule in Pakistan; and is important to United States efforts to respond to, deter, or prevent acts of international terrorism.'' Thus, this House ensures that we do not disregard our commitment to the spread of viable stable democracies throughout the world, while recognizing the need to commit resources to those nations willing to facilitate the development of peace throughout both the region and the world.

Pakistan is also given the opportunity to continue its support of our military efforts in FY 2003 by allowing the President to waive arms control export laws if President Bush deems it necessary and notifies Congress 45 days in advance. The leadership of Pakistan, though not elected, has recognized the urgent need for the Peace of Nations in this world. Despite sustained protests and alleged destabilization by Taliban infiltrators from Afghanistan, the leadership of Pakistan has proven that it has renounced its ties to the Taliban, and agreed to play a decisive role in the shaping of a new democracy within Afghanistan. Our actions here today ensure that we will play a decisive role in pursuing the goal of democracy within Pakistan.

Finally, Madam Speaker, this bill ensures that we do not sell ourselves for the sake of our pursuit of the Taliban. This legislation ''sunsets'' on October 1, 2003. By limiting the scope of this waiver, we respect our constitutional function of checking the power of the executive to pursue policies against our long-term interests longer than necessary for the swift administration of justice

Though the times we live in are uncertain, we are not desperate, for our cause is just and our will strong. This Congress is charged to face unpleasant realities for the sake of our children's futures. S. 1465 does this, and in a way that ensures the children of Pakistan might someday know democracy, too.

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 pass the Senate bill, S. 1465.

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

A motion to reconsider was laid on the table.

CORAL REEF AND COASTAL MARINE CONSERVATION ACT OF 2001

Mr. HYDE. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 2272) to amend the Foreign Assistance Act of 1961 to provide for debt relief to developing countries who take action to protect critical coral reef habitats, as amended.

The Clerk read as follows:

H.R. 2272

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

SECTION 1. DEBT REDUCTION FOR DEVELOPING COUNTRIES WITH CORAL REEFS AND OTHER COASTAL MARINE RESOURCES.

The Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) is amended by adding at the end the following:

"PART VI—DEBT REDUCTION FOR DEVELOPING COUNTRIES WITH CORAL REEFS AND OTHER COASTAL MARINE RESOURCES

"SEC. 901. SHORT TITLE.

''This part may be cited as the 'Coral Reef and Coastal Marine Conservation Act of 2001'.

"SEC. 902. FINDINGS AND PURPOSES.

''(a) FINDINGS.—The Congress finds the following:

''(1) It is the established policy of the United States to support and seek the protection and restoration of natural coastal marine areas, in particular coral reefs and other critically imperiled coastal marine resources around the world, as demonstrated by the establishment of the United States Government's Coral Reef Task Force under Executive Order 13089 (June 11, 1998) and by the emphasis given to coral reefs at the Conference on Oceans held in Monterey, California.

''(2) Coral reefs and other coastal marine resources provide a wide range of benefits to mankind by—

''(A) harboring a major share of the world's marine biological diversity, and by acting as seed-grounds and nurseries for many deep-sea species; and

''(B) serving as the basis for major activities of critical economic, social, and cultural importance, including fishing, pharmaceutical research, recreation, tourism, and the natural purification and recharge of waters.

''(3) International organizations and assistance programs to conserve coral reefs and other coastal marine resources have proliferated in recent years, but the rapid destruction of these resources nonetheless continues in many countries.

''(4) Poverty and economic pressures on many developing countries, including the burden of official debts, has promoted inefficient, unsustainable over-exploitation of coral reefs and other coastal marine resources, while also denying necessary funds to protection efforts.

''(5) Reduction of official, government-to-government debts can help reduce economic pressures for over-exploitation of coral reefs and other coastal marine resources and can mobilize additional resources for their protection.

''(b) PURPOSES.—The purposes of this part are—

''(1) to recognize the values received by United States citizens from protection of coral reefs and other coastal marine resources;

''(2) to facilitate greater protection of remaining coral reefs and other coastal marine resources, and the recovery of damaged areas, by providing for the alleviation of debt in countries where these resources are located, thus allowing for the use of additional resources to protect and restore such coral reefs and other coastal marine resources, and to reduce economic pressures that have led to unsustainable exploitation; and

''(3) to ensure that resources freed from debt in such countries are rechanneled to protection of coral reefs and other coastal marine resources.

"SEC. 903. DEFINITIONS.

''In this part:

''(1) ADMINISTERING BODY.—The term 'administering body' means the entity provided for in section 908(c).

''(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term 'appropriate congressional committees' means—

''(A) the Committee on International Relations and the Committee on Appropriations of the House of Representatives; and

''(B) the Committee on Foreign Relations and the Committee on Appropriations of the Senate.

''(3) BENEFICIARY COUNTRY.—The term 'beneficiary country' means an eligible country with respect to which the authority of section 906(a) or paragraph (1) or (2) of section 907(a) of this part is exercised.

''(4) BOARD.—The term 'Board' means the board referred to in section 910.

''(5) CORAL.—The term 'coral' means species of the phylum Cnidaria, including—

''(A) all species of the orders Antipatharia (black corals), Scleractinia (stony corals), Alcyonacea (soft corals), Gorgonacea (horny corals), Stolonifera (organpipe corals and others), and Coenothecalia (blue coral), of the class Anthozoa; and

''(B) all species of the order Hydrocorallina (fire corals and hydrocorals) of the class Hydrozoa.

''(6) CORAL REEF.—The term 'coral reef' means any reef or shoal composed primarily of corals.

''(7) DEVELOPING COUNTRY WITH A CORAL REEF OR OTHER COASTAL MARINE RESOURCE.—The term 'developing country with a coral reef or other coastal marine resource' means—

''(A)(i) a country that has a per capita income of $725 or less in 1994 United States dollars (commonly referred to as 'low-income country'), as determined and adjusted on an annual basis by the International Bank for Reconstruction and Development in its World Development Report; or

''(ii) a country that has a per capita income of more than $725 but less than $8,956 in 1994 United States dollars (commonly referred to as 'middle-income country'), as determined and adjusted on an annual basis by the International Bank for Reconstruction and Development in its World Development Report; and

''(B) a country that contains at least one coral reef or other coastal marine resource that is of conservation concern.

''(8) ELIGIBLE COUNTRY.—The term 'eligible country' means a country designated by the President in accordance with section 905.

''(9) CORAL REEF AND OTHER COASTAL MARINE RESOURCES AGREEMENT.—The term 'Coral Reef and Other Coastal Marine Resources Agreement' or 'Agreement' means an Coral Reef and Other Coastal Marine Resources Agreement as provided for in section 908.

''(10) CORAL REEF AND OTHER COASTAL MARINE RESOURCES FACILITY.—The term 'Coral Reef and Other Coastal Marine Resources Facility' or 'Facility' means the Coral Reef and Other Coastal Marine Resources Facility established in the Department of the Treasury by section 904.

''(11) CORAL REEF AND OTHER COASTAL MARINE RESOURCES FUND.—The term 'Coral Reef and Other Coastal Marine Resources Fund' or 'Fund' means a Coral Reef and Other Coastal Marine Resources Fund provided for in section 909.

"SEC. 904. ESTABLISHMENT OF THE FACILITY.

There is established in the Department of the Treasury an entity to be known as the 'Coral Reef and Other Coastal Marine Resources Facility' for the purpose of providing for the administration of debt reduction in accordance with this part.

"SEC. 905. ELIGIBILITY FOR BENEFITS.

''(a) IN GENERAL.—To be eligible for benefits from the Facility under this part, a country shall be a developing country with a coral reef or other coastal marine resource—

''(1) the government of which meets the requirements applicable to Latin American or Caribbean countries under paragraphs (1) through (5) and (7) of section 703(a) of this Act; and

''(2) that has established investment reforms, as evidenced by the conclusion of a bilateral investment treaty with the United States, implementation of an investment sector loan with the Inter-American Development Bank, World Bank-supported investment reforms, or other measures, as appropriate.

''(b) ELIGIBILITY DETERMINATIONS.—

''(1) IN GENERAL.—Consistent with subsection (a), the President shall determine whether a country is eligible to receive benefits under this part.

''(2) CONGRESSIONAL NOTIFICATION.—The President shall notify the appropriate congressional committees of the intention of the President to designate a country as an eligible country at least 15 days in advance of any formal determination.

"SEC. 906. REDUCTION OF DEBT OWED TO THE UNITED STATES AS A RESULT OF CONCESSIONAL LOANS UNDER THIS ACT.

''(a) AUTHORITY TO REDUCE DEBT.—

''(1) AUTHORITY.—The President may reduce the amount owed to the United States (or any agency of the United States) that is outstanding as of January 1, 1999, as a result of concessional loans made to an eligible country by the United States under this Act or predecessor foreign economic assistance legislation.

''(2) AUTHORIZATION OF APPROPRIATIONS.—For the cost (as defined in section 502(5) of the Federal Credit Reform Act of 1990) for the reduction of any debt pursuant to this section, there are authorized to be appropriated to the President $10,000,000 for each of the fiscal years 2002 through 2005.

''(3) CERTAIN PROHIBITIONS INAPPLICABLE.—

''(A) IN GENERAL.—A reduction of debt pursuant to this section shall not be considered assistance for purposes of any provision of law limiting assistance to a country.

''(B) ADDITIONAL REQUIREMENT.—The authority of this section may be exercised notwithstanding section 620(r) of this Act or section 321 of the International Development and Food Assistance Act of 1975.

''(b) IMPLEMENTATION OF DEBT REDUCTION.—

''(1) IN GENERAL.—Any debt reduction pursuant to subsection (a) shall be accomplished at the direction of the Facility by the exchange of a new obligation for obligations of the type referred to in subsection (a) outstanding as of the date specified in subsection (a)(1).

''(2) EXCHANGE OF OBLIGATIONS.—

''(A) IN GENERAL.—The Facility shall notify the United States Agency for International Development of an agreement entered into under paragraph (1) with an eligible country to exchange a new obligation for outstanding obligations.

''(B) ADDITIONAL REQUIREMENT.—At the direction of the Facility, the old obligations that are the subject of the agreement shall be canceled and a new debt obligation for the country shall be established relating to the agreement, and the United States Agency for International Development shall make an adjustment in its accounts to reflect the debt reduction.

''(c) ADDITIONAL TERMS AND CONDITIONS.—The following additional terms and conditions shall apply to the reduction of debt under subsection (a)(1) in the same manner as such terms and conditions apply to the reduction of debt under section 704(a)(1) of this Act:

''(1) The provisions relating to repayment of principal under section 705 of this Act.

''(2) The provisions relating to interest on new obligations under section 706 of this Act.

''SEC. 907. AUTHORITY TO ENGAGE IN DEBT-FOR-NATURE SWAPS AND DEBT BUYBACKS.

''(a) LOANS AND CREDITS ELIGIBLE FOR SALE, REDUCTION, OR CANCELLATION.—

''(1) DEBT-FOR-NATURE SWAPS.—

''(A) IN GENERAL.—Notwithstanding any other provision of law, the President may, in accordance with this section, sell to any eligible purchaser described in subparagraph (B) any concessional loans described in section 906(a)(1), or on receipt of payment from an eligible purchaser described in subparagraph (B), reduce or cancel such loans or portion thereof, only for the purpose of facilitating a debt-for-nature swap to support eligible activities described in section 908(d).

''(B) ELIGIBLE PURCHASER DESCRIBED.—A loan may be sold, reduced, or canceled under subparagraph (A) only to a purchaser who presents plans satisfactory to the President for using the loan for the purpose of engaging in debt-for-nature swaps to support eligible activities described in section 908(d).

''(C) CONSULTATION REQUIREMENT.—Before the sale under subparagraph (A) to any eligible purchaser described in subparagraph (B), or any reduction or cancellation under such subparagraph (A), of any loan made to an eligible country, the President shall consult with the country concerning the amount of loans to be sold, reduced, or canceled and their uses for debt-for-nature swaps to support eligible activities described in section 908(d).

''(D) AUTHORIZATION OF APPROPRIATIONS.—For the cost (as defined in section 502(5) of the Federal Credit Reform Act of 1990) for the reduction of any debt pursuant to subparagraph (A), amounts authorized to be appropriated under section 906(a)(2) shall be made available for such reduction of debt pursuant to subparagraph (A).

''(2) DEBT BUYBACKS.—Notwithstanding any other provision of law, the President may, in accordance with this section, sell to any eligible country any concessional loans described in section 906(a)(1), or on receipt of payment from an eligible purchaser described in paragraph (1)(B), reduce or cancel such loans or portion thereof, only for the purpose of facilitating a debt buyback by an eligible country of its own qualified debt, only if the eligible country uses an additional amount of the local currency of the eligible country, equal to not less than the lessor of 40 percent of the price paid for such debt by such eligible country, or the difference between the price paid for such debt and the face value of such debt, to support eligible activities described in section 908(d).

''(3) LIMITATION.—The authority provided by paragraphs (1) and (2) shall be available only to the extent that appropriations for the cost (as defined in section 502(5) of the Federal Credit Reform Act of 1990) of the modification of any debt pursuant to such paragraphs are made in advance.

''(4) TERMS AND CONDITIONS.—Notwithstanding any other provision of law, the President shall, in accordance with this section, establish the terms and conditions under which loans may be sold, reduced, or canceled pursuant to this section.

''(5) ADMINISTRATION.—

''(A) IN GENERAL.—The Facility shall notify the Administrator of the United States Agency for International Development of eligible purchasers described in paragraph (1)(B) that the President has determined to be eligible under paragraph (1), and shall direct such agency to carry out the sale, reduction, or cancellation of a loan pursuant to such paragraph.

''(B) ADDITIONAL REQUIREMENT.—Such agency shall make an adjustment in its accounts to reflect the sale, reduction, or cancellation of such a loan.

''(b) DEPOSIT OF PROCEEDS.—The proceeds from the sale, reduction, or cancellation of any loan sold, reduced or canceled pursuant to this section shall be deposited in the United States Government account or accounts established for the repayment of such loan.

''SEC. 908. CORAL REEF AND OTHER COASTAL MARINE RESOURCES AGREEMENT.

''(a) AUTHORITY.—

''(1) IN GENERAL.—The Secretary of State is authorized, in consultation with other appropriate officials of the Federal Government, to enter into a Coral Reef and Other Coastal Marine Resources Agreement with any eligible country concerning the operation and use of the Fund for that country.

''(2) CONSULTATION.—In the negotiation of such an Agreement, the Secretary shall consult with the Board in accordance with section 910.

''(b) CONTENTS OF AGREEMENT.—The requirements contained in section 708(b) of this Act (relating to contents of an agreement) shall apply to an Agreement in the same manner as such requirements apply to an Americas Framework Agreement.

''(c) ADMINISTERING BODY.—

''(1) IN GENERAL.—Amounts disbursed from the Fund in each beneficiary country shall be administered by a body constituted under the laws of that country.

''(2) COMPOSITION.—

''(A) IN GENERAL.—The administering body shall consist of—

''(i) one or more individuals appointed by the United States Government;

''(ii) one or more individuals appointed by the government of the beneficiary country; and

''(iii) individuals who represent a broad range of—

''(I) environmental non-governmental organizations of, or active in, the beneficiary country;

''(II) local community development non-governmental organizations of the beneficiary country; and

''(III) scientific, academic, or forestry organizations of the beneficiary country.

''(B) ADDITIONAL REQUIREMENT.—A majority of the members of the administering body shall be individuals described in subparagraph (A)(iii).

''(3) RESPONSIBILITIES.—The requirements contained in section 708(c)(3) of this Act (relating to responsibilities of the administering body) shall apply to an administering body described in paragraph (1) in the same manner as such requirements apply to an administering body described in section 708(c)(1) of this Act.

''(d) ELIGIBLE ACTIVITIES.—Amounts deposited in a Fund shall be used only to provide grants to conserve, maintain, and restore the coral reefs and other coastal marine resources in the beneficiary country, through one or more of the following activities:

''(1) Establishment, restoration, protection, and maintenance of parks, protected areas, and reserves.

''(2) Development and implementation of scientifically sound systems of natural resource management, including 'ridgeline to reef' and ecosystem management practices.

''(3) Training programs to increase the scientific, technical, and managerial capacities of individuals and organizations involved in conservation efforts.

''(4) Restoration, protection, or sustainable use of diverse marine animal and plant species.

''(5) Development and support of the livelihoods of individuals living near a coral reef or other coastal marine resource, in a manner consistent with protecting those resources.

''(e) GRANT RECIPIENTS.—

''(1) IN GENERAL.—Grants made from a Fund shall be made to—

''(A) nongovernmental environmental, forestry, conservation, and indigenous peoples organizations of, or active in, the beneficiary country;

''(B) other appropriate local or regional entities of, or active in, the beneficiary country; or

''(C) in exceptional circumstances, the government of the beneficiary country.

''(2) PRIORITY.—In providing grants under paragraph (1), priority shall be given to projects that are run by nongovernmental organizations and other private entities and that involve local communities in their planning and execution.

''(f) REVIEW OF LARGER GRANTS.—Any grant of more than $100,000 from a Fund shall be subject to veto by the Government of the United States or the government of the beneficiary country.

''(g) ELIGIBILITY CRITERIA.—In the event that a country ceases to meet the eligibility requirements set forth in section 905(a), as determined by the President pursuant to section 905(b), then grants from the Fund for that country may only be made to non-governmental organizations until such time as the President determines that such country meets the eligibility requirements set forth in section 905(a).

''SEC. 909. CORAL REEF AND OTHER COASTAL MARINE RESOURCES FUND.

''(a) ESTABLISHMENT.—Each beneficiary country that enters into a Coral Reef and Other Coastal Marine Resources Agreement under section 908 shall be required to establish a Coral Reef and Other Coastal Marine Resources Fund to receive payments of interest on new obligations undertaken by the beneficiary country under this part.

''(b) REQUIREMENTS RELATING TO OPERATION OF FUND.—The following terms and conditions shall apply to the Fund in the same manner as such terms as conditions apply to an Enterprise for the Americas Fund under section 707 of this Act:

''(1) The provision relating to deposits under subsection (b) of such section.

''(2) The provision relating to investments under subsection (c) of such section.

''(3) The provision relating to disbursements under subsection (d) of such section.

''SEC. 910. BOARD.

''(a) ENTERPRISE FOR THE AMERICAS BOARD.—The Enterprise for the Americas Board established under section 610(a) of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1738i(a)) shall, in addition to carrying out the responsibilities of the Board under section 610(c) of such Act, carry out the duties described in subsection (c) of this section for the purposes of this part.

''(b) MEMBERSHIP.—

''(1) INITIAL MEMBERSHIP.—Of the six members of the Enterprise for the Americas

Board appointed by the President under section 610(b)(1)(A) of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1738i(b)(1)(A)), at least one shall be a representative of the Department of State, at least one shall be a representative of the Department of the Treasury, and at least one shall be a representative of the Inter-American Foundation.

''(2) ADDITIONAL MEMBERSHIP.—The Enterprise for the Americas Board shall be composed of an additional four members appointed by the President as follows:

''(A) Two representatives from the United States Government, including a representative of the National Oceanographic and Atmospheric Administration (NOAA) and a representative of the United States Geological Survey (USGS).

''(B) Two representatives from private nongovernmental environmental, scientific, forestry, or academic organizations with experience and expertise in preservation, maintenance, sustainable uses, and restoration of coral reefs and other coastal marine resources.

''(c) DUTIES.—The duties described in this subsection are as follows:

''(1) Advise the Secretary of State on the negotiations of Coral Reef and Other Coastal Marine Resources Agreements.

''(2) Ensure, in consultation with—

''(A) the government of the beneficiary country;

''(B) nongovernmental organizations of the beneficiary country;

''(C) nongovernmental organizations of the region (if appropriate);

''(D) environmental, scientific, oceanographic, and academic leaders of the beneficiary country; and

''(E) environmental, scientific, oceanographic, and academic leaders of the region (as appropriate),

that a suitable administering body is identified for each Fund.

''(3) Review the programs, operations, and fiscal audits of each administering body.

''SEC. 911. CONSULTATIONS WITH THE CONGRESS.

''The President shall consult with the appropriate congressional committees on a periodic basis to review the operation of the Facility under this part and the eligibility of countries for benefits from the Facility under this part.

''SEC. 912. ANNUAL REPORTS TO THE CONGRESS.

''(a) IN GENERAL.—Not later than December 31 of each year, the President shall prepare and transmit to the Congress an annual report concerning the operation of the Facility for the prior fiscal year. Such report shall include—

''(1) a description of the activities undertaken by the Facility during the previous fiscal year;

''(2) a description of any Agreement entered into under this part;

''(3) a report on any Funds that have been established under this part and on the operations of such Funds; and

''(4) a description of any grants that have been provided by administering bodies pursuant to Agreements under this part.

''(b) SUPPLEMENTAL VIEWS IN ANNUAL REPORT.—Not later than December 15 of each year, each member of the Board shall be entitled to receive a copy of the report required under subsection (a). Each member of the Board may prepare and submit supplemental views to the President on the implementation of this part by December 31 for inclusion in the annual report when it is transmitted to Congress pursuant to this section.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. HYDE) and the gentleman from California (Mr. LANTOS) 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 within which to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

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

I am pleased that the House is considering H.R. 2272, the Coral Reef and Coastal Marine Conservation Act of 2001, a bill introduced by the gentleman from Illinois (Mr. KIRK) and cosponsored by the distinguished chairman emeritus of the Committee on International Relations, the gentleman from New York (Mr. GILMAN); the gentleman from New Jersey (Mr. SMITH), the vice chairman, and the gentleman from American Samoa (Mr. FALEOMAVAEGA).

Mr. Speaker, H.R. 2272 authorizes $10 million for each of the fiscal years 2002 through 2005 to build upon the environmental and conservation programs of the Enterprise for the Americas Initiative and the Tropical Forest Conservation Act that was recently marked up by the Committee on International Relations, passed by Congress, and enacted into law by the President.

In simple terms, Madam Speaker, the Coral Reef and Coastal Marine Conservation Act helps to protect the world's dwindling coral reefs through debt-for-nature swaps, debt buy-backs, or debt restructuring instruments.

□ 1500

This successful program, which is modeled on former President Bush's innovative Enterprise for the Americas initiative, is another creative example of how we can address developing country debt while helping to protect our planet's environment.

Madam Speaker, this bill gives the President the authority to reduce certain forms of debt owed to the United States in exchange for the deposit by eligible developing countries of local currencies in a coral reef facility to preserve, restore, and maintain coral reefs throughout the developing world.

These funds are used by qualified non-governmental organizations working to preserve the world's most endangered coral reefs.

This program is overseen by a board of directors in the United States that is comprised of U.S. public and private officials; and the board, in turn, annually reports to Congress on the progress made to implement the program's objectives.

I am pleased that key U.S. Government agencies, including the State and Treasury Departments, as well as the Inter-American Foundation, are members of the Enterprise for America's board and charged with the oversight of these programs.

In closing, I wish to commend the distinguished gentleman from Illinois (Mr. KIRK) for his leadership, vision, and dedication in promoting and expanding conservation efforts in the developing world. I urge all my colleagues to support H.R. 2272.

I congratulate and appreciate the opportunity to work with the gentleman from California (Mr. LANTOS) on this bill, as well as all bills.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, I rise in strong support of H.R. 2272. First, I would like to commend our colleague, the gentleman from Illinois (Mr. KIRK), for introducing this important piece of legislation; our colleague, the gentleman from American Samoa (Mr. FALEOMAVAEGA) for his leadership on this issue; and the gentleman from Illinois (Chairman HYDE) for moving the bill so expeditiously through the legislative process.

Madam Speaker, H.R. 2272 will help provide vital protection to valuable coral reefs and coastal marine resources around the globe. The bill provides significant funding for the administration to pursue actively debt swaps, buy-backs, and reduction and restructuring with developing nations in return for concrete efforts to protect coral reefs and sensitive coastal marine environments.

Coral reefs and coastal marine environments provide a host of significant benefits to mankind. They harbor a major share of the world's marine biological diversity, and act as vital nurseries and seeding grounds for many sensitive deep sea species. They also provide the foundation for critical economic, social, and cultural activities of almost immeasurable value.

Coral reefs are extremely sensitive marine treasures. The shocking reports of massive coral bleaching that has occurred around the globe in recent years should serve as a wake-up call for all of us. Urgent action is needed to help mitigate the contributions that human activities are making to this problem.

Our bill provides just the kind of intelligent, targeted, and mutually beneficial assistance that is required; and I urge all of our colleagues to support H.R. 2272.

Madam Speaker, I reserve the balance of my time.

Mr. HYDE. Madam Speaker, I yield such time as he may consume to the learned gentleman from Illinois (Mr. KIRK).

Mr. KIRK. Madam Speaker, I thank the gentleman for yielding time to me; and I also thank our ranking Democrat member, leader, and original cosponsor of this legislation, the gentleman from California (Mr. LANTOS); the gentleman from New York (Mr. GILMAN); and the

gentleman from American Samoa (Mr. FALEOMAVAEGA) for helping out on this crucial piece of legislation.

I also want to thank one of the intellectual authors of this legislation, the gentleman from Ohio (Mr. PORTMAN), for his leadership on the debt-for-nature swap initiative.

The Coral Reef and Coastal Marine Conservation Act of 2001 will credit qualified developing nations for each dollar spent on a comprehensive reef preservation or management program designed to protect these unique ecosystems from degradation. This bill builds on the model of the Tropical Forest Conservation Act, expanding it to include coral reefs.

Madam Speaker, it is said that coral reefs are the rainforests of the ocean. Although they occupy less than one-quarter of 1 percent of the marine environment, coral reefs are home to more than one-quarter of all known marine fish species.

Coral reefs are among the most biologically rich ecosystems on Earth. About 4,000 species of fish and 800 species of reef-building corals have already been identified. However, scientists have barely begun to catalogue the total number of species found within these habitats. Their scientific value cannot be underestimated. Yet, they are disappearing at an alarming rate.

According to a 1998 study conducted by the United Nations and various international environmental organizations, 58 percent of the world's reefs are potentially threatened by human activity. These activities include coastal development, overfishing, marine pollution, and runoff from inland deforestation and farming.

More than one-quarter of the world's reefs are at risk. Predictions made in 1992 were that 10 to 20 years from now, another 30 percent of the world's coral reefs could be effectively destroyed, adding to the 10 percent that already were destroyed.

While these numbers sound alarmist, figures today show that they are conservative. Most Caribbean and South Pacific mangroves have disappeared, while India, Southeast Asia, and West Africa have each lost about one-half of their mangroves.

Almost a half a billion people, 8 percent of the world's population, live within 100 kilometers of a coral reef. A decline in the health of coral reefs has implications for the lives of millions of people who depend upon them.

The burden of foreign debt falls especially hard on the smallest nations, such as island nations in the Caribbean and Pacific. With few natural resources, these nations often resort to harvesting or otherwise exploiting coral reefs and other marine habitats to earn hard currency to service foreign debt. At least 40 countries lack any marine protected areas for their coral reef systems.

This legislation will make available resources for environmental stewardship that would otherwise be the lowest priority in a developing country. It will reduce debt by investing locally in programs that will strengthen indigenous economies by creating long-term management policies that will preserve the natural resources upon which local commerce is based.

The Tropical Forest Conservation Act has set a path for debt-for-nature swaps, and the United States has an important role to play in assisting in the protection of the world's natural resources. This bill extends the support from forests to the oceans, and critical countries like Jamaica, Belize, Dominican Republic, the Philippines, and Thailand could benefit from this legislation.

I urge all of my colleagues to support the legislation and take an important step to helping preserve one of the world's largest, most precious, and most threatened resources.

Mr. LANTOS. Madam Speaker, I am pleased to yield 3 minutes to my good friend and colleague, the gentleman from American Samoa (Mr. FALEOMAVAEGA), one of the leaders in this field of legislation.

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

Mr. FALEOMAVAEGA. Madam Speaker, I rise in strong support of this bipartisan bill, which enhances international efforts to protect critical coral reef habitats, and commend the author, my good friend, the gentleman from Illinois, and also the gentleman from Ohio (Mr. PORTMAN), for introducing this piece of legislation.

I say this especially because one does not have to come from an island to have a sense of appreciation what coral reefs are all about. I know there are a lot of reefs in Illinois and Ohio. But certainly, I want to really commend not only our chairman of the Committee on International Relations, but also our ranking senior Democratic member, the gentleman from California (Mr. LANTOS), for their leadership in bringing this measure to the floor. Indeed, I am honored to be an original cosponsor of this legislation.

Madam Speaker, coral reefs and the marine life they support are the world's most biologically diverse marine ecosystems. Yet, it is only recently we have begun to appreciate how important coral reefs are to local, regional, and national interests, especially the economies of several countries.

For example, coral reefs provide fisheries for food and raw materials for new medicines and pharmaceuticals. Tourism and recreation flourish along coral reef tracts and provide jobs and real income for coastal residents. They also provide effective shore protection, shielding coastal communities and harbors from violent storms and erosion.

Yet, because corals depend on light and require clear water for growth, they are remarkably fragile. Recent evidence indicates that coral reefs are deteriorating worldwide, and many are highly at risk. Symptoms include the loss of coral diversity, an increased abundance of algae, an increased frequency in outbreaks of coral bleaching and other diseases, such as black band disease.

Scientists and managers still lack critical information about the causes, but evidence suggests that a variety of human forces, including shoreline development, increased sediments and pollutants in the water, ship groundings, and overfishing, including destructive fishing practices such as the use of dynamite and cyanide, have all contributed to the decline of healthy coral reef ecosystems.

Madam Speaker, the destruction of coral reefs is particularly profound in developing nations in the tropics. Legislation before us addresses this problem, and is specifically targeted to encourage coral reef resource protection in these developing countries.

By authorizing the administration to sell, reduce, or cancel loans owed by these nations to the United States in an amount equivalent to what these countries spend on coral conservation programs, we promote the economic growth while significantly enhancing international efforts to protect and restore coral reefs and coastal marine resources.

Madam Speaker, this is a very worthwhile initiative and piece of legislation. I again commend my good friend, the gentleman from Illinois, for his authorship of this bill; and I strongly urge my colleagues to support this piece of legislation.

Mr. LANTOS. Madam Speaker, I am pleased to yield 4 minutes to my good friend, the gentleman from Oregon (Mr. BLUMENAUER), an indefatigable guardian of the environment.

Mr. BLUMENAUER. Madam Speaker, I thank the gentleman for yielding time to me. I appreciate his courtesy and leadership, as with our chair of the full committee, and my colleague, the gentleman from Illinois (Mr. KIRK).

Madam Speaker, I think it is important that we take a step back and look at this legislation today because as we have heard, there is a crying need for this type of protection.

Coral reefs are indeed among the most diverse and productive communities on our world. They are home to nearly a quarter of all marine plants and animals.

We have heard a lot of numbers here on the floor today, but there are nearly 1 million species of fish, crab, eel, sponges, worms, grasses, all of these organisms that live on the reefs or depend directly on them.

We find that the coral provides a natural filtration system for seawater. It, as we have heard, protects coastal landscapes, maintaining coastal quality of water. There are millions of people on the coastal areas who receive important protections from storms, wave damage, and erosion, to say nothing of economic opportunities dealing with fishing and tourism.

Madam Speaker, we have heard each speaker use slightly different statistics to talk about the alarming rate of destruction. Sadly, all of the information we have received is true. There may be different statistics, but they are all bad. We have more than 10 percent of the inventory of coral reefs already destroyed; and if we take the big view, because what we are doing today in the United States and around the world, we are taking steps that are going to have a profound impact over the next generation, and 70 percent of the coral reefs at risk could be gone in the next 40 years.

Madam Speaker, the legislation before us is an important extension of the protections that we have had for the rain forests. It will provide the administration to be able to actively pursue debt swaps and buy-backs. It is going to help give those developing countries the tools that they need and would otherwise not be available.

But we on this floor ought to be clear that this is just the beginning, because we are in a situation now where we are in the United States only investing $1 in oceanographic research for every $13 that we put in outer space, when the world's fishery industry are now costing $1.33 to harvest each $1 of fish, producing dramatic overharvest, and we are going to have to step up and put serious money on the table, negotiate serious trade agreements, to provide for the protection of these important resources.

Madam Speaker, I think this legislation is important. It is a step in the right direction. It is relatively painless. But I do hope we in this Congress will be willing to do our part, because the stakes are high. We are going to have to do more, and we are going to have to do it soon.

□ 1515

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

Before yielding back our time, I just would like to make an observation. It speaks to the strength of this body and this Nation that in the midst of a war we take time to pass important environmental legislation, as we are about to do; that we have taken time to recognize the historic continuity of the friendship between two democracies, Australia and the United States; and that we have had the creativity and courage to move with respect to Pakistan as it aligned itself with the United States in the fight against terrorism.

This is a fine day for Congress and for the American people, and it is a message to our enemies that we shall prevail.

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

Mr. HYDE. Madam Speaker, I should very much like to associate myself with the trenchant remarks of the gentleman from California (Mr. LANTOS).

Madam Speaker, having no more speakers, I yield back the balance of our 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 pass the bill, H.R. 2272, 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. 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.

INTERNET TAX NONDISCRIMINATION ACT

Mr. SENSENBRENNER. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 1552) to extend the moratorium enacted by the Internet Tax Freedom Act through 2006, and for other purposes, as amended.

The Clerk read as follows:

H.R. 1552

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 ''Internet Tax Nondiscrimination Act''.

SEC. 2. EXTENSION OF INTERNET TAX FREEDOM ACT MORATORIUM.

Section 1101(a) of the Internet Tax Freedom Act (47 U.S.C. 151 note) is amended by striking ''3 years after the date of the enactment of this Act'' and inserting ''on November 1, 2003''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentleman from Massachusetts (Mr. DELAHUNT) 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. 1552, 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, I rise in support of H.R. 1552, the Internet Tax Nondiscrimination Act. Over the last several years, the Internet has revolutionized commerce in a manner few could have imagined. The Internet has expanded consumer choices, enhanced competition and enabled individuals, as well as brick and mortar retailers, to avail themselves of a national marketplace once reserved to a privileged few.

While government deserves some credit for helping create the technological infrastructure of the new digital economy, government regulation and taxation threaten to impede its tremendous commercial potential.

In 1998, Congress passed the Internet Tax Freedom Act to facilitate the commercial development of the Internet. Contrary to widely held impressions, the Internet Tax Freedom Act does not specifically exempt Internet retailers from collecting and remitting all sales taxes. Rather, it prohibits States from imposing multiple and discriminatory taxes on electronic commerce and shields consumers from new Internet access taxes. These limited protections will expire on October 21, less than a week from today.

Introduced by the gentleman from California (Mr. COX), who also authored the Internet Tax Freedom Act, H.R. 1552 extends the ban on new Internet access taxes and on all multiple and discriminatory taxes on electronic commerce. The Subcommittee on Commercial and Administrative Law has conducted a number of Internet tax hearings this Congress, and I commend the subcommittee chairman, the gentleman from Georgia (Mr. BARR), for his thorough and balanced consideration of this issue.

The version of H.R. 1552 reported by the Committee on the Judiciary preserves the protections contained in the Internet Tax Freedom Act until November 1, 2003. Renewal of these provisions for 2 years represents a compromise approach that simply maintains the existing moratorium on Internet taxes. A 2-year renewal also provides the best legislative vehicle for getting an Internet tax extension bill to the President before its imminent expiration.

If H.R. 1552 is not passed, Internet commerce will be subject to State and local taxes in more than 7,500 taxing jurisdictions. As Chief Justice John Marshall recognized over 200 years ago, the ''power to tax involves the power to destroy.'' Failure to extend the moratorium may result in the imposition of a complex web of taxes that would destroy the viability of this critical medium at a time the technology industry and broader economy can least afford it.

Recent events have only underlined the fragility of the technology sector. Information technology companies have been buffeted by falling stock prices and signs of a deepening economic downturn. The last thing these companies need is more uncertainty, and passage of H.R. 1552 will provide a measure of stability during this turbulent period.

Last year, the House overwhelmingly passed an extension of the Internet tax moratorium by a vote of 352 to 75, but this measure did not receive a vote from the other body. This year there is no time to delay, and I urge support of the bill.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, the bill we are considering today is clearly a substantial improvement over the original proposal considered last week by the House Committee on the Judiciary. That bill would have proposed a permanent moratorium on Internet access fees and a 5-year moratorium on so-called multiple and discriminatory taxes on the Internet.

During the course of our proceedings, an amendment, which I cosponsored along with the gentleman from Alabama (Mr. BACHUS) and the gentleman from North Carolina (Mr. WATT), the ranking member of the subcommittee, did prevail in committee and reduced the duration of the moratorium to 2 years in both cases.

My own preference would have been to continue the moratorium only to June 30 of 2002 as proposed in recent legislation filed by Senators DORGAN, BREAUX, and HUTCHISON of Texas to hopefully solve the real problem.

It is important to note, Madam Speaker, that much of the discussion of this issue has been misleading. Some have suggested that those in favor of a moratorium of short duration somehow support taxing the Internet.

Well, let us be clear once and for all. I am not aware of any Member of this body on either side of the aisle who favors or supports a tax or a fee on accessing the Internet to sell or purchase anything. To my knowledge, that position is shared by the governors and State legislatures of all 50 States. Governors in State legislatures do not want to tax the Internet. Let me say that again, Madam Speaker. They do not want to tax the Internet. They simply want to collect the sales taxes that they have been collecting for years. Taxes for which they rely upon for nearly 50 percent of their revenues.

But they cannot do that any more, Madam Speaker, because of the United States Supreme Court decision which prohibited a State from collecting sales taxes from out-of-State businesses which do not have a physical presence in that State. However, the Supreme Court said that Congress could authorize the State under the commerce clause to collect those taxes, but we have not done so. And the results of our failure have been devastating.

Let me give some examples. Uncollected sales taxes on Internet purchases are projected to cost the States nearly $15 billion in anticipated sales tax revenues this year, this year alone. Unless there is a system in place that enables State and local governments to collect taxes on their sales to in-state residents, these annual losses from online sales will grow to $45 billion by 2006 and $55 billion by 2011 with total losses during the 10-year period coming to approximately $440 billion.

What does this mean for the individual States? To take just a few examples, my home State of Massachusetts will lose $200 million this year, with losses climbing to approximately $830 million by 2011. Florida, which relies on the sales tax for some 57 percent of its annual revenues, will lose some $930 million this year with its losses 5 years from now exceeding some $3 billion. Texas will lose over $1 billion this year and a staggering $4 billion in the year 2006. These losses are magnifying the fiscal problems the States are already experiencing because of the economic slow down.

In March, The Washington Post reported that the States' fiscal outlooks having been hammered by a combination of spiralling Medicaid costs and the forecast of lower State revenues from all sources, including personal income, corporate and sales taxes. One can only imagine what the consequences of the events of September 11 will mean to State balance sheets. But I did notice where the Governor in Michigan, Governor Engler was quoted just last week saying, and again these are his words, ''Our economies were weak beforehand, and now they are quite shaky.'' End of quote.

Well, what does this really mean to the States? They will either have to curtail basic services such as police, fire protection, and education or raise income taxes, raise property taxes, raise corporate taxes or find some other revenue source to meet their obligations.

I find it fascinating that there seems to be strong bipartisan agreement on a $2.50 increase per ticket to finance airport and airway safety. By the way, that new tax will be collected whether the ticket is purchased over the counter, or over the Internet. But there is no such consensus to help the States fund resources critical for police, fire, emergency medical responders, and the public health care facilities that were and will be the first responders if there should be, God forbid, another terrorist attack on this country.

How ironic. And that is not all. By failing to act, we are putting at risk the thousands of small businesses that sustain our economy. Those main street merchants in our neighborhoods and communities who make up the local Chambers of Commerce who contribute so much to our community. How can they compete where there is no sales tax parity?

We should not continue to stand by while remote sellers enjoy an unfair advantage over the so-called brick and mortar retailers. One can just imagine deserted shopping malls and empty store fronts in the downtowns of American communities. Well, the digital divide should not be extended to American businesses and those who patronize them. If we do not meet our responsibilities, we will be creating two classes of American businesses and two classes of American consumers and no level playing field for either.

As Governor Engler of Michigan said, ''It is time to close ranks, come together, and stand up for main street America because fairness requires that remote sellers collect and pay the same taxes that our friends and neighbors on main street have to collect and pay.''

□ 1530

Former Senator Slade Gorton of Washington was right when several years ago he said, and again I am quoting the Senator, ''We kicked this down the road in 1998 when we should have debated it and resolved things. What we don't need is another extension. We should come back next year before the current moratorium expires and deal with these issues.''

So I say, Madam Speaker, it is time that we respect the States and the concept of Federalism that used to be in vogue in this body some time ago but seems to have fallen out of fashion, unfortunately. Despite our failure to assist them in their efforts, the States have met their end of the bargain. By their own initiative, they have formed the 30–State Streamlined Sales Tax Project. Twenty States have adopted model legislation that authorizes them to create a uniform simplified sales-and-use tax system, and a majority of the States will likely be on board within the year. They understand that the longer the issue is unresolved, the more serious the economic situation will become. Small businesses will be filing for bankruptcy and State and local governments will confront a severe fiscal crisis.

It is time for us to meet our responsibility. It is time for us to enact legislation giving the States the authority to implement the streamlined and simplified system, which would enable remote sellers to collect and remit sales taxes without burdening the Internet or interstate commerce. I genuinely believe that the stakeholders, finally, on all sides of the issue are ready to move forward to develop this system; and it is up to us to see it happens before this extension expires. So, for now, I urge support for the bill.

Madam Speaker, I reserve the balance of my time.

Mr. SENSENBRENNER. Madam Speaker, I yield 5 minutes to the gentleman from California (Mr. COX), the author of the bill.

Mr. COX. Madam Speaker, I thank the gentleman for yielding me this time and for the good work of the Committee on the Judiciary in bringing this bill to the floor just in the nick of time; and I thank my colleague, the gentleman from Massachusetts (Mr. DELAHUNT), for his support in the minority.

It is vital, with only a few days remaining before the expiration of the 3-year-old moratorium on special multiple and discriminatory taxes on the Internet, that we extend it; that we not let a lapse occur. Because, honestly, my colleagues, if we do that, all hell may break loose. And people may then ask us, when they are not focused on other issues, where we were and how we let this happen.

Back in 1996, when Senator RON WYDEN and I first began drafting the Internet Tax Freedom Act, which is now the law on the books that we are seeking to extend, our interest was to ensure that the Internet, which is not just a national but a global medium, not fall victim to the tyranny of the parochial.

My colleague, the gentleman from Massachusetts (Mr. DELAHUNT), is exactly right when he says the Governors and the State legislatures are not out to tax the Internet. But we should not kid ourselves, many, many, many special tax districts, utility commissions, regulatory agencies, and excise bureaus, 30,000 of them, are lying in wait ready to pounce.

The Internet's global nature, its decentralized packet-switched architecture makes it inherently vulnerable to multiple taxation and special and discriminatory taxation. Even the United Nations sought, before we passed this legislation, to impose a bit tax, that is a tax specifically aimed only at electronic commerce, that would tax our e-mail, the transfer of any file. The more zeros and ones, the more bits, the higher the tax. This law, which is on the books and which we are seeking to extend, outlawed all of that, certainly at least in America; but it also encouraged the executive branch to show leadership on the national and international stage to make sure we do not have these exactions on the Internet from abroad. The Clinton and Bush administrations have both been superb in execution of that congressional instruction.

Before this law was passed 3 years ago, here is what was about to happen, and here is what will happen beginning Sunday night if we do not act: Tacoma, Washington, had required Internet service providers to pay a 6 percent gross receipts tax, even for national Internet service providers without any employees in Tacoma. Tacoma's law also required everyone, even foreign, non-U.S. sellers who sold a product over the Internet to a Tacoma resident, to pay a $72 annual business fee in that city.

Vermont and Texas were moving forward to impose more onerous tax obligations on merchants who take orders via the Internet than the same merchants who took orders via the telephone.

Alabama had classified Internet service as a public utility. The Internet service was going to be a public utility. ISPs were going to have pay the same gross receipts tax as Bell South and local water utilities.

Florida had imposed a 7 percent tax on the sale of Internet access; but not only access, an additional 2½ percent tax on the gross receipts from any business on the Internet. It was also allowing cities to impose additional telephone fees on Internet access service, even though telecommunications are the highest taxed legal commodity in the country.

Tennessee began to tax Internet access as an intrastate telecommunications service.

Connecticut began taxing Internet access as a data processing service.

Out my way, in Southern California, the city of San Bernardino began taxing Internet access as a teletypewriter exchange service, a great example of a law and regulatory authority on the books from way before the birth of the Internet that was now being interpreted not by Governors and State legislators, but by bureaucrats and regulators to impose taxes on the Internet.

Chicago began to tax Internet access as a lease of tangible personal property.

In Texas, the State comptroller who testified before my committee had, at the time of enactment of this law, dropped his plan to tax Internet access as a telecom service, but was moving forward to tax it as an information service.

The Internet Tax Freedom Act stopped all of this activity in its tracks, and the results have been essentially positive. The truth is that our whole economy is slowing down right now, and not the least of all the tech sector. So it is vitally important, as we seek to put the Nation's economy back on its feet, that we not backslide on this wise policy that we adopted 3 years ago.

H.R. 1552 is endorsed by a number of taxpayer advocates, a number of sound economy groups, Americans For Tax Reform, the U.S. Chamber of Commerce, Business Roundtable, the Information Technology Association, Software and Information Industry Association, Information Technology Industry Council, American Electronics Association, and so on. But it is also endorsed by the National Conference of State Legislatures and the National Association of Counties, because this is not a threat to local government.

I urge my colleagues' vote in support of this legislation.

Mr. DELAHUNT. Madam Speaker, may I inquire as to the time remaining.

The SPEAKER pro tempore (Mrs. BIGGERT). The gentleman from Massachusetts (Mr. DELAHUNT) has 8½ minutes remaining, and the gentleman from Wisconsin (Mr. SENSENBRENNER) has 11½ minutes remaining.

Mr. DELAHUNT. Madam Speaker, I yield such time as he may consume to the gentleman from Oklahoma (Mr. ISTOOK).

Mr. ISTOOK. Madam Speaker, the sky is not falling. On October 21 we are not going to be hit by a great rush of jurisdictions saying now we are going to impose taxes on the Internet. We are not under an emergency circumstance on that. We have many emergencies in this country; trying to stop some unnamed jurisdictions from adopting a sudden tax is not an emergency.

However, dealing with the overall issue of drawing the ground rules for how the Internet is treated in comparison with other legitimate businesses is very important. That is why it is important that Congress not take an attitude of saying we are going to stick our head in the sand for any period of time, 5 years, 2 years, any amount of time.

I oppose any sort of effort to single out the Internet or Internet merchants for taxation, to say we are going to have multiple taxes because a business does business through the Internet or discriminatory taxes because they do that. I also oppose singling out merchants that do not deal through the Internet; to say that they are going to be paying taxes that others that sell to those same customers are not required to pay or to collect.

We need a fair tax system when it comes to the Internet. We need a fair tax system when it comes to merchants that are not using the Internet. That is my concern, that we will hide our head in the sand rather than addressing the tough issues. That is why I am pleased that we are not talking about a 5-year moratorium anymore. We are talking about a bill that is now on the floor that has been reduced down to 2 years; and frankly, it is very possible that the Senate will decide that even 2 years is too much. However, we need to keep things alive by moving the legislation; and I support that, so that we have an opportunity to grapple with the tough issues that some people do not want to grapple with.

Now, what are those tough issues? Well, first, let me mention the National Governors' Association, which keeps up with what is going on in their States and all their jurisdictions within their States. They tell us there is nobody about to jump in and do this, to create new tax systems. Whatever may have been the situation 5 years ago is not the circumstance today. Most State legislatures are not even in session, and there is certainly a lot of lead time with any jurisdiction that might jump up and say, oh, we want to create an Internet tax mechanism.

The National Governors' Association has asked us not to take up any moratorium unless we deal with the underlying issue of what the bill does not say but what it does, which is to try to chill efforts to have a fair, uniform system regarding sales tax that is fair and nondiscriminatory and simplified and uniform for merchants doing business in whatever way. That is what the States are doing.

I am pleased that a year ago, when we had a 5-year extension on this floor, two-thirds of this body, two-thirds, actually more than two-thirds of the House of Representatives, put in guidelines that said we want the States to work together, we want them to make a compact that says we will have a uniform standard, a multi-State compact that avoids multiple taxation, that simplifies the complicated sales tax systems that have different definitions in different States, so that we will not

be discriminating across State lines or within State lines. That effort is underway.

As has been pointed out by other speakers, there are over 30 States involved in the effort, and more expected to join in. And we expect them to have some results to bring back to us before the 2 years is up, and that is where Congress needs to address the issue and not avoid the issues.

Madam Speaker, I think it is important that we remember that the Congress is not a body of unlimited jurisdiction. The Constitution specifies where we have authority that relates to interstate commerce and also where the States have authority; that the power not expressly given to the Congress nor denied to it reside with the States and the citizens thereof. If all power to determine the level of State and local taxes resides in Washington, D.C., we remove it from the people in the States. And if we starve out the premier tax base that supports schools, highways, public safety, public health, the sales tax base of the States; if we either by action or inaction destroy the States' tax base, we have destroyed the power and the authority of the States, we have destroyed the Federal system, we have shifted power away from the States, away from the communities, away from local citizens, away from our neighborhoods; and we will have moved it to Washington, D.C. We do not want that.

That is why we need to address all the issues, not single out one or two that looks good in a headline so that we can say, ''I voted against taxes,'' but also the issues where we say, ''I voted for fairness, I voted to let people back home to continue making their decisions, that long belong to them,'' rather than usurping them.

Madam Speaker, it is important that we allow the Senate to address this issue, because they have not before; and moving this legislation will help get the Senate involved in the process. But I hope the ultimate result is going to be that we in the Congress support a uniform streamlined system that is just as fair to the merchants in our communities as it is to the merchants that bring their wares into our homes and businesses through the Internet. That is fair and equal, a level playing field, as we often say, between merchants of all types, which says that no one gets an advantage or a disadvantage because they use the Internet or because they set up a store on the corner.

□ 1545

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

Mr. GOODLATTE. Madam Speaker, I rise today in support of H.R. 1552, the Internet Tax Nondiscrimination Act, and I commend the gentleman from California (Mr. COX) for championing this legislation to keep the Internet free from unfair and burdensome taxation. I also commend the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentleman from Georgia (Mr. BARR) for advancing this important legislation through the Committee on the Judiciary.

The Internet Tax Fairness Act of 1998 created a moratorium on Internet access taxes and multiple and discriminatory taxes. As a result of this moratorium, the Internet has remained relatively free from the burdens of new taxes. However, the moratorium is set to expire in 5 days, subjecting the Internet to possible taxation from more than 7,500 taxing jurisdictions. If the moratorium is permitted to expire, it will send a signal to each of these taxing jurisdictions that the Internet is fair game for unfair and discriminatory taxation. This is a serious threat to our efforts to ensure that the Internet continues to expand and grow.

Congress created the Advisory Commission on Electronic Commerce in 1998 to study Internet taxation and submit a report of its findings to Congress. In its report, the Commission recommended that the Internet tax moratorium be extended. Following the advice of the Commission, the Internet Tax Nondiscrimination Act will extend the current moratorium for 2 years, protecting millions of Internet users from unfair and discriminatory taxes, and from taxes on their monthly Internet access charges.

These types of taxes are some of the most regressive. If we increase the cost of accessing the Internet by charging an access tax, those that will be hit the hardest will be those in the lowest income brackets, which will widen the digital divide. An increase in the cost of Internet access is a serious impediment to those individuals having access to the benefits of the Internet, such as on-line education, commerce and communication.

In the words of President Reagan, ''The government's view of the economy could be summed up in a few short phrases: If it moves, tax it. If it keeps moving, regulate it. If it stops moving, subsidize it.'' That should not be the model for growth of the Internet. It is clear if the potential of the Internet is to be fully realized, we must allow it to continue to flourish by ensuring that the qualities that made the Internet a revolutionary tool for both business and consumers, freedom from burdensome government regulations and taxation, remain fundamental components of the Internet for future generations.

Madam Speaker, I urge my colleagues to continue to ensure that the Internet remains free from restrictive taxation by joining me in voting for the Internet Tax Nondiscrimination Act.

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

Mr. SENSENBRENNER. Madam Speaker, I yield 1 minute to the gentleman from Illinois (Mr. WELLER).

Mr. WELLER. Madam Speaker, I commend the chairman for his expedited handling of this legislation, and particularly the gentleman from California (Mr. COX) for his leadership on this legislation year after year.

This week we have the opportunity to cast two, maybe three votes which are so important in this new economy in support of technology. We will have an opportunity later this week to vote in favor of the Economic Security and Recovery Act, legislation necessary to help revitalize the technology sector. Hopefully in the next week or two we will have an opportunity to vote for the trade promotion authority the President has asked for, and today we will vote to keep the Internet tax free.

Madam Speaker, one of the lessons that we have learned over the last decade, in talking to those involved in the new economy and those involved in the creativity of the technology sector, is the question: Why has the technology sector created one-third of all new jobs in the last decade? Why are more than half of American households on-line today? The answer is simple, government stayed out of the way. We had a regulation free, tax free, trade barrier free new economy to provide a tremendous amount of opportunity, creating a new technology sector.

This legislation is so important to keep that kind of environment in place. Let us keep the Internet tax free, and vote to extend the Internet tax moratorium for two more years.

Madam Speaker, I rise today in support of H.R. 1552, The Internet Tax Nondiscrimination Act.

It is vital that we extend the moratorium as it is set to expire in five short days. Absent our action today to renew the moratorium, the floodgates will be open—and our nation's 30,000 taxing jurisdictions could once again try to lay claim to a piece of the Internet by imposing special taxes on the Internet. While I support extending the moratorium for 2 more years I think that a more permanent solution is needed. We need to assure Americans that government will not place special burdens on the new economy.

While the tax moratorium imposed by the 1998 law was only three years in duration, its fundamental structure is ideally suited to be extended far beyond this year. Instead of barring all Internet taxes, it only bans those taxes that single out the Internet for special treatment. Whatever disagreements there might be on other aspects of the Internet tax debate—such as the broader issue of sales taxes—there is clear agreement that the Internet must never be subject to special multiple or discriminatory taxes.

In the past 10 years, the Internet has changed the way the world does business. 17 million households shopped online in 2000. Small businesses who use the Internet have grown 46% faster than those that do not. The Internet should be tax free and barrier free, nor should electronic commerce be subject to new, multiple targeted taxes.

Much consideration must be taken whenever you are considering changing the tax rules not just for the nation's economy but for the global economy. We need to foster continued growth of the Internet and electronic commerce without imposing a burdensome and confusing tax regulations.

With time running out, it is critical that we extend the Internet tax moratorium while continuing the effort to make the moratorium permanent.

Mr. SENSENBRENNER. Madam Speaker, I yield 2 minutes to the gentleman from Texas (Mr. SMITH).

Mr. SMITH of Texas. Madam Speaker, the current moratorium on Internet taxation is soon set to expire. Someone once said that the three greatest discoveries of humankind are fire, the wheel, and the integrated circuit. Each of these discoveries ushered in a new era of human development and advancement. And although the integrated circuit is only 50 years old, it has changed the world. The integrated circuit and its offspring, the Internet, have played dominant roles in transforming our lives for the better.

Even though America has seen a dramatic increase in the number of homes wired to the Internet, last month the Department of Commerce released a report showing that e-commerce actually has decreased in the second quarter of this year.

Internet commerce is still relatively new and has yet to reach its full potential. The imposition of taxes would threaten the future growth of e-commerce, would discourage companies and consumers from using the Internet to conduct business, and would create regional and international barriers to global trade.

On the other hand, of course, we do need to recognize the legitimate concerns of States that want to have the option of taxing sales. But failure to renew an extended moratorium will tell the high-tech sector of our economy that it is open season for Internet taxes and send a message to local and State tax authorities that new, multiple, and discriminatory Internet taxes may be imposed. We do not want to do that.

Madam Speaker, it is vital that Congress act quickly to ensure Americans that government will not place additional burdens on the new, fragile economy.

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

Madam Speaker, let me conclude by saying I look forward to working with the chairman of the committee, as well as the gentleman from Texas, in dealing with both issues here, keeping the Internet tax free and at the same time providing those options to the States so they can meet their fundamental responsibilities.

As I indicated earlier, and I believe the gentleman from Texas was present in the Chamber at the time, we have a real problem, his home State being one in particular, where this year it is anticipated that in excess of $1 billion will be lost to that particular State in terms of anticipated sales tax revenue.

Mr. CONYERS. Madam Speaker, I rise in support of H.R. 1552, ''The Internet Tax Nondiscrimination Act'' which extends the present moratorium on Internet access taxes and multiple and discriminatory taxes for two years, from 2001 through 2003.

Maintaining the current system allows the potential for significant financial loss for states and localities. Sales taxes constitute the most important State and local revenue source, with the census bureau estimating that nearly one half of State and local revenues come from sales taxes. Projections of increasing online sales indicate huge revenue losses for states and local government. For example, my own state of Michigan is estimated to lose $500 million in foregone sales taxes this year under the present system.

This inevitably translates into the loss of important funding for quality education, effective public safety, and other basic services. In Michigan the lost revenue from foregone sales taxes will cost my state the equivalent of 100,000 teachers or police officers this year. Think of how much we could do to reduce class sizes, build new schools, improve our quality of education and protect our streets with these funds.

A separate concern is the adverse impact of the present bifurcated system on poor citizens and minorities. According to a Commerce Department study, wealthy individuals are 20 times more likely to have Internet access, and Hispanics and African Americans are far less likely to have such access. This means that poor and minorities who only buy locally face a far greater sales tax burden than their counterparts. Maintaining the present system will only serve to perpetuate that disparity.

Steps are being taken to simplify the sales tax system, such as streamlining the rules and regulations of the 7,500 taxing jurisdictions in the U.S. Thus far, this streamlined tax system has 32 states participating in the effort to simplify tax rates and definition of taxable goods and certifying software that will make it easier for retailers and e-tailers. Nineteen states have enacted simplification legislation and another ten have introduced legislation for consideration.

A two-year extension is a far more appropriate solution than a longer moratorium. There is a real risk that extending the moratorium for longer than two years would unduly delay this issue and create a situation where the states have no incentive to reform their laws. This would have the effect of codifying into law the present state tax system which would force states, who rely on sales tax revenue, to either raise other taxes or cut basic services.

A shorter extension would allow the States to continue the very serious steps they have already taken to reform and simplify their laws. Then we could consider whether we should approve any interstate process effectuating these simplification efforts. If the States are not making any progress by the end of such a moratorium, it would be a simple matter to extend the moratorium for an additional period of time.

A long extended moratorium is opposed by the National Governors Association—which sent a letter signed by 44 Governors, including 22 Republican Governors, by organized labor (through the AFL–CIO, NEA, AFT, and AFSCME) and by business (through the National Retail Federation, Wal-Mart, Sears, Home Depot, and K–Mart).

A two-year extension will give Congress the opportunity to work together on a bipartisan basis to solve the larger simplification problems facing us. I urge a ''yes'' vote on this legislation.

Mr. TOM DAVIS of Virginia. Madam Speaker, I rise today as an original sponsor and enthusiastic supporter of H.R. 1552, the Internet Tax Nondiscrimination Act. I continue to favor the five-year extension originally contained in this legislation and advocated by the Advisory Commission on Electronic Commerce. Such an extension would ensure predictability and foster further innovation. I will support the two year extension, however, because I believe it is of paramount importance not to allow the moratorium to expire. Despite the current downturn in the economy, the Internet continues to flourish as the most unique and vibrant global communication and commercial tool. Its important role in our society and economy continues to expand.

Yet an ever-present concern plagues many of us who understand the need to foster the Internet's continued growth: that government interference in the electronic marketplace—whether it be through regulation or tax policy—will create barriers that interfere with the transformation of the Internet into the repository of global communications and commerce for the 21st century.

Three years ago, we recognized that state and local taxation in electronic commerce would require a thorough analysis before we could formulate a balanced and restrained federal policy on the taxation of goods and services sold over the Internet. While most of us agree that regulation of the Internet would hinder technological innovation and economic growth, we also understand the legitimate needs of state and local governments who use sales tax revenue to fund services for their citizens. Therefore, we enacted a 3-year moratorium on Internet access taxes and multiple and discriminatory taxes on goods and services sold over the Internet. We also created the Advisory Commission on Electronic Commerce to begin that process and identify all of the integrated issues that arise in the context of taxation and the Internet Economy. In its report issued in April 2000, the Commission recommended, among other things, that the current moratorium be extended at that time for another 5 years.

I understand that some of my colleagues believe the moratorium should not last as long as 5 years and others believe that we have to address this important issue in a comprehensive manner. I wholeheartedly agree with the latter concern—this issue needs to be resolved in a methodical and holistic manner. But we need to implement a realistic time frame that will allow us to resolve each and every layer of the problems presented by taxation in a digital world.

As I noted during House consideration of this legislation last year, this problem cannot be about politics. This is not a zero-sum equation, and it's important for the health of our economy that we resolve this complicated issue with deliberative evaluation. This is one of the most important long-term economic policy decisions that our nation will make, and I want to congratulate my colleagues, Chairman SENSENBRENNER and Congressman COX for their steadfast leadership in ensuring that we resolve this issue before the October 21st expiration of the current moratorium. I urge all of my colleagues to support H.R. 1552 and look forward to continued efforts to address the substantive issues in this debate.

Ms. JACKSON-LEE of Texas. I would like to thank Judiciary Committee Chairman JAMES SENSENBRENNER and Ranking Member JOHN CONYERS for working to pass this legislation through the Committee and proceed to the floor of the Congress for a vote.

The legislation before us today, H.R. 1552, seeks to extend the current Internet tax moratorium, prohibiting states or political subdivisions from imposing taxes on transaction conducted over the Internet, through 2003.

Presently, ten states including Texas have taxes on Internet access charges. These states should be allowed to continue this practice. I supported this two-year extension in Committee because it would not bar states such as Texas from collecting these greatly needed tax revenues. States would be allowed to be ''grandfathered in'' under an exemption from the moratorium.

Under current law, there is a limited moratorium on state and local Internet access taxes as well as multiple and discriminatory taxes imposed on Internet transactions, subject to a grandfather on taxes of this nature imposed prior to 1998. The current moratorium is scheduled to expire on October 21, 2001, and was merely designed as an interim device to allow a commission to study the problem of Internet taxation.

I elected to vote for this two-year moratoriums as long as those states across our nation which currently rely on these crucial revenue streams are allowed to continue. This legislation provides for such a compromise.

Without such a compromise, state and local governments would lose a substantial amount of sales tax revenue and telecommunication tax revenue if we were to extend the moratorium on Internet taxation for five years as a prior plan advocated. According to Forrester Research, if e-commerce continues to explode, U.S. sales over the Internet will be almost $350 billion by 2002. If state and local governments were prohibited from taxing this segment of their tax base, financing important state and local programs and services would become increasingly difficult.

State and local governments use the sales tax as a means to provide nearly one-quarter of all the tax revenues used to fund vital programs and services to their communities. It is estimated that State and local governments are presently losing approximately $5 billion in sales tax revenues as a result of their inability to tax the majority of mail order Internet sales. This simply is not fair.

According to the Center for Budget and Policy Priorities, state and local governments could be losing additional $10 billion annually by 2003 if Internet sales were to continue to be exempt from sales tax imposition. Loss of revenue of this magnitude would threaten the strong fiscal position of many states if economic conditions begin to deteriorate. The additional loss of Internet transaction tax revenues and the possibility of losing taxes on telephone services due to its incorporation into the Internet could accelerate depletion of many state surpluses without increased taxes in some other area or making significant reduction in expenditures.

This loss of revenue would also curtail the ability of states and localities to meet the demands for major improvements in education. A permanent tax prohibition on Internet sales would deprive state and local governments of a great resource to fund desperately needed improvements in their education systems.

Furthermore, enacting the previously suggested five-year moratorium on state Internet taxation would tip the scales, benefiting those with wealth and access to the Internet at the expense of low- and moderate-income individuals, particularly because those who usually make purchases over the Internet are more affluent than those who do not. Considering the impact of the digital divide on our society, many minorities and low-income people who do not purchase goods via the cyber world would pay a disproportionate share of state and local sales taxes.

The majority of low-income households lack the resources to purchase equipment to access the Internet, train on its usage, or lack the financial stability to have a credit card. Individuals with access to a computer and the Internet would avoid taxation on the purchase of a good or service that would be taxed if a person without this access purchased the same good or service from their neighborhood stores.

If we allow Internet transaction to be completely exempt from tax, state and local governments may likely increase their sales tax rates to make up for the shortfall in Internet tax revenue. The consequences of this could be devastating to low- and moderate-income persons who do not benefit from the tax free Internet environment. Moreover, those with access to the Internet would be further deterred from purchasing goods or services from retail establishments, thus increasing the tax burden of the less affluent.

The current moratorium on Internet taxation is about to expire. I am confident that states can adapt their sales tax systems to capture revenue on Internet transactions. Our states are making great strides to update their systems and equalize the tax burden for all segments of society.

The plan before us today balances the need expressed by some Members of Congress that a temporary moratorium is necessary, with the importance of preserving and securing the revenue streams of states such as Texas, which rely so heavily on Internet taxes for education and our quality of life.

Mr. DELAHUNT. 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. 1552, 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.

The title of the bill was amended so as to read: ''A bill to extend the moratorium enacted by the Internet Tax Freedom Act through November 1, 2003; and for other purposes.''.

A motion to reconsider was laid on the table.

CONSEQUENCES FOR JUVENILE OFFENDERS ACT OF 2001

Mr. SENSENBRENNER. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 863) to provide grants to ensure increased accountability for juvenile offenders, as amended.

The Clerk read as follows:

H.R. 863

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 ''Consequences for Juvenile Offenders Act of 2001''.

SEC. 2. GRANT PROGRAM.

Part R of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796 et seq.) is amended to read as follows:

"PART R—JUVENILE ACCOUNTABILITY BLOCK GRANTS

"SEC. 1801. PROGRAM AUTHORIZED.

''(a) IN GENERAL.—The Attorney General is authorized to provide grants to States, for use by States and units of local government, and in certain cases directly to specially qualified units.

''(b) AUTHORIZED ACTIVITIES.—Amounts paid to a State or a unit of local government under this part shall be used by the State or unit of local government for the purpose of strengthening the juvenile justice system, which includes—

''(1) developing, implementing, and administering graduated sanctions for juvenile offenders;

''(2) building, expanding, renovating, or operating temporary or permanent juvenile correction, detention, or community corrections facilities;

''(3) hiring juvenile court judges, probation officers, and court-appointed defenders and special advocates, and funding pretrial services (including mental health screening and assessment) for juvenile offenders, to promote the effective and expeditious administration of the juvenile justice system;

''(4) hiring additional prosecutors, so that more cases involving violent juvenile offenders can be prosecuted and case backlogs reduced;

''(5) providing funding to enable prosecutors to address drug, gang, and youth violence problems more effectively and for technology, equipment, and training to assist prosecutors in identifying and expediting the prosecution of violent juvenile offenders;

''(6) establishing and maintaining training programs for law enforcement and other court personnel with respect to preventing and controlling juvenile crime;

''(7) establishing juvenile gun courts for the prosecution and adjudication of juvenile firearms offenders;

''(8) establishing drug court programs for juvenile offenders that provide continuing judicial supervision over juvenile offenders with substance abuse problems and the integrated administration of other sanctions and services for such offenders;

''(9) establishing and maintaining a system of juvenile records designed to promote public safety;

''(10) establishing and maintaining interagency information-sharing programs that enable the juvenile and criminal justice systems, schools, and social services agencies to make more informed decisions regarding the early identification, control, supervision, and treatment of juveniles who repeatedly commit serious delinquent or criminal acts;

''(11) establishing and maintaining accountability-based programs designed to reduce recidivism among juveniles who are referred by law enforcement personnel or agencies;

''(12) establishing and maintaining programs to conduct risk and need assessments of juvenile offenders that facilitate the effective early intervention and the provision of

comprehensive services, including mental health screening and treatment and substance abuse testing and treatment to such offenders;

''(13) establishing and maintaining accountability-based programs that are designed to enhance school safety;

''(14) establishing and maintaining restorative justice programs;

''(15) establishing and maintaining programs to enable juvenile courts and juvenile probation officers to be more effective and efficient in holding juvenile offenders accountable and reducing recidivism; or

''(16) hiring detention and corrections personnel, and establishing and maintaining training programs for such personnel to improve facility practices and programming.

''(c) DEFINITION.—For purposes of this section, the term 'restorative justice program' means a program that emphasizes the moral accountability of an offender toward the victim and the affected community, and may include community reparations boards, restitution (in the form of monetary payment or service to the victim or, where no victim can be identified, service to the affected community), and mediation between victim and offender.

''SEC. 1802. GRANT ELIGIBILITY.

''(a) STATE ELIGIBILITY.—To be eligible to receive a grant under this section, a State shall submit to the Attorney General an application at such time, in such form, and containing such assurances and information as the Attorney General may require by guidelines, including—

''(1) information about—

''(A) the activities proposed to be carried out with such grant; and

''(B) the criteria by which the State proposes to assess the effectiveness of such activities on achieving the purposes of this part; and

''(2) assurances that the State and any unit of local government to which the State provides funding under section 1803(b), has in effect (or shall have in effect, not later than 1 year after the date that the State submits such application) laws, or has implemented (or shall implement, not later than 1 year after the date that the State submits such application) policies and programs, that provide for a system of graduated sanctions described in subsection (c).

''(b) LOCAL ELIGIBILITY.—

''(1) SUBGRANT ELIGIBILITY.—To be eligible to receive a subgrant, a unit of local government, other than a specially qualified unit, shall provide to the State—

''(A) information about—

''(i) the activities proposed to be carried out with such subgrant; and

''(ii) the criteria by which the unit proposes to assess the effectiveness of such activities on achieving the purposes of this part; and

''(B) such assurances as the State shall require, that, to the maximum extent applicable, the unit of local government has in effect (or shall have in effect, not later than 1 year after the date that the unit submits such application) laws, or has implemented (or shall implement, not later than 1 year after the date that the unit submits such application) policies and programs, that provide for a system of graduated sanctions described in subsection (c).

''(2) SPECIAL RULE.—The requirements of paragraph (1) shall apply to a specially qualified unit that receives funds from the Attorney General under section 1803(e), except that information that is otherwise required to be submitted to the State shall be submitted to the Attorney General.

''(c) GRADUATED SANCTIONS.—A system of graduated sanctions, which may be discretionary as provided in subsection (d), shall ensure, at a minimum, that—

''(1) sanctions are imposed on a juvenile offender for each delinquent offense;

''(2) sanctions escalate in intensity with each subsequent, more serious delinquent offense;

''(3) there is sufficient flexibility to allow for individualized sanctions and services suited to the individual juvenile offender; and

''(4) appropriate consideration is given to public safety and victims of crime.

''(d) DISCRETIONARY USE OF SANCTIONS.—

''(1) VOLUNTARY PARTICIPATION.—A State or unit of local government may be eligible to receive a grant under this part if—

''(A) its system of graduated sanctions is discretionary; and

''(B) it demonstrates that it has promoted the use of a system of graduated sanctions by taking steps to encourage implementation of such a system by juvenile courts.

''(2) REPORTING REQUIREMENT IF GRADUATED SANCTIONS NOT USED.—

''(A) JUVENILE COURTS.—A State or unit of local government in which the imposition of graduated sanctions is discretionary shall require each juvenile court within its jurisdiction—

''(i) which has not implemented a system of graduated sanctions, to submit an annual report that explains why such court did not implement graduated sanctions; and

''(ii) which has implemented a system of graduated sanctions but has not imposed graduated sanctions in all cases, to submit an annual report that explains why such court did not impose graduated sanctions in all cases.

''(B) UNITS OF LOCAL GOVERNMENT.—Each unit of local government, other than a specially qualified unit, that has 1 or more juvenile courts that use a discretionary system of graduated sanctions shall collect the information reported under subparagraph (A) for submission to the State each year.

''(C) STATES.—Each State and specially qualified unit that has 1 or more juvenile courts that use a discretionary system of graduated sanctions shall collect the information reported under subparagraph (A) for submission to the Attorney General each year. A State shall also collect and submit to the Attorney General the information collected under subparagraph (B).

''(e) DEFINITIONS.—For purposes of this section:

''(1) The term 'discretionary' means that a system of graduated sanctions is not required to be imposed by each and every juvenile court in a State or unit of local government.

''(2) The term 'sanctions' means tangible, proportional consequences that hold the juvenile offender accountable for the offense committed. A sanction may include counseling, restitution, community service, a fine, supervised probation, or confinement.

''SEC. 1803. ALLOCATION AND DISTRIBUTION OF FUNDS.

''(a) STATE ALLOCATION.—

''(1) IN GENERAL.—In accordance with regulations promulgated pursuant to this part and except as provided in paragraph (3), the Attorney General shall allocate—

''(A) 0.50 percent for each State; and

''(B) of the total funds remaining after the allocation under subparagraph (A), to each State, an amount which bears the same ratio to the amount of remaining funds described in this subparagraph as the population of people under the age of 18 living in such State for the most recent calendar year in which such data is available bears to the population of people under the age of 18 of all the States for such fiscal year.

''(2) PROHIBITION.—No funds allocated to a State under this subsection or received by a State for distribution under subsection (b) may be distributed by the Attorney General or by the State involved for any program other than a program contained in an approved application.

''(b) LOCAL DISTRIBUTION.—

''(1) IN GENERAL.—Except as provided in paragraph (2), each State which receives funds under subsection (a)(1) in a fiscal year shall distribute among units of local government, for the purposes specified in section 1801, not less than 75 percent of such amounts received.

''(2) WAIVER.—If a State submits to the Attorney General an application for waiver that demonstrates and certifies to the Attorney General that—

''(A) the State's juvenile justice expenditures in the fiscal year preceding the date in which an application is submitted under this part (the 'State percentage') is more than 25 percent of the aggregate amount of juvenile justice expenditures by the State and its eligible units of local government; and

''(B) the State has consulted with as many units of local government in such State, or organizations representing such units, as practicable regarding the State's calculation of expenditures under subparagraph (A), the State's application for waiver under this paragraph, and the State's proposed uses of funds,

the percentage referred to in paragraph (1) shall equal the percentage determined by subtracting the State percentage from 100 percent.

''(3) ALLOCATION.—In making the distribution under paragraph (1), the State shall allocate to such units of local government an amount which bears the same ratio to the aggregate amount of such funds as—

''(A) the sum of—

''(i) the product of—

''(I) three-quarters; multiplied by

''(II) the average juvenile justice expenditure for such unit of local government for the 3 most recent calendar years for which such data is available; plus

''(ii) the product of—

''(I) one-quarter; multiplied by

''(II) the average annual number of part 1 violent crimes in such unit of local government for the 3 most recent calendar years for which such data is available, bears to—

''(B) the sum of the products determined under subparagraph (A) for all such units of local government in the State.

''(4) EXPENDITURES.—The allocation any unit of local government shall receive under paragraph (3) for a payment period shall not exceed 100 percent of juvenile justice expenditures of the unit for such payment period.

''(5) REALLOCATION.—The amount of any unit of local government's allocation that is not available to such unit by operation of paragraph (4) shall be available to other units of local government that are not affected by such operation in accordance with this subsection.

''(c) UNAVAILABILITY OF DATA FOR UNITS OF LOCAL GOVERNMENT.—If the State has reason to believe that the reported rate of part 1 violent crimes or juvenile justice expenditures for a unit of local government is insufficient or inaccurate, the State shall—

''(1) investigate the methodology used by the unit to determine the accuracy of the submitted data; and

''(2) if necessary, use the best available comparable data regarding the number of violent crimes or juvenile justice expenditures for the relevant years for the unit of local government.

''(d) LOCAL GOVERNMENT WITH ALLOCATIONS LESS THAN $10,000.—If under this section a unit of local government is allocated less

than $10,000 for a payment period, the amount allotted shall be expended by the State on services to units of local government whose allotment is less than such amount in a manner consistent with this part.

''(e) DIRECT GRANTS TO SPECIALLY QUALIFIED UNITS.—

''(1) IN GENERAL.—If a State does not qualify or apply for funds reserved for allocation under subsection (a) by the application deadline established by the Attorney General, the Attorney General shall reserve not more than 75 percent of the allocation that the State would have received under subsection (a) for such fiscal year to provide grants to specially qualified units which meet the requirements for funding under section 1802.

''(2) AWARD BASIS.—In addition to the qualification requirements for direct grants for specially qualified units the Attorney General may use the average amount allocated by the States to units of local government as a basis for awarding grants under this section.

''SEC. 1804. GUIDELINES.

''(a) IN GENERAL.—The Attorney General shall issue guidelines establishing procedures under which a State or specially qualified unit of local government that receives funds under section 1803 is required to provide notice to the Attorney General regarding the proposed use of funds made available under this part.

''(b) ADVISORY BOARD.—The guidelines referred to in subsection (a) shall include a requirement that such eligible State or unit of local government establish and convene an advisory board to review the proposed uses of such funds. The board shall include representation from, if appropriate—

''(1) the State or local police department;

''(2) the local sheriff's department;

''(3) the State or local prosecutor's office;

''(4) the State or local juvenile court;

''(5) the State or local probation office;

''(6) the State or local educational agency;

''(7) a State or local social service agency;

''(8) a nonprofit, nongovernmental victim advocacy organization; and

''(9) a nonprofit, religious, or community group.

''SEC. 1805. PAYMENT REQUIREMENTS.

''(a) TIMING OF PAYMENTS.—The Attorney General shall pay, to each State or specially qualified unit of local government that receives funds under section 1803 that has submitted an application under this part, the amount awarded to such State or unit not later than the later of the following two dates:

''(1) 180 days after the date that the amount is available.

''(2) The first day of the payment period if the State has provided the Attorney General with the assurances required by subsection (c).

''(b) REPAYMENT OF UNEXPENDED AMOUNTS.—

''(1) REPAYMENT REQUIRED.—From amounts awarded under this part, a State or specially qualified unit shall repay to the Attorney General, before the expiration of the 36-month period beginning on the date of the award, any amount that is not expended by such State or unit.

''(2) EXTENSION.—The Attorney General may adopt policies and procedures providing for a one-time extension, by not more than 12 months, of the period referred to in paragraph (1).

''(3) PENALTY FOR FAILURE TO REPAY.—If the amount required to be repaid is not repaid, the Attorney General shall reduce payment in future payment periods accordingly.

''(4) DEPOSIT OF AMOUNTS REPAID.—Amounts received by the Attorney General as repayments under this subsection shall be deposited in a designated fund for future payments to States and specially qualified units.

''(c) ADMINISTRATIVE COSTS.—A State or unit of local government that receives funds under this part may use not more than 5 percent of such funds to pay for administrative costs.

''(d) NONSUPPLANTING REQUIREMENT.—Funds made available under this part to States and units of local government shall not be used to supplant State or local funds as the case may be, but shall be used to increase the amount of funds that would, in the absence of funds made available under this part, be made available from State or local sources, as the case may be.

''(e) MATCHING FUNDS.—

''(1) IN GENERAL.—The Federal share of a grant received under this part may not exceed 90 percent of the total program costs.

''(2) CONSTRUCTION OF FACILITIES.—Notwithstanding paragraph (1), with respect to the cost of constructing juvenile detention or correctional facilities, the Federal share of a grant received under this part may not exceed 50 percent of approved cost.

''SEC. 1806. UTILIZATION OF PRIVATE SECTOR.

''Funds or a portion of funds allocated under this part may be used by a State or unit of local government that receives a grant under this part to contract with private, nonprofit entities, or community-based organizations to carry out the purposes specified under section 1801(b).

''SEC. 1807. ADMINISTRATIVE PROVISIONS.

''(a) IN GENERAL.—A State or specially qualified unit that receives funds under this part shall—

''(1) establish a trust fund in which the government will deposit all payments received under this part;

''(2) use amounts in the trust fund (including interest) during the period specified in section 1805(b)(1) and any extension of that period under section 1805(b)(2);

''(3) designate an official of the State or specially qualified unit to submit reports as the Attorney General reasonably requires, in addition to the annual reports required under this part; and

''(4) spend the funds only for the purpose of strengthening the juvenile justice system.

''(b) TITLE I PROVISIONS.—Except as otherwise provided, the administrative provisions of part H shall apply to this part and for purposes of this section any reference in such provisions to title I shall be deemed to include a reference to this part.

''SEC. 1808. ASSESSMENT REPORTS.

''(a) REPORTS TO ATTORNEY GENERAL.—

''(1) IN GENERAL.—Except as provided in paragraph (4), for each fiscal year for which a grant or subgrant is awarded under this part, each State or specially qualified unit of local government that receives such a grant shall submit to the Attorney General a grant report, and each unit of local government that receives such a subgrant shall submit to the State a subgrant report, at such time and in such manner as the Attorney General may reasonably require.

''(2) GRANT REPORT.—Each grant report required by paragraph (1) shall include—

''(A) a summary of the activities carried out with such grant;

''(B) if such activities included any subgrant, a summary of the activities carried out with each such subgrant; and

''(C) an assessment of the effectiveness of such activities on achieving the purposes of this part.

''(3) SUBGRANT REPORT.—Each subgrant report required by paragraph (1) shall include—

''(A) a summary of the activities carried out with such subgrant; and

''(B) an assessment of the effectiveness of such activities on achieving the purposes of this part.

''(4) WAIVERS.—The Attorney General may waive the requirement of an assessment in paragraph (2)(C) for a State or specially qualified unit of local government, or in paragraph (3)(B) for a unit of local government, if the Attorney General determines that—

''(A) the nature of the activities are such that assessing their effectiveness would not be practical or insightful;

''(B) the amount of the grant or subgrant is such that carrying out the assessment would not be an effective use of those amounts; or

''(C) the resources available to the State or unit are such that carrying out the assessment would pose a financial hardship on the State or unit.

''(b) REPORTS TO CONGRESS.—Not later than 90 days after the last day of each fiscal year for which 1 or more grants are awarded under this part, the Attorney General shall submit to the Congress a report, which shall include—

''(1) a summary of the information provided under subsection (a);

''(2) an assessment by the Attorney General of the grant program carried out under this part; and

''(3) such other information as the Attorney General considers appropriate.

''SEC. 1809. TRIBAL GRANT PROGRAM.

''(a) IN GENERAL.—From the amount made available under section 1811(b), the Attorney General shall make grants to Indian tribes, or consortia of such tribes, for programs to strengthen tribal juvenile justice systems and to hold tribal youth accountable.

''(b) ELIGIBILITY.—To be eligible to receive grant amounts under this section, an Indian tribe or consortia of such tribes—

''(1) must carry out tribal juvenile justice functions; and

''(2) shall submit to the Attorney General an application at such time, in such form, and containing such assurances and information as the Attorney General may require by guidelines.

''(c) COMPETITIVE AWARDS.—The Attorney General shall award grants under this section on a competitive basis.

''(d) GUIDELINES.—In issuing guidelines to carry out this section, the Attorney General shall ensure that the application for, award of, and use of grant amounts under this section are consistent with the purposes and requirements of this part.

''(e) DEFINITION.—For purposes of this section, the term 'Indian tribe' has the meaning given such term in section 102 of the Federally Recognized Indian Tribe List Act of 1994 (42 U.S.C. 479a).

''SEC. 1810. DEFINITIONS.

''For purposes of this part:

''(1) The term 'unit of local government' means—

''(A) a county, township, city, or political subdivision of a county, township, or city, that is a unit of local government as determined by the Secretary of Commerce for general statistical purposes;

''(B) any law enforcement district or judicial enforcement district that—

''(i) is established under applicable State law; and

''(ii) has the authority, in a manner independent of other State entities, to establish a budget and raise revenues; and

''(C) the District of Columbia and the recognized governing body of an Indian tribe or Alaskan Native village that carries out substantial governmental duties and powers.

''(2) The term 'specially qualified unit' means a unit of local government which may receive funds under this part only in accordance with section 1803(e).

''(3) The term 'State' means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, Guam, and the Northern Mariana Islands, except that—

''(A) the Virgin Islands, American Samoa, Guam, and the Northern Mariana Islands (the 'partial States') shall collectively be considered as 1 State; and

''(B) for purposes of section 1803(a), the amount allocated to a partial State shall bear the same proportion to the amount collectively allocated to the partial States as the population of the partial State bears to the collective population of the partial States.

''(4) The term 'juvenile' means an individual who is 17 years of age or younger.

''(5) The term 'juvenile justice expenditures' means expenditures in connection with the juvenile justice system, including expenditures in connection with such system to carry out—

''(A) activities specified in section 1801(b); and

''(B) other activities associated with prosecutorial and judicial services and corrections as reported to the Bureau of the Census for the fiscal year preceding the fiscal year for which a determination is made under this part.

''(6) The term 'part 1 violent crimes' means murder and nonnegligent manslaughter, forcible rape, robbery, and aggravated assault as reported to the Federal Bureau of Investigation for purposes of the Uniform Crime Reports.

''SEC. 1811. AUTHORIZATION OF APPROPRIATIONS.

''(a) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this part—

''(1) $500,000,000 for fiscal year 2002;

''(2) $500,000,000 for fiscal year 2003; and

''(3) $500,000,000 for fiscal year 2004.

''(b) TRIBAL SET-ASIDE.—Of the amount appropriated pursuant to subsection (a), 2 percent shall be made available for grants under section 1809.

''(c) OVERSIGHT ACCOUNTABILITY AND ADMINISTRATION.—Of the amount authorized to be appropriated under subsection (a), there shall be available to the Attorney General, for each of the fiscal years 2002 through 2004 (as applicable), to remain available until expended—

''(1) not more than 2 percent of that amount, for research, evaluation, and demonstration consistent with this part;

''(2) not more than 2 percent of that amount, for training and technical assistance; and

''(3) not more than 1 percent, for administrative costs to carry out the purposes of this part.

The Attorney General shall establish and execute an oversight plan for monitoring the activities of grant recipients.''.

SEC. 3. EFFECTIVE DATE.

The amendments made by section 2 shall take effect on the first day of the first fiscal year that begins after the date of the enactment of this Act.

SEC. 4. TRANSITION OF JUVENILE ACCOUNTABILITY INCENTIVE BLOCK GRANTS PROGRAM.

For each grant made from amounts made available for the Juvenile Accountability Incentive Block Grants program (as described under the heading ''VIOLENT CRIME REDUCTION PROGRAMS, STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE'' in the Department of Justice Appropriations Act, 2000 (as enacted by Public Law 106–113; 113 Stat. 1537–14)), the grant award shall remain available to the grant recipient for not more than 36 months after the date of reciept of the grant.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentleman from Virginia (Mr. SCOTT) 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. 863, 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, today the House considers a bipartisan bill designed to improve the juvenile justice system in America. H.R. 863, as amended, was favorably reported out of the Committee on the Judiciary by voice vote.

The bill authorizes the Department of Justice to award up to $500 million a year for the next 3 fiscal years to States and localities that agree to implement a system of graduated sanctions for juvenile delinquency. Such a system imposes sanctions on juvenile offenders for every delinquent act they commit, from the very first act, and increases the intensity of the sanctions with the severity of the offense.

This bill would replace the current unauthorized block grant program that was created in the fiscal year 1999 appropriation bill for the Departments of Commerce, Justice and State. The block grant program of H.R. 863 is more flexible for the States than the current unauthorized grant program. This bill does not require a grant recipient to spend a certain percentage of the funds on specified purposes. This is not a one-size-fits-all program. Rather, the States that qualify by implementing graduated sanctions may use the grant money where they need it to improve their juvenile justice systems.

Further, the new block grant programs would not place a mandate on the States. A State or locality may qualify even if its system of graduated sanctions is discretionary. However, those juvenile courts that do not impose graduated sanctions must report at least annually to the applicable State or locality as to why graduated sanctions were not imposed in all such cases.

This bill affords States and localities the flexibility and discretion necessary to improve their juvenile justice systems.

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

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, I rise in support of H.R. 863, the Consequences for Juvenile Offenders Act of 2001. I am a cosponsor of this bill, along with the subcommittee chairman for the Subcommittee on Crime, the gentleman from Texas (Mr. SMITH), and in fact all of the members of the Subcommittee on Crime on both sides of the aisle are cosponsors of the bill.

This bill is essentially identical to the original H.R. 1501 coauthored by the former member from Florida who was then the chairman of the Subcommittee on Crime, Mr. McCollum, and myself in the 106th Congress which was also cosponsored by all members of the subcommittee. Although that bill was passed by both the House and the Senate, so many contentious amendments were added during floor consideration of the bill, it could not pass out of conference.

I hope that we can avoid the fate of H.R. 1501 by working together to keep intact the strong bipartisan support the bill now enjoys among Committee on the Judiciary members, juvenile advocates, practitioners, researchers, judges, public officials and others.

We have not always experienced such bipartisan cooperation on juvenile justice issues in Congress. In the 105th Congress, we debated the Violent Youth Predator Act which focused on tough-sounding, poll-tested slogans and sound bites which were more focused on political campaigns than the reduction of juvenile crime and delinquency.

All too often in dealing with the issue of crime, we rush to codify the best sound bites. For example, ''You do the adult crime, you do the adult time.'' That slogan is used to justify trying sixth graders in adult criminal court, when research shows us that codifying that sound bite will actually reduce the severity of the punishment and increase future crimes.

We also have ''Three strikes and you're out,'' a baseball slogan used to justify keeping frail, 80-year-old offenders in prison way beyond the point where they pose any threat to society.

I am pleased to support the legislation before us today which is not based on slogans and sound bites, but instead upon the considered advice of juvenile judges, researchers and practitioners. The components of the bill came out of hearings in which we listened to the advice of juvenile justice researchers and experts. They were unanimous that rather than moving children out of the juvenile system into the adult system, more resources were needed in the juvenile system for appropriate, individually tailored responses that allowed a broader range of services or sanctions than the traditional limitations of either probation or incarceration.

We received the same advice from witnesses who appeared before the bipartisan Task Force on Youth Violence, which was appointed by the Speaker, the gentleman from Illinois (Mr. HASTERT) and the minority leader, the gentleman from Missouri (Mr. GEPHARDT).

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In keeping with recommendations from these expert witnesses, the bill

before us today provides resources to be used to hold juvenile offenders accountable for their actions and to adequately address their need for services, starting with an appropriate response when the delinquent offense first occurs and escalating the level of response upon any succeeding offense, until the problem is eliminated. Appropriate responses could consist of punishment, family or individual counseling, drug treatment or other assistance appropriate for the individual case, and the services and sanctions need to be imposed on the first offense. We should not wait until the third, fourth, or fifth offense before we pay any attention to the problem.

Mr. Speaker, I am pleased to recommend H.R. 863 to my colleagues. Not only is it a model bill in that it takes the advice of experts from a broad array of political and philosophical views, but also because of the model process through which it was developed. From the outset, members from both sides of the aisle on the subcommittee as well as the full committee agreed to withhold amendments which did not gain consensus in order to move forward on the points on which there was consensus. So while the bill does not contain everything that everybody wanted, it does contain enough provisions that are valuable for juveniles and the juvenile justice system.

I am pleased to support this bipartisan bill. I ask my colleagues to vote in favor of the bill.

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

Mr. SENSENBRENNER. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Texas (Mr. SMITH), the subcommittee chair, for an un-sound byte.

Mr. SMITH of Texas. Mr. Speaker, I thank the chairman of the Committee on the Judiciary for yielding time again.

Mr. Speaker, I introduced H.R. 863, the Consequences for Juvenile Offenders Act of 2001, along with the ranking member of the Subcommittee on Crime, the gentleman from Virginia (Mr. SCOTT), who just finished speaking. All other members of the subcommittee have also cosponsored this legislation. The legislation is needed because juvenile justice experts have recommended that juvenile justice systems pay more attention to young offenders earlier in the system. H.R. 863 would do that by responding to juvenile wrongdoing with graduated sanctions.

The bill authorizes $1.5 billion for the Justice Department to make grants to State and local governments to improve their juvenile justice system. States and localities qualify for the grant funds if they have implemented or agree to implement a system of graduated sanctions for juvenile offenders within 1 year of applying for those funds.

Graduated sanctions are designed to break the cycle of delinquency that often leads juveniles to more serious crimes later on in their lives. This bill encourages our juvenile justice system to focus on juvenile offenders from the beginning, rather than after the sixth or seventh offense. With this approach, we hope to ensure that juvenile offenders learn that there are consequences to their actions each time they commit a crime.

In addition to providing incentives for implementing graduated sanctions, this bill provides States and localities with discretion in determining how best to spend the grant money to improve their juvenile justice systems.

Mr. Speaker, I urge my colleagues to support the bill.

Mr. SCOTT. Mr. Speaker, I yield such time as he may consume to the gentleman from Massachusetts (Mr. DELAHUNT).

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

Mr. Speaker, this bill is an example of what can be accomplished when we get down to business and become serious and forget about sound bytes. This bill will truly make a difference. It is going to work. I am confident that it will reduce violence in this country.

I spent some 20 years of my life prosecuting some of the most violent criminals anywhere, and I know there are not any simple answers. There are no quick fixes. There are no panaceas. But this bill works because it relies upon people who do have the answers, the people in the community who understand the problems.

Unlike some bills that we have considered in the past, this legislation does not dictate policy from Washington. It embraces and supports broad-based, comprehensive local strategies that have proven to be effective and that work in the real world.

Let me give my colleagues an example. Boston, Massachusetts, the capital city of my home State, like other cities, experienced a dramatic decrease in gang violence thanks to a balanced strategy of prevention, intervention, and enforcement. That strategy worked because everyone in the community at large was engaged, police, prosecutors, probation officers, correction officials, youth and social service personnel, teachers, judges, you name it, everybody was involved.

Under some of the legislation that was considered previously, Boston would not have even qualified for a grant, and few if any States would. Under this bill, Boston and other cities will qualify for the money they need to continue the critical work and the effective work that they have been doing.

These cities like Boston, like other communities throughout the country, do not need us here in Washington to tell them how to reduce violence. As I said, they have the answers themselves. What they need is a serious, substantial Federal investment in juvenile crime prevention. And what they need is our commitment to provide them with the resources that they do need. This bill does that.

Let me conclude by congratulating the chair of the subcommittee, the gentleman from Texas (Mr. SMITH). Let me congratulate the chair of the full committee, the gentleman from Wisconsin (Mr. SENSENBRENNER), who, over the course of the past several weeks, has done much to diminish the so-called divisiveness that characterized the Committee on the Judiciary. This truly is an outstanding product, one that we can all be proud of, but I want to make particular mention of my friend and colleague, the ranking member of the Subcommittee on Crime, the gentleman from Virginia (Mr. SCOTT), whose sheer persistence and dedication and passion for this issue is reflected in this particular product; and one that he should be particularly proud of.

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

I would like to thank the gentleman from Massachusetts for his kind words. He is a former prosecutor and a very important member of the Committee on the Judiciary. I thank him for his words. I also want to thank the chairman of the subcommittee, the gentleman from Texas (Mr. SMITH), and the chairman of the full committee, the gentleman from Wisconsin (Mr. SENSENBRENNER), and the ranking member of the committee, the gentleman from Michigan (Mr. CONYERS), for their leadership in developing this bill. I would also want to point out, Mr. Speaker, that the bill could not have been formulated and brought to us today without the hard work of staff people, such as Bobby Vassar and Beth Sokul. Without their hard work, dedication, and ability to work together across the aisle, this bill never could have been developed.

Mr. Speaker, I urge my colleagues to vote for the bill.

Mr. CONYERS. Mr. Speaker, over the last several Congresses, we've debated the get-tough approach versus the prevention and treatment approach to addressing juvenile crime. This measure reflects the advice of the researchers and expert practitioners who are unanimous on the point that more resources are needed for appropriate individually tailored responses to juvenile crime. The measure before us is not a one-size-fits-all approach but a substantive bipartisan approach that actually will reduce crime and delinquency where it occurs, and that's why we all support it.

However, my view is that juvenile justice is also about gun safety. I understand clearly that the sponsors of the bill have valid concerns that introducing the issue of gun violence into the debate would foster differences of view and jeopardize good legislation. They are correct that the Republican leadership bottled up this bill in a conference committee last year largely in an effort, I am told, to avoid addressing gun violence.

But I believe that preventing juvenile crime is about thwarting easy access to guns, just as much as it is about prevention programs and services for at-risk youth. Ten children a day are killed by gun violence. The shooters at Columbine High School were provided a

gun largely because of the lack of any background check by licensed sellers at gun shows. We continue to witness unspeakable horrors every week as children open fire on their classmates. You all read and see them weekly.

The Nation stands ready to require a child safety lock on every gun. I think most Members of Congress are ready as well. But the Congress ignores the cries of the children and their parents.

I know that the National Rifle Association's publicity machines have been spinning in high gear since the election to perpetuate the myth that gun safety is a losing political issue. The facts are, of course, that the NRA targeted countless House and Senate seats and lost nearly every single one. So gather your courage, my colleagues. Bit by bit, the tide is turning.

Governor Pataki of New York has proposed far more ambitious gun safety measures that those that were bottled up by the Republican leadership this year. Senators MCCAIN and LIEBERMAN are attempting to find common ground on this issue as we speak. But regardless of the politics, I and others feel that we cannot back down on this issue because it is the logical and correct position to take, and if we really do not want to leave any child behind, we cannot allow so many children to be killed in senseless and preventable acts of gun violence. Too many families have lived through this unthinkable experience of burying their own children for us not to act.

I would like to continue to work with the gentleman from Virginia (Mr. SCOTT) on other solutions to juvenile crime such as the moderate measures passed by the Senate in the last Congress, the gun show background checks, child safety locks, a ban on the importation of large-capacity ammunition clips and a juvenile Brady. Let's all stay tuned for further complimentary support to this excellent measure before us.

Mr. KUCINICH. Mr. Speaker, I rise in support of H.R. 863, Consequences for Juvenile Offenders Act. In particular, I am pleased that funding under the Juvenile Accountability Block Grant program can be used for maintaining juvenile record systems to promote public safety and to establish interagency information-sharing programs. However, I not only support establishing a juvenile recordkeeping system, but I encourage States to develop an automated system of records.

Last Congress I offered an amendment to the Juvenile Justice bill to assist States in compiling the records of juvenile and establishing statewide computer systems for their records. States would then have the option of making the information available to the Federal Bureau of Investigation and law enforcement authorities from other States. This amendment was endorsed by the Fraternal Order of Police. My amendment was accepted.

The need for improved recordkeeping systems on violent juveniles is illustrated by a tragic story from my district. A Cleveland police detective, Robert Clark, was killed in July 1998 while attempting to arrest a drug dealer. The individual who shot Detective Clark had accumulated a considerable criminal record between Ohio and Florida. Although he was only 19 years old at the time of the shooting, he had been arrested 150 times since the age of 8. There had been 62 felony charges against him between 1995 and 1998. He was arrested on yet another offense the night before he killed Detective Clark, but because law enforcement officers in Cleveland were unaware of his extensive criminal record as a juvenile he was released from custody. Had an automated records system been in place when he first appeared before a juvenile court in Ohio, law enforcement officials in Ohio would have had access to his extensive criminal record in Florida and the tragic death of Detective Clark could have been prevented.

I urge the conferees to give attention to this important issue. The information shared through the creation of an automated juvenile recordkeeping system will stop crime and save lives.

Mr. SCHIFF. Mr. Speaker, I am pleased to support the bill before us today because it allows states and localities to develop programs on juvenile justice, according to the needs of their own communities. It is a credit to Crime Subcommittee Chairman LAMAR SMITH and Ranking Member BOBBY SCOTT that we were able to improve this bill with an amendment I offered in Committee. The amendment requires a strong assessment component to any program funded by this bill.

My amendment requires all applicants to provide information up front detailing how they will evaluate the success of their program. It requires an assessment to be undertaken at appropriate intervals (each year). These assessment will be submitted by the states or localities to the Department of Justice. The Attorney General could waive this requirement if an assessment would not be practical (i.e. building a facility) or if an assessment requirement would prove to be cost prohibitive. From these assessments, the Attorney General would submit a report to Congress on the progress of funded programs. The funding for these assessments comes out of their existing grant money, but I'm sure you would agree that is it important to be able to identify any unsuccessful program.

As a former federal prosecutor, I have seen the successes and failures of programs designed to improve the juvenile justice system. It is critical that we evaluate programs we fund to ensure their effectiveness in achieving their stated goals.

I urge my colleagues to support this bill. And I again want to commend the Leadership of both parties for bringing this bill before us today.

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

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

The SPEAKER pro tempore (Mr. QUINN). 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. 863, 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.

MAKING PERMANENT AUTHORITY TO REDACT FINANCIAL DISCLOSURE STATEMENTS OF JUDICIAL EMPLOYEES AND JUDICIAL OFFICERS

Mr. SENSENBRENNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2336) to make permanent the authority to redact financial disclosure statements of judicial employees and judicial officers.

The Clerk read as follows:

H.R. 2336

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

SECTION 1. REPEAL OF SUNSET PROVISION.

Section 105(b)(3)(E) of the Ethics in Government Act of 1978 (5 U.S.C. App.) is repealed.

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

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

GENERAL LEAVE

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 2336, 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. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 2336 and urge the House to adopt the measure. This bill will make permanent the authority of the U.S. Judicial Conference to redact financial disclosure statements of judicial employees and judicial officers.

Under the Ethics in Government Act, judges and other high-level judicial branch officials must file annual financial disclosure reports. However, due to the nature of the judicial function and the increased security risk it entails, section 7 of the Identity Theft and Assumption Deterrence Act of 1998 allows the Judicial Conference to redact statutorily required information in a financial disclosure report where the release of the information could endanger the filer or his or her family. This provision will sunset on December 31, 2001, in the absence of further legislative action.

The Judicial Conference Committee on Financial Disclosure recently submitted a report on section 7. The committee monitors the release of financial disclosure reports to ensure compliance with the statute, reviews redaction requests, and approves or disapproves any request for a redaction of statutorily mandated information where the release of the information could endanger a filer.

In the year 2000, the committee noted, first, 13 financial disclosure reports were wholly redacted because the

judge was under a specific and active security threat and, second, only 140 judges' reports were partially redacted due to specific or general threats.

The purpose of the annual disclosure reports required by the Ethics in Government Act is to increase public confidence in government officials and better enable the public to judge the performance of those officials. However, Federal judges should be allowed to redact certain information from financial disclosures when they or a family member is threatened. Importantly, this practice has never interfered with the release of critical information to the public.

H.R. 2336 will eliminate the sunset in section 7 and permit the Judicial Conference to permanently redact information in financial disclosure reports where that information could endanger the filer or his or her family. This is a good bill. It enjoys bipartisan support. There is no known opposition. I encourage the House to support the measure.

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

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

Mr. Speaker, I rise to join my colleague, the chairman of the Committee on the Judiciary, in supporting H.R. 2336. This bill was introduced by the gentleman from North Carolina (Mr. COBLE) and the gentleman from California (Mr. BERMAN). It protects judges against certain security threats. The September 11 tragedy only heightens the security concerns that make this legislation necessary. The Committee on the Judiciary reported H.R. 2336 favorably by voice vote on October 3, and I am not aware of any controversy regarding the bill.

H.R. 2336 permanently extends the ability of Federal judges to request redaction from their financial disclosure reports. The current redaction authority sunsets at the end of this year. Thus, it is imperative that we act quickly to get this bill to the Senate where we hope it passes before the end of the year. The redaction authority for judges is appropriately limited and thus does not raise concerns about undue restrictions on public access to financial disclosure reports. The judge's report may be redacted if the Judicial Conference and U.S. Marshals Service find that revealing personal and sensitive information could endanger that judge. Furthermore, the report can only be redacted to the extent necessary to protect the judge and only so long as a danger exists.

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The redaction authority has not been abused to date. Of all of the judges filing reports in the year 2000, only 6 percent had their reports redacted, either wholly or even partially. Typically, the information redacted is limited to such things as the spouse's place of work, the location of a judge's second home, or the name of a law school at which a judge may teach part-time.

The law requires the Judicial Conference, in concert with the Department of Justice, to file an annual report detailing the number and circumstances of redactions. This statutory reporting requirement enables Congress to monitor any abuse of the redaction authority.

In short, I think the enactment of H.R. 2336 is necessary to protect the security of our Nation's judges, and I urge my colleagues to support it.

Ms. JACKSON-LEE of Texas. Mr. Speaker, this non-controversial legislation, H.R. 2336, is aimed at protecting judges and judicial employees. H.R. 2236 amends the Ethics in Government Act of 1978 by repealing the sunset provision of authorized redaction of financial disclosure reports filed by certain judicial employees and officers.

The purpose of these financial disclosure reports required by the Ethics in Government Act of 1978 is to increase public confidence in government officials and better enable our public to assess the progress and effectiveness of their public officials. However, section 7 of this Act which allows redaction where such disclosure could endanger the filer or his/her family is set to sunset on December 31, 2001.

In 2000, the Judicial Conference Committee on Financial Disclosure submitted a report, noting that numerous financial disclosure reports had been redacted because the Judge was under a specific, active security threat, and that 140 reports were partially redacted based on threats and various security risks. These threats may be heightened in light of the recent threats to our national security.

This legislation appropriately repeals this sunset and makes permanent the authority to redact such financial disclosure statements of judicial employees or judicial officers.

As a former associate municipal court judge, I understand that the need for such legislation is great. I urge my colleagues to support it.

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

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

The SPEAKER pro tempore (Mr. QUINN). 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. 2336.

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.

STUART COLLICK—HEATHER FRENCH HENRY HOMELESS VETERANS ASSISTANCE ACT

Mr. SMITH of New Jersey. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2716) to amend title 38, United States Code, to revise, improve, and consolidate provisions of law providing benefits and services for homeless veterans, as amended.

The Clerk read as follows:

H.R. 2716

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS; REFERENCES TO TITLE 38, UNITED STATES CODE.

(a) SHORT TITLE.—This Act may be cited as the ''Stuart Collick—Heather French Henry Homeless Veterans Assistance Act''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents; references to title 38, United States Code.
Sec. 2. Definitions.
Sec. 3. National goal to end homelessness among veterans.
Sec. 4. Sense of the Congress regarding the needs of homeless veterans and the responsibility of Federal agencies.
Sec. 5. Consolidation and improvement of provisions of law relating to homeless veterans.
Sec. 6. Evaluation of homeless programs.
Sec. 7. Study of outcome effectiveness of grant program for homeless veterans with special needs.
Sec. 8. Additional programmatic expansions.
Sec. 9. Coordination of employment services.
Sec. 10. Use of real property.
Sec. 11. Meetings of Interagency Council on Homeless.
Sec. 12. Rental assistance vouchers for HUD Veterans Affairs Supported Housing program.

(c) REFERENCES TO TITLE 38 UNITED STATES CODE.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 38, United States Code.

SEC. 2. DEFINITIONS.

For purposes of this Act:

(1) The term ''homeless veteran'' has the meaning given such term in section 2002 of title 38, United States Code, as added by section 5(a)(1).

(2) The term ''grant and per diem provider'' means an entity in receipt of a grant under section 2011 or 2012 of title 38, United States Code.

SEC. 3. NATIONAL GOAL TO END HOMELESSNESS AMONG VETERANS.

(a) NATIONAL GOAL.—Congress hereby declares it to be a national goal to end chronic homelessness among veterans within a decade of the enactment of this Act.

(b) COOPERATIVE EFFORTS ENCOURAGED.—Congress hereby encourages all departments and agencies of Federal, State, and local governments, quasi-governmental organizations, private and public sector entities, including community-based organizations, faith-based organizations, and individuals to work cooperatively to end chronic homelessness among veterans within a decade.

SEC. 4. SENSE OF THE CONGRESS REGARDING THE NEEDS OF HOMELESS VETERANS AND THE RESPONSIBILITY OF FEDERAL AGENCIES.

It is the sense of the Congress that—

(1) homelessness is a significant problem in the veterans community and veterans are disproportionately represented among homeless men;

(2) While many effective programs assist homeless veterans to again become productive and self-sufficient members of society, current resources provided to such programs and other activities that assist homeless veterans are inadequate to provide all needed essential services, assistance, and support to homeless veterans;

(3) the most effective programs for the assistance of homeless veterans should be identified and expanded;

(4) federally funded programs for homeless veterans should be held accountable for achieving clearly defined results;

(5) Federal efforts to assist homeless veterans should include prevention of homelessness; and

(6) Federal agencies, particularly the Department of Veterans Affairs and the Department of Housing and Urban Development, should cooperate more fully to address the problem of homelessness among veterans.

SEC. 5. CONSOLIDATION AND IMPROVEMENT OF PROVISIONS OF LAW RELATING TO HOMELESS VETERANS.

(a) IN GENERAL.—(1) Part II is amended by inserting after chapter 19 the following new chapter:

"CHAPTER 20—BENEFITS FOR HOMELESS VETERANS

''SUBCHAPTER I—PURPOSE; DEFINITIONS; ADMINISTRATIVE MATTERS

''Sec.
''2001. Purpose.
''2002. Definitions.
''2003. Staffing requirements.
''2004. Employment assistance.

''SUBCHAPTER II—COMPREHENSIVE SERVICE PROGRAMS

''2011. Grants.
''2012. Per diem payments.
''2013. Authorization of appropriations.

''SUBCHAPTER III—TRAINING AND OUTREACH

''2021. Homeless veterans' reintegration programs.
''2022. Coordination of outreach services for veterans at risk of homelessness.
''2023. Demonstration program relating to referral and counseling for veterans transitioning from certain institutions who are at risk for homelessness.

''SUBCHAPTER IV—TREATMENT AND REHABILITATION FOR SERIOUSLY MENTALLY ILL AND HOMELESS VETERANS

''2031. General treatment.
''2032. Therapeutic housing.
''2033. Additional services at certain locations.
''2034. Coordination with other agencies and organizations.

''SUBCHAPTER V—HOUSING ASSISTANCE

''2041. Housing assistance for homeless veterans.
''2042. Supported housing for veterans participating in compensated work therapies.
''2043. Domiciliary care programs.

''SUBCHAPTER VI—LOAN GUARANTEE FOR MULTIFAMILY TRANSITIONAL HOUSING

''2051. General authority.
''2052. Requirements.
''2053. Default.
''2054. Audit.

''SUBCHAPTER VII—OTHER PROVISIONS

''2061. Grant program for homeless veterans with special needs.
''2062. Dental care.
''2063. Technical assistance grants for nonprofit community-based groups.
''2064. Annual report on assistance to homeless veterans.
''2065. Advisory Committee on Homeless Veterans.

''SUBCHAPTER I—PURPOSE; DEFINITIONS; ADMINISTRATIVE MATTERS

"§ 2001. Purpose

''The purpose of this chapter is to provide for the special needs of homeless veterans.

"§ 2002. Definitions

''In this chapter:

''(1) The term 'homeless veteran' means a veteran who—

''(A) lacks a fixed, regular, and adequate nighttime residence; or

''(B) has a primary nighttime residence that is—

''(i) a supervised publicly or privately operated shelter designed to provide temporary living accommodations (including welfare hotels, congregate shelters, grant per diem shelters and transitional housing for the mentally ill);

''(ii) an institution that provides a temporary residence for individuals intended to be institutionalized; or

''(iii) a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.

''(2) The term 'grant and per diem provider' means an entity in receipt of a grant under section 2011 or 2012 of this title.

"§ 2003. Staffing requirements

''(a) VBA STAFFING AT REGIONAL OFFICES.—The Secretary shall ensure that there is assigned at each Veterans Benefits Administration regional office at least one employee assigned specifically to oversee and coordinate homeless veterans programs in that region. In any such regional office with at least 140 employees, there shall be at least one full-time employee assigned to such functions. The programs covered by such oversight and coordination include the following:

''(1) The housing program for veterans supported by the Department of Housing and Urban Development.

''(2) Housing programs supported by the Secretary under this title or any other provision of law.

''(3) The homeless veterans reintegration program of the Department of Labor under section 2021 of this title.

''(4) The programs under section 2033 of this title.

''(5) The assessments required by section 2034 of this title.

''(6) Such other duties relating to homeless veterans as may be assigned.

''(b) VHA CASE MANAGERS.—The Secretary shall ensure that the number of case managers in the Veterans Health Administration is sufficient to assure that every veteran who is provided a housing voucher through section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)) is assigned to, and is able to be seen as needed by, a case manager.

"§ 2004. Employment assistance

''The Secretary may authorize homeless veterans receiving care through vocational rehabilitation programs to participate in the compensated work therapy program under section 1718 of this title.

''SUBCHAPTER II—COMPREHENSIVE SERVICE PROGRAMS

"§ 2011. Grants

''(a) AUTHORITY TO MAKE GRANTS.—(1) Subject to the availability of appropriations provided for such purpose, the Secretary shall make grants to assist eligible entities in establishing programs to furnish, and expanding or modifying existing programs for furnishing, the following to homeless veterans:

''(A) Outreach.

''(B) Rehabilitative services.

''(C) Vocational counseling and training

''(D) Transitional housing assistance.

''(2) The authority of the Secretary to make grants under this section expires on September 30, 2005.

''(b) CRITERIA FOR AWARD OF GRANTS.—The Secretary shall establish criteria and requirements for the award of a grant under this section, including criteria for entities eligible to receive such grants, and shall publish such criteria and requirements in the Federal Register. The criteria established under this section shall include the following:

''(1) Specification as to the kinds of projects for which such grant support is available, which shall include—

''(A) expansion, remodeling, or alteration of existing buildings, or acquisition of facilities, for use as service centers, transitional housing, or other facilities to serve homeless veterans; and

''(B) procurement of vans for use in outreach to, and transportation for, homeless veterans to carry out the purposes set forth in subsection (a).

''(2) Specification as to the number of projects for which grant support is available.

''(3) Appropriate criteria for the staffing for the provision of the services for which a grant under this section is furnished.

''(4) Provisions to ensure that the award of grants under this section—

''(A) shall not result in duplication of ongoing services; and

''(B) to the maximum extent practicable, shall reflect appropriate geographic dispersion and an appropriate balance between urban and nonurban locations.

''(5) Provisions to ensure that an entity receiving a grant shall meet fire and safety requirements established by the Secretary, which shall include—

''(A) such State and community requirements that may apply; and

''(B) the fire and safety requirements applicable under the Life Safety Code of the National Fire Protection Association.

''(6) Specifications as to the means by which an entity receiving a grant may contribute in-kind services to the start-up costs of any project for which support is sought and the methodology for assigning a cost to that contribution for purposes of subsection (c).

''(c) FUNDING LIMITATIONS.—A grant under this section may not be used to support operational costs. The amount of a grant under this section may not exceed 65 percent of the estimated cost of the expansion, remodeling, alteration, acquisition, or procurement provided for under this section.

''(d) ELIGIBLE ENTITIES.—The Secretary may make a grant under this section to an entity applying for such a grant only if the applicant for the grant—

''(1) is a public or nonprofit private entity with the capacity (as determined by the Secretary) to effectively administer a grant under this section;

''(2) has demonstrated that adequate financial support will be available to carry out the project for which the grant has been sought consistent with the plans, specifications, and schedule submitted by the applicant; and

''(3) has agreed to meet the applicable criteria and requirements established under subsections (b) and (g) (and the Secretary has determined that the applicant has demonstrated the capacity to meet those criteria and requirements).

''(e) APPLICATION REQUIREMENT.—An entity described in subsection (d) desiring to receive assistance under this section shall submit to the Secretary an application. The application shall set forth the following:

''(1) The amount of the grant requested with respect to a project.

''(2) A description of the site for such project.

''(3) Plans, specifications, and the schedule for implementation of such project in accordance with requirements prescribed by the Secretary under subsection (b).

''(4) Reasonable assurance that upon completion of the work for which assistance is sought, the program will become operational and the facilities will be used principally to provide to veterans the services for which

the project was designed, and that not more than 25 percent of the services provided will serve clients who are not receiving such services as veterans.

''(f) PROGRAM REQUIREMENTS.—The Secretary may not make a grant to an applicant under this section unless the applicant, in the application for the grant, agrees to each of the following requirements:

''(1) To provide the services for which the grant is furnished at locations accessible to homeless veterans.

''(2) To maintain referral networks for, and aid homeless veterans in, establishing eligibility for assistance, and obtaining services, under available entitlement and assistance programs.

''(3) To ensure the confidentiality of records maintained on homeless veterans receiving services under the grant.

''(4) To establish such procedures for fiscal control and fund accounting as may be necessary to ensure proper disbursement and accounting with respect to the grant and to such payments as may be made under section 2012 of this title.

''(5) To seek to employ homeless veterans and formerly homeless veterans in positions created for purposes of the grant for which those veterans are qualified.

''(g) SERVICE CENTER REQUIREMENTS.—In addition to criteria established under subsection (b), the Secretary shall, in the case of an application for a grant for a service center for homeless veterans, require each of the following:

''(1) That such center provide services to homeless veterans during such hours as the Secretary may specify and be open to such veterans on an as-needed, unscheduled basis.

''(2) That space at such center will be made available, as mutually agreeable, for use by staff of the Department of Veterans Affairs, the Department of Labor, and other appropriate agencies and organizations in assisting homeless veterans served by such center.

''(3) That such center be equipped and staffed to provide, or to assist in providing, health care, mental health services, hygiene facilities, benefits and employment counseling, meals, transportation assistance, and such other services as the Secretary determines necessary.

''(4) That such center may be equipped and staffed to provide, or to assist in providing, job training and job placement services (including job readiness, job counseling, and literacy and skills training), as well as any outreach and case management services that may be necessary to carry out this paragraph.

''(h) RECOVERY OF UNUSED GRANT FUNDS.—(1) If a grant recipient (or entity eligible for such a grant) under this section does not establish a program in accordance with this section or ceases to furnish services under such a program for which the grant was made, the United States shall be entitled to recover from such recipient or entity the total of all unused grant amounts made under this section to such recipient or entity in connection with such program.

''(2) Any amount recovered by the United States under paragraph (1) may be obligated by the Secretary without fiscal year limitation to carry out provisions of this subchapter.

''(3) An amount may not be recovered under paragraph (1) as an unused grant amount before the end of the three-year period beginning on the date on which the grant is awarded.

''§ 2012. Per diem payments

''(a) PER DIEM PAYMENTS FOR FURNISHING SERVICES TO HOMELESS VETERANS.—(1) Subject to the availability of appropriations provided for such purpose, the Secretary, pursuant to such criteria as the Secretary shall prescribe, shall provide to a recipient of a grant under section 2011 of this title (or an entity eligible to receive a grant under that section which after November 10, 1992, establishes a program that the Secretary determines carries out the purposes described in that section) per diem payments for services furnished to any homeless veteran—

''(A) whom the Secretary has referred to the grant recipient (or entity eligible for such a grant); or

''(B) for whom the Secretary has authorized the provision of services.

''(2) The rate for such per diem payments shall be the rate authorized for State homes for domiciliary care under section 1741(a)(1)(A) of this title.

''(3) In a case in which the Secretary has authorized the provision of services, per diem payments under paragraph (1) may be paid retroactively for services provided not more than three days before the authorization was provided.

''(b) INSPECTIONS.—The Secretary may inspect any facility of an entity eligible for payments under subsection (a) at such times as the Secretary considers necessary. No per diem payment may be made to an entity under this section unless the facilities of that entity meet such standards as the Secretary shall prescribe.

''(c) LIFE SAFETY CODE.—(1) Except as provided in paragraph (2), a per diem payment may not be provided under this section to a grant recipient unless the facilities of the grant recipient meet the fire and safety requirements applicable under the Life Safety Code of the National Fire Protection Association.

''(2) During the five-year period beginning on the date of the enactment of this section, paragraph (1) shall not apply to an entity that received a grant under section 3 of the Homeless Veterans Comprehensive Service Programs Act of 1992 (Public Law 102–590; 38 U.S.C. 7721 note) before that date if the entity meets fire and safety requirements established by the Secretary.

''(3) From amounts available for purposes of this section, not less than $5,000,000 shall be used only for grants to assist entities covered by paragraph (2) in meeting the Life Safety Code of the National Fire Protection Association.

''§ 2013. Authorization of appropriations

''There are authorized to be appropriated to carry out this subchapter amounts as follows:

''(1) $60,000,000 for fiscal year 2002.

''(2) $75,000,000 for fiscal year 2003.

''(3) $75,000,000 for fiscal year 2004.

''(4) $75,000,000 for fiscal year 2005.

''SUBCHAPTER III—TRAINING AND OUTREACH

''§ 2021. Homeless veterans' reintegration programs

''(a) IN GENERAL.—Subject to the availability of appropriations provided for under subsection (d) and made available for such purpose, the Secretary of Labor shall conduct, directly or through grant or contract, such programs as the Secretary determines appropriate to provide job training, counseling, and placement services to expedite the reintegration of homeless veterans into the labor force.

''(b) REQUIREMENT TO MONITOR EXPENDITURES OF FUNDS.—(1) The Secretary of Labor shall collect such information as the Secretary considers appropriate to monitor and evaluate the distribution and expenditure of funds appropriated to carry out this section. The information shall include data with respect to the results or outcomes of the services provided to each homeless veteran under this section.

''(2) The information under paragraph (1) shall be furnished to the Secretary of Labor in such form as the Secretary considers appropriate.

''(c) ADMINISTRATION THROUGH THE ASSISTANT SECRETARY OF LABOR FOR VETERANS' EMPLOYMENT AND TRAINING.—The Secretary of Labor shall carry out this section through the Assistant Secretary of Labor for Veterans' Employment and Training.

''(d) ANNUAL REPORT TO CONGRESS.—The Secretary of Labor shall submit to Congress an annual report that evaluates services furnished to veterans under this section, and includes an analysis of the information collected under subsection (c).

''(e) AUTHORIZATION OF APPROPRIATIONS.—(1) There are authorized to be appropriated to carry out this section amounts as follows:

''(A) $50,000,000 for fiscal year 2002.

''(B) $50,000,000 for fiscal year 2003.

''(C) $50,000,000 for fiscal year 2004.

''(D) $50,000,000 for fiscal year 2005.

''(E) $50,000,000 for fiscal year 2006.

''(2) Funds appropriated to carry out this section shall remain available until expended. Funds obligated in any fiscal year to carry out this section may be expended in that fiscal year and the succeeding fiscal year.

''§ 2022. Coordination of outreach services for veterans at risk of homelessness

''(a) OUTREACH PLAN.—The Secretary, acting through the Under Secretary for Health, shall provide for appropriate officials of the Mental Health Service and the Readjustment Counseling Service of the Veterans Health Administration to initiate a coordinated plan for joint outreach to veterans at risk of homelessness, including particularly veterans who are being discharged from institutions (including discharges from inpatient psychiatric care, substance abuse treatment programs, and penal institutions).

''(b) MATTERS TO BE INCLUDED.—The outreach plan under subsection (a) shall include the following:

''(1) Strategies to identify and collaborate with external entities used by veterans who have not traditionally used Department services to further outreach efforts.

''(2) Strategies to ensure that mentoring programs, recovery support groups, and other appropriate support networks are optimally available to veterans.

''(3) Appropriate programs or referrals to family support programs.

''(4) Means to increase access to case management services.

''(5) Plans for making additional employment services accessible to veterans.

''(6) Appropriate referral sources for mental health and substance abuse services.

''(c) COOPERATIVE RELATIONSHIPS.—The plan shall identify strategies for the Department to enter into formal cooperative relationships with entities outside the Department to facilitate making services and resources optimally available to veterans.

''(d) REVIEW OF PLAN.—The Secretary shall submit the plan under subsection (a) to the Advisory Committee on Homeless Veterans for its review and consultation.

''(e) OUTREACH PROGRAM.—(1) The Secretary shall carry out an outreach program to provide information to homeless veterans and veterans at risk of homelessness. The program shall include at a minimum—

''(A) provision of information about benefits available to eligible veterans from the Department; and

''(B) contact information for local Department facilities, including medical facilities, regional offices, and veterans centers.

''(2) In developing and carrying out the program under paragraph (1), the Secretary shall, to the extent practicable, consult with

appropriate public and private organizations, including the Bureau of Prisons, State social service agencies, the Department of Defense, and mental health, veterans, and homeless advocates—

''(A) for assistance in identifying and contacting veterans who are homeless or at risk of homelessness;

''(B) to coordinate appropriate outreach activities with those organizations; and

''(C) to coordinate services provided to veterans with services provided by those organizations.

''(f) SUBMISSION OF REPORT.—Not later than two years after the date of the enactment of this section, the Secretary shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives a report on the Secretary's plan under subsection (a), including goals and time lines for implementation of the plan for particular facilities and service networks.

''§ 2023. Demonstration program relating to referral and counseling for veterans transitioning from certain institutions who are at risk for homelessness

''(a) PROGRAM AUTHORITY.—The Secretary and the Secretary of Labor (hereinafter in this section referred to as the 'Secretaries') shall carry out a demonstration program for the purpose of determining the costs and benefits of providing referral and counseling services to eligible veterans with respect to benefits and services available to such veterans under this title and under State law.

''(b) LOCATION OF DEMONSTRATION PROGRAM.—The demonstration program shall be carried out in at least six locations. One location shall be a penal institution under the jurisdiction of the Bureau of Prisons.

''(c) SCOPE OF PROGRAM.—(1) To the extent practicable, the demonstration program shall provide both referral and counseling, and in the case of counseling, shall include counseling with respect to job training and placement, housing, health care, and such other benefits to assist the eligible veteran in the transition from institutional living.

''(2)(A) To the extent that referral or counseling services are provided at a location under the program, referral services shall be provided in person during the 60-day period that precedes the date of release or discharge of the eligible veteran under subsection (f)(1)(B), and counseling services shall be furnished after such date.

''(B) The Secretaries may furnish to officials of penal institutions outreach information with respect to referral and counseling services for presentation to veterans in the custody of such officials during the 18-month period that precedes such date of release or discharge.

''(3) The Secretaries may enter into contracts to carry out the counseling required under the demonstration program with entities or organizations that meet such requirements as the Secretaries may establish.

''(4) In developing the demonstration program, the Secretaries shall consult with officials of the Bureau of Prisons, officials of penal institutions of States and political subdivisions of States, and such other officials as the Secretaries determine appropriate.

''(d) REPORT.—(1) Not later than two years after the commencement of the demonstration program, the Secretary (after consultation with the Secretary of Labor) shall submit to the Committees on Veterans' Affairs of the Senate and the House of Representatives a report on the program.

''(2) The report under paragraph (1) shall include the following:

''(A) A description of the implementation and operation of the program.

''(B) An evaluation of the effectiveness of the program.

''(C) Recommendations, if any, regarding an extension of the program.

''(e) DURATION.—The authority of the Secretaries to provide counseling services under the demonstration program shall cease on the date that is four years after the date of the commencement of the demonstration program.

''(f) DEFINITIONS.—In this section:

''(1) The term 'eligible veteran' means a veteran who—

''(A) is a resident of a penal institution or an institution that provides long-term care for mental illness;

''(B) is expected to be imminently released or discharged (as the case may be) from the facility or institution; and

''(C) is at risk for homelessness absent referral and counseling services provided under the program (as determined under guidelines established by the Secretaries).

''(2) The term 'imminent' means, with respect to a release or discharge under paragraph (1)(B), the 60-day period that ends on the date of such release or discharge.

''SUBCHAPTER V—HOUSING ASSISTANCE

''§ 2042. Supported housing for veterans participating in compensated work therapies

''The Secretary may authorize homeless veterans in the compensated work therapy program to be provided housing through the therapeutic residence program under section 2032 of title or through grant and per diem providers under subchapter II of this chapter.

''§ 2043. Domiciliary care programs

''(a) AUTHORITY.—The Secretary may establish up to 10 programs under section 1710(b) of this title (in addition to any such program that is established as of the date of the enactment of this section) to provide domiciliary services under such section to homeless veterans.

''(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary $5,000,000 for each of fiscal years 2003 and 2004 to establish the programs referred to in subsection (a).

''SUBCHAPTER VII—OTHER PROVISIONS

''§ 2061. Grant program for homeless veterans with special needs

''(a) ESTABLISHMENT.—The Secretary shall carry out a program to make grants to health care facilities of the Department and to grant and per diem providers in order to encourage development by those facilities and providers of programs targeted at meeting special needs within the population of homeless veterans.

''(b) SPECIAL NEEDS.—For purposes of this section, homeless veterans with special needs include homeless veterans who—

''(1) are women;

''(2) are 50 years of age or older;

''(3) are substance abusers;

''(4) are persons with post-traumatic stress disorder;

''(5) are terminally ill;

''(6) are chronically mentally ill; or

''(7) have care of minor dependents or other family members.

''(c) FUNDING.—(1) From amounts appropriated to the Department for 'Medical Care' for each of fiscal years 2003, 2004, and 2005, the amount of $10,000,000 shall be available for the purposes of the program under this section.

''(2) The Secretary shall ensure that funds for grants under this section are designated for the first three years of operation of the program under this section as a special purpose program for which funds are not allocated through the Veterans Equitable Resource Allocation system.

''§ 2062. Dental care

''(a) IN GENERAL.—For purposes of section 1712(a)(1)(H) of this title, outpatient dental services and treatment of a dental condition or disability of a veteran described in subsection (b) shall be considered to be medically necessary, subject to subsection (c), if—

''(1) the dental services and treatment are necessary for the veteran to successfully gain or regain employment;

''(2) the dental services and treatment are necessary to alleviate pain; or

''(3) the dental services and treatment are necessary for treatment of moderate, severe, or severe and complicated gingival and periodontal pathology.

''(b) ELIGIBLE VETERANS.—Subsection (a) applies to a veteran who is—

''(1) enrolled for care under section 1705(a) of this title; and

''(2) who is receiving care (directly or by contract) in any of the following settings:

''(A) A domiciliary under section 1710 of this title.

''(B) A therapeutic residence under section 2032 of this title.

''(C) Community residential care coordinated by the Secretary of Veterans Affairs under section 1730 of this title.

''(D) A setting for which the Secretary provides funds for a grant and per diem provider.

''(c) LIMITATION.—Dental benefits provided by reason of this section shall be a one-time course of dental care provided in the same manner as the dental benefits provided to a newly discharged veteran.

''§ 2063. Technical assistance grants for nonprofit community-based groups

''(a) GRANT PROGRAM.—The Secretary shall carry out a program to make technical assistance grants to nonprofit community-based groups with experience in providing assistance to homeless veterans in order to assist such groups in applying for grants under this chapter and other grants relating to addressing problems of homeless veterans.

''(b) FUNDING.—There is authorized to be appropriated to the Secretary the amount of $750,000 for each of fiscal years 2002 through 2005 to carry out the program under this section.

''§ 2064. Annual report on assistance to homeless veterans

''(a) ANNUAL REPORT.—Not later than April 15 of each year, the Secretary shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives a report on the activities of the Department during the calendar year preceding the report under programs of the Department under this chapter and other programs of the Department for the provision of assistance to homeless veterans.

''(b) GENERAL CONTENTS OF REPORT.—Each report under subsection (a) shall include the following:

''(1) The number of homeless veterans provided assistance under those programs.

''(2) The cost to the Department of providing such assistance under those programs.

''(3) Any other information on those programs and on the provision of such assistance that the Secretary considers appropriate.

''(4) The Secretary's evaluation of the effectiveness of the programs of the Department (including residential work-therapy programs, programs combining outreach, community-based residential treatment, and case-management, and contract care programs for alcohol and drug-dependence or use disabilities) in providing assistance to homeless veterans.

''(5) The Secretary's evaluation of the effectiveness of programs established by recipients of grants under section 2011 of this title and a description of the experience of those recipients in applying for and receiving grants from the Secretary of Housing

and Urban Development to serve primarily homeless persons who are veterans.

''(c) HEALTH CARE CONTENTS OF REPORT.—Each report under subsection (a) shall include the following with respect to programs of the Department addressing health care needs of homeless veterans:

''(1) Information about expenditures, costs, and workload under the program of the Department known as the Health Care for Homeless Veterans program (HCHV).

''(2) Information about the veterans contacted through that program.

''(3) Information about processes under that program.

''(4) Information about program treatment outcomes under that program.

''(5) Information about supported housing programs.

''(6) Information about the Department's grant and per diem provider program under subchapter II of this chapter.

''(7) Other information the Secretary considers relevant in assessing the program.

''§ 2065. Advisory Committee on Homeless Veterans

''(a)(1) There is established in the Department the Advisory Committee on Homeless Veterans (hereinafter in this section referred to as the 'Committee').

''(2) The Committee shall consist of not more than 15 members appointed by the Secretary from among the following:

''(A) Veterans service organizations.

''(B) Advocates of homeless veterans and other homeless individuals.

''(C) Community-based providers of services to homeless individuals.

''(D) Previously homeless veterans.

''(E) State veterans affairs officials.

''(F) Experts in the treatment of individuals with mental illness.

''(G) Experts in the treatment of substance use disorders.

''(H) Experts in the development of permanent housing alternatives for lower income populations.

''(I) Experts in vocational rehabilitation.

''(J) Such other organizations or groups as the Secretary considers appropriate.

''(3) The Committee shall include, as ex officio members—

''(A) the Secretary of Labor (or a representative of the Secretary selected after consultation with the Assistant Secretary of Labor for Veterans' Employment);

''(B) the Secretary of Defense (or a representative of the Secretary);

''(C) the Secretary of Health and Human Services (or a representative of the Secretary); and

''(D) the Secretary of Housing and Urban Development (or a representative of the Secretary).

''(4) The Secretary shall determine the terms of service and pay and allowances of the members of the Committee, except that a term of service may not exceed three years. The Secretary may reappoint any member for additional terms of service.

''(b)(1) The Secretary shall, on a regular basis, consult with and seek the advice of the Committee with respect to the provision by the Department of benefits and services to homeless veterans.

''(2)(A) In providing advice to the Secretary under this subsection, the Committee shall—

''(i) assemble and review information relating to the needs of homeless veterans;

''(ii) provide an on-going assessment of the effectiveness of the policies, organizational structures, and services of the Department in assisting homeless veterans; and

''(iii) provide on-going advice on the most appropriate means of providing assistance to homeless veterans.

''(3) The Committee shall—

''(A) review the continuum of services provided by the Department directly or by contract in order to define cross-cutting issues and to improve coordination of all services with the Department that are involved in addressing the special needs of homeless veterans;

''(B) identify (through the annual assessments under section 2034 of this title and other available resources) gaps in programs of the Department in serving homeless veterans, including identification of geographic areas with unmet needs, and provide recommendations to address those program gaps;

''(C) identify gaps in existing information systems on homeless veterans, both within and outside of the Department, and provide recommendations about redressing problems in data collection;

''(D) identify barriers under existing laws and policies to effective coordination by the Department with other Federal agencies and with State and local agencies addressing homeless populations;

''(E) identify opportunities for increased liaison by the Department with nongovernmental organizations and individual groups addressing homeless populations;

''(F) with appropriate officials of the Department designated by the Secretary, participate with the Interagency Council on the Homeless under title II of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11311 et seq.);

''(G) recommend appropriate funding levels for specialized programs for homeless veterans provided or funded by the Department;

''(H) recommend appropriate placement options for veterans who, because of advanced age, frailty, or severe mental illness, may not be appropriate candidates for vocational rehabilitation or independent living; and

''(I) perform such other functions as the Secretary may direct.

''(c)(1) Not later than March 31 of each year, the Committee shall submit to the Secretary a report on the programs and activities of the Department that relate to homeless veterans. Each such report shall include—

''(A) an assessment of the needs of homeless veterans;

''(B) a review of the programs and activities of the Department designed to meet such needs;

''(C) a review of the activities of the Committee; and

''(D) such recommendations (including recommendations for administrative and legislative action) as the Committee considers appropriate.

''(2) Not later than 90 days after the receipt of a report under paragraph (1), the Secretary shall transmit to the Committees on Veterans' Affairs of the Senate and House of Representatives a copy of the report, together with any comments and recommendations concerning the report that the Secretary considers appropriate.

''(3) The Committee may also submit to the Secretary such other reports and recommendations as the Committee considers appropriate.

''(4) The Secretary shall submit with each annual report submitted to the Congress pursuant to section 529 of this title a summary of all reports and recommendations of the Committee submitted to the Secretary since the previous annual report of the Secretary submitted pursuant to that section.

''(d) The Committee shall cease to exist December 31, 2006.''.

(2) The tables of chapters before part I and at the beginning of part II are each amended by inserting after the item relating to chapter 19 the following new item:

''20. Benefits for Homeless Veterans .. 2001''.

(b) HEALTH CARE.—(1) Subchapter VII of chapter 17 is transferred to chapter 20 (as added by subsection (a)), inserted after section 2023 (as so added), and redesignated as subchapter IV, and sections 1771, 1772, 1773, and 1774 therein are redesignated as sections 2031, 2032, 2033, and 2034, respectively.

(2) Subsection (a)(3) of section 2031, as so transferred and redesignated, is amended by striking ''section 1772 of this title'' and inserting ''section 2032 of this title''.

(c) HOUSING ASSISTANCE.—Section 3735 is transferred to chapter 20 (as added by subsection (a)), inserted after the heading for subchapter V, and redesignated as section 2041.

(d) MULTIFAMILY TRANSITIONAL HOUSING.—(1) Subchapter VI of chapter 37 (other than section 3771) is transferred to chapter 20 (as added by subsection (a)) and inserted after section 2043 (as added by subsection (a)), and sections 3772, 3773, 3774, and 3775 therein are redesignated as sections 2051, 2052, 2053, and 2054, respectively.

(2) Such subchapter is amended—

(A) in the heading, by striking ''FOR HOMELESS VETERANS'';

(B) in subsection (d)(1) of section 2051, as so transferred and redesignated, by striking ''section 3773 of this title'' and inserting ''section 2052 of this title''; and

(C) in subsection (a) of section 2052, as so transferred and redesignated, by striking ''section 3772 of this title'' and inserting ''section 2051 of this title''.

(3) Section 3771 is repealed.

(e) REPEAL OF CODIFIED PROVISIONS.—The following provisions of law are repealed:

(1) Sections 3, 4, and 12 of the Homeless Veterans Comprehensive Service Programs Act of 1992 (Public Law 102–590; 38 U.S.C. 7721 note).

(2) Section 1001 of the Veterans' Benefits Improvements Act of 1994 (Public Law 103–446; 38 U.S.C. 7721 note).

(3) Section 4111.

(4) Section 738 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11448).

(f) EXTENSION OF EXPIRING AUTHORITIES.—Subsection (b) of section 2031, as redesignated by subsection (b)(1), and subsection (d) of section 2033, as so redesignated, are amended by striking ''December 31, 2001'' and inserting ''December 31, 2006''.

(g) CLERICAL AMENDMENTS.—

(1) The table of sections at the beginning of chapter 17 is amended by striking the item relating to subchapter VII and the items relating to sections 1771, 1772, 1773, and 1774.

(2) The table of sections at the beginning of chapter 37 is amended—

(A) by striking the item relating to section 3735; and

(B) by striking the item relating to subchapter VI and the items relating to sections 3771, 3772, 3773, 3774, and 3775.

(3) The table of sections at the beginning of chapter 41 is amended by striking the item relating to section 4111.

SEC. 6. EVALUATION OF HOMELESS PROGRAMS.

(a) EVALUATION CENTERS.—The Secretary of Veterans Affairs shall support the continuation within the Department of Veterans Affairs of at least one center for evaluation to monitor the structure, process, and outcome of programs of the Department of Veterans Affairs that address homeless veterans.

(b) ANNUAL PROGRAM ASSESSMENT.—Section 2034(b), as transferred and redesignated by section 5(b)(1), is amended—

(1) by inserting ''annual'' in paragraph (1) after ''to make an''; and

(2) by adding at the end the following new paragraph:

''(6) The Secretary shall review each annual assessment under this subsection and shall consolidate the findings and conclusions of those assessments into an annual report to be submitted to Congress.''.

SEC. 7. STUDY OF OUTCOME EFFECTIVENESS OF GRANT PROGRAM FOR HOMELESS VETERANS WITH SPECIAL NEEDS.

(a) STUDY.—The Secretary of Veterans Affairs shall conduct a study of the effectiveness during fiscal year 2002 through fiscal year 2004 of the grant program under section 2061 of title 38, United States Code, as added by section 5(a), in meeting the needs of homeless veterans with special needs (as specified in that section). As part of the study, the Secretary shall compare the results of programs carried out under that section, in terms of veterans' satisfaction, health status, reduction in addiction severity, housing, and encouragement of productive activity, with results for similar veterans in programs of the Department or of grant and per diem providers that are designed to meet the general needs of homeless veterans.

(b) REPORT.—Not later than March 31, 2005, the Secretary shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives a report setting forth the results of the study under subsection (a).

SEC. 8. ADDITIONAL PROGRAMMATIC EXPANSIONS.

(a) ACCESS TO MENTAL HEALTH SERVICES.—Section 1706 is amended by adding at the end the following new subsection:

''(c) The Secretary shall develop standards to ensure that mental health services are available to veterans in a manner similar to the manner in which primary care is available to veterans who require services by ensuring that each primary care health care facility of the Department has a mental health treatment capacity.''.

(b) COMPREHENSIVE HOMELESS SERVICES PROGRAM.—Subsection (b) of section 2033, as transferred and redesignated by section 5(b)(1), is amended—

(1) by striking ''not fewer'' in the first sentence and all that follows through ''services) at''; and

(2) by adding at the end the following new sentence: ''The Secretary shall carry out the program under this section in sites in at least each of the 20 largest metropolitan statistical areas.''.

(c) OPIOID SUBSTITUTION THERAPY.—Section 1720A is amended by adding at the end the following new subsection:

''(d) The Secretary shall ensure that opioid substitution therapy is available at each Department medical center.''.

SEC. 9. COORDINATION OF EMPLOYMENT SERVICES.

(a) DISABLED VETERANS' OUTREACH PROGRAM.—Section 4103A(c) is amended by adding at the end the following new paragraph:

''(11) Coordination of services provided to veterans with training assistance provided to veterans by entities receiving financial assistance under section 2021 of this title.''.

(b) LOCAL VETERANS' EMPLOYMENT REPRESENTATIVES.—Section 4104(b) is amended by adding at the end the following new paragraph:

''(13) Coordinate services provided to veterans with training assistance for veterans provided by entities receiving financial assistance under section 2021 of this title.''.

SEC. 10. USE OF REAL PROPERTY.

(a) LIMITATION ON DECLARING PROPERTY EXCESS TO THE NEEDS OF THE DEPARTMENT.—Section 8122(d) is amended by inserting before the period at the end the following: ''and is not suitable for use for the provision of services to homeless veterans by the Department or by another entity under an enhanced-use lease of such property under section 8162 of this title''.

(b) WAIVER OF COMPETITIVE SELECTION PROCESS FOR ENHANCED-USE LEASES FOR PROPERTIES USED TO SERVE HOMELESS VETERANS.—Section 8162(b)(1) is amended—

(1) by inserting ''(A)'' after ''(b)(1)''; and

(2) by adding at the end the following:

''(B) In the case of a property that the Secretary determines is appropriate for use as a facility to furnish services to homeless veterans under chapter 20 of this title, the Secretary may enter into an enhanced-use lease without regard to the selection procedures required under subparagraph (A).''.

(c) EFFECTIVE DATE.—The amendments made by subsection (b) shall apply to leases entered into on or after the date of the enactment of this Act.

SEC. 11. MEETINGS OF INTERAGENCY COUNCIL ON HOMELESS.

Section 202(c) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11312(c)) is amended to read as follows:

''(c) MEETINGS.—The Council shall meet at the call of its Chairperson or a majority of its members, but not less often than annually.''.

SEC. 12. RENTAL ASSISTANCE VOUCHERS FOR HUD VETERANS AFFAIRS SUPPORTED HOUSING PROGRAM.

Section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)) is amended by adding at the end the following new paragraph:

''(19) RENTAL VOUCHERS FOR VETERANS AFFAIRS SUPPORTED HOUSING PROGRAM.—

''(A) SET ASIDE.—Subject to subparagraph (C), the Secretary shall set aside, from amounts made available for rental assistance under this subsection, the amounts specified in subparagraph (B) for use only for providing such assistance through a supported housing program administered in conjunction with the Department of Veterans Affairs. Such program shall provide rental assistance on behalf of homeless veterans who have chronic mental illnesses or chronic substance use disorders, shall require agreement of the veteran to continued treatment for such mental illness or substance use disorder as a condition of receipt of such rental assistance, and shall ensure such treatment and appropriate case management for each veteran receiving such rental assistance.

''(B) AMOUNT.—The amount specified in this subparagraph is—

''(i) for fiscal year 2003, the amount necessary to provide 500 vouchers for rental assistance under this subsection;

''(ii) for fiscal year 2004, the amount necessary to provide 1,000 vouchers for rental assistance under this subsection;

''(iii) for fiscal year 2005, the amount necessary to provide 1,500 vouchers for rental assistance under this subsection; and

''(iv) for fiscal year 2006, the amount necessary to provide 2,000 vouchers for rental assistance under this subsection.

''(C) FUNDING THROUGH INCREMENTAL ASSISTANCE.—In any fiscal year, to the extent that this paragraph requires the Secretary to set aside rental assistance amounts for use under this paragraph in an amount that exceeds that set aside in the preceding fiscal year, such requirement shall be effective only to such extent or in such amounts as are or have been provided in appropriation Acts for such fiscal year for incremental rental assistance under this subsection.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. SMITH) and the gentleman from Illinois (Mr. EVANS) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the Department of Veterans Affairs estimates that there are 225,000 homeless veterans living on the streets on any given night. Other organizations, VSOs, believe that the number is higher, closer to 300,000. Either number is far, far too high and a national travesty.

For these veterans, access to VA benefits, specialized services and effective outreach are vital components to any hope of individual stability and improvement in their prospects. The legislation before the House today, H.R. 2716, is designed to provide assistance to these men and women, with a national goal of ending chronic homelessness among veterans within 10 years.

Mr. Speaker, legislation is about more than programs and regulations; it is about real people. Let me spend just a moment describing to the House the remarkable life of one, just one, but a very, very important guy, who had his life changed because of the VA. It made a major difference in his life.

Stuart Alan Collick is a 39-year-old veteran from my State of New Jersey. Last month he appeared before the Committee on Veterans' Affairs to tell his story. Stuart joined the all-volunteer army at the age of 23 and told us he could not think of any higher calling than to serve his country, and he did it with distinction. Stuart had combat service in Grenada, and later distinguished himself as an infantryman in the Persian Gulf War. He holds the Army Service Ribbon with three Oak Leaf Clusters, the Southwest Asia Service Ribbon, three Bronze Stars, and three Good Conduct Medals, and the Combat Infantryman's Badge, among other official recognition. He served, as I said, with distinction; and he did his duty.

But, as you know, combat is an extremely unpleasant and a very terrible experience for many and leaves scars that sometimes do not heal. Mr. Collick left the Army in 1992 a disillusioned man and he began drinking, and then he turned to hard drug use. Within 5 years of discharge, he had lost his job, his family and his home, and was on the streets. His life, like that of many other homeless addicted veterans, was in chaos.

Last year, Mr. Collick found the VA Homeless Assistance Program of New Jersey. With the VA's help and with his faith, he turned his life around, finding new ways to cope. He found a job and his own apartment. He developed new friendships and reestablished relationships with his family, which had been severed.

Today Mr. Collick is working as a carpenter and a foreman on the VA's veterans construction team at Lyons, New Jersey, helping to build a commercial greenhouse and teaching other veterans how to build something positive, showing them by his own personal example that there is hope. Today Mr. Collick is a role model. He is an inspiration to his fellow veterans in early recovery and drawing strength from his

own experiences in the Army and in his life.

This is what this bill is all about. The VA's construction project is a plan of the innovative leader of New Jersey's Homeless Assistance Program for Veterans, John Kuhn, who also testified at our hearing and is doing a magnificent job; and he testified with a few other veterans who, likewise, told their stories of being down at the bottom, but finding hope and finding that lifesaver from the VA.

Mr. Speaker, it is difficult to pinpoint any one cause of homelessness among our veterans. Readjustment problems are often associated with direct exposure to combat, such as Mr. Collick's case, and that of thousands, tens of thousands, of others like him, who returned to a seemingly uncaring society.

Also we know that the majority of homeless veterans suffer from mental illness, including posttraumatic stress disorder. Illegal substance abuse often complicates their situations. Some have even served time in jail.

A veteran with an impaired mental state often loses the ability to maintain stable employment. Absent employment, it eventually becomes difficult to maintain any type of permanent housing. The vicious cycle can only accelerate once employment and housing are lost. The absence of these two important anchors, employment and housing, is a precursor for increased utilization of medical resources and emergency rooms, VA and other public hospitals, and, unfortunately, the resources of America's courtrooms, jails and prisons as well.

That is why our legislation takes a comprehensive and multifaceted approach to addressing chronic homelessness among veterans, concentrating the resources of Federal agencies in this campaign. For example, H.R. 2716 authorizes 2,000 additional HUD section 8 low-income housing vouchers phased in over 4 years for homeless veterans in need of permanent housing. These veterans must be enrolled in the VA health care, and priority will be given to veterans under care for mental illnesses or substance abuse disorders. This is a modest proposal that, if successful, I hope will be increased substantially going forward into the future.

H.R. 2617 also authorizes $10 million over 2 years for 10 new Domiciliary for Homeless Veterans programs. These programs, like the one at Lyons, New Jersey, helped Stuart Collick. Again, it was his lifeline; and they have proven to be highly effective, and we need to have more.

The bill improves and expands the VA's homeless grant and per diem program. Currently, recipients of these funds are already contributing substantially to the fulfillment of this bill's objective, to reduce homelessness and provide for the special needs of homeless veterans. This bill authorizes $285 million over 4 years for that program. It also provides a new mechanism for setting per diem payment so it will be adjusted on a regular basis.

Working, as we all know, is an important key to helping homeless veterans rejoin American society, but employment is not possible unless a veteran has access to quality medical care and other supportive services. Safe and drug-free housing is equally important.

The Department of Labor's Homeless Veterans Reintegration Program was designed to put homeless veterans back into the labor force. H.R. 2716 extends and increases the authorization level to $250 million over 5 years for this very effective program.

As I indicated, prevention of homelessness among veterans is an important objective of our bill. H.R. 2716 authorizes a demonstration program to learn whether earlier intervention can prevent homelessness among formerly institutionalized veterans. The program would be carried out at six demonstration sites, one of which would be with the Bureau of Prisons facilities. The purpose of this program is to provide incarcerated veterans with referral and counseling about job training, housing, health care and other needs determined necessary to assist the veteran in transition from institutionalized living to civil life.

Mr. Speaker, these are just some of the highlights of our comprehensive bill, the Stuart Collick-Heather French Henry Homeless Veterans' Assistance Act. I believe the bill accomplishes several very important and interrelated goals. It will provide needed assistance to homeless veterans, lift them to a sustainable level that will prevent them from returning to a state of homelessness, and help them to become self-sufficient individuals who are accountable for their own actions.

This bill will also hold all grant and contract recipients accountable for performing their promised services in exchange for government investments and promote a greater opportunity to work across Departments to provide the best possible service for our Nation's homeless veterans. It also sponsors innovative approaches at prevention of homelessness in high-risk groups within the veterans population.

Mr. Speaker, I want to take this opportunity to thank my very good friend and colleague, the gentleman from Illinois (Mr. EVANS), the committee's ranking member, for a bill he introduced earlier, H.R. 936, to improve Homeless Veterans Assistance Programs. The gentleman and his staff have worked in good faith with me and my staff in fashioning a bill that is truly a bipartisan bill that has taken many elements that are out there, made those that are already working hopefully more responsive, hopefully, and, as this bill would do, provide additional resources for them. I do hope that this will move through the House and obviously to the Senate.

Mr. Speaker, I add the following for the RECORD.

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON VETERANS' AFFAIRS,
Washington, DC, October 12, 2001.

Hon. MICHAEL G. OXLEY,
Chairman, Committee on Financial Services, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN OXLEY: Thank you for your letter regarding your Committee's jurisdictional interest in H.R. 2716, the ''Stuart Collick-Heather French Henry Homeless Veterans Assistance Act''.

I acknowledge your committee's jurisdictional interest in this legislation and appreciate your cooperation in moving the bill to the House floor expeditiously. I agree that your decision to forego further action on the bill will not prejudice the Committee on Financial Services with respect to its jurisdictional prerogatives on this or similar legislation. I will include a copy of your letter and this response in the Committee's report on the bill and the Congressional Record when the legislation is considered by the House.

Thank you again for your cooperation.

Sincerely,

CHRISTOPHER H. SMITH,
Chairman.

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON FINANCIAL SERVICES,
Washington, DC, October 11, 2001.

Hon. CHRISTOPHER H. SMITH,
Chairman, Committee on Veterans' Affairs, Cannon House Office Building, Washington, DC.

DEAR CHAIRMAN SMITH: I understand that the Committee on Veterans' Affairs recently ordered H.R. 2716, the Stuart Collick-Heather French Henry Homeless Veterans Assistance Act, reported to the House. As you know, the Committee on Financial Services was granted an additional referral upon the bill's introduction pursuant to the Committee's jurisdiction over housing under rule X of the Rules of the House of Representatives.

Because of the importance of this matter, I recognize your desire to bring this legislation before the House in an expeditious manner and will waive consideration of the bill by the Financial Services Committee. By agreeing to waive its consideration of the bill, the Financial Services Committee does not waive its jurisdiction over H.R. 2716. In addition, the Committee on Financial Services reserves its authority to seek conferees on any provisions of the bill that are within the Financial Services Committee's jurisdiction during any House-Senate conference that may be convened on this legislation. I ask your commitment to support any request by the Committee on Financial Services for conferees on H.R. 2716 or related legislation.

I request that you include this letter and your response as part of the Congressional Record during consideration of the legislation on the House floor.

Thank you for your attention to these matters.

Sincerely,

MICHAEL G. OXLEY,
Chairman.

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

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

(Mr. EVANS asked and was given permission to revise and extend his remarks, and include extraneous material.)

Mr. EVANS. Mr. Speaker, I salute the gentleman from New Jersey (Chairman SMITH) as well. He has done excellent work in bringing this bill about on a very short basis. We know the gentleman has outlined it pretty well. I

wanted to just offer a few random thoughts.

Mr. Speaker, we were all horrified by the devastation caused at the World Trade Center in New York and the Pentagon, as well as the tragic loss of innocent life in Pennsylvania which also occurred. Since these senseless acts of terrorism, our service members have been called to put their lives on the line once again.

Many of us have paused to take stock of how America treats their fallen heroes, our veterans. Fortunately, we have a measure before us today that reflects the appreciation of a grateful Nation. This bipartisan legislation we brought to the House floor today will benefit our homeless veterans.

Originally, I had introduced comprehensive homeless veterans legislation in the 106th Congress. Earlier this year I again introduced comprehensive legislation, which received the support of more than 130 bipartisan cosponsors, H.R. 936, as its predecessor was named, to honor the contributions of Miss America 2000 Heather French Henry on behalf of the homeless veterans in our country.

During her years of service as Miss America, she was an untiring advocate for our Nation's veterans and succeeded as no one else in increasing public awareness about this issue. She educated the American people as a result and gave hope to those in need. She is the daughter of a combat-wounded veteran whom she accompanied to the VA for his medical care. Her uncle was also a combat veteran who became homeless after his service to our Nation. She advocated on behalf of homeless veterans with sensitivity and compassion, and I thank her for her contributions.

H.R. 936 addressed some of the most pragmatic hurdles I believe homeless veterans face in re-attaining optimum independence and productivity. Many of the building blocks for homeless veterans' programs are contained in the VA's mental health infrastructure, but there is not enough vital substance abuse and mental health care programs to help our veterans on to the path of sobriety and increased functionality.

I believe that H.R. 2716, as amended, will help us address these deficits and help balance and improve the VA's program for homeless veterans.

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

Mr. FILNER. Mr. Speaker, I thank the ranking member, the gentleman from Illinois (Mr. EVANS), for his long years of activity on behalf of the homeless veterans in this Nation, and the gentleman from New Jersey (Chairman SMITH), who brings his passion to this activity; and when the gentleman from New Jersey (Chairman SMITH) brings passion to any area, he succeeds. I thank the gentleman for bringing his intensity to this bill and to this issue.

Mr. Speaker, it is disgraceful that in this Nation, 250,000 to 350,000 veterans are on the street every night; people who have served this country, men and women who have risked their lives here and abroad to give our Nation freedom, and yet, for a variety of reasons, they are homeless tonight.

It is a disgrace that this Nation allows this to occur, and it is especially a disgrace that as we are moving more men and women into harm's way, as we fight this war of the 21st century, we have their forbears on the street and not able to participate fully in American life.

□ 1630

We know we can change this situation.

Many of my colleagues have been to what is referred to as stand-downs around the Nation. The first one happened in my hometown of San Diego in 1987 and I have been at every one of them since. The first 10 or so stand-downs that I went to were immensely moving. What we saw is that people who had been fearful and without any kind of roots in the community were able to come together, be together for 3 days, and the whole community was supporting them and brought in resources that allowed them to be human beings again, and it gave them the resources, in fact, to take and become part of society once more. There was legal advice. There was medical advice. There was job counseling. There were dentists. There were clothes. There was food. There was mental health counseling, drug abuse counseling. But, most of all, there was fellowship and comradeship, and the sense that these, our Nation's veterans, can be cared for once the community decided to do so.

Well, I went to those stand-downs for a decade, moved by the results and moved by the stories that I heard, but then I said, we have learned from these stand-downs that we can solve the problem. For 3 days we have given these men and women something to hope for and something to share and a way out of their predicament, but what happens to the other 362 days? Why does this country not care for those veterans, our veterans, the other 362 days? I said, I am tired of going to stand-downs. What we have to do as a Nation is bring all of those programs together and deal with these heroes of our society.

That is what the chairman of the Committee on Veterans' Affairs is attempting to do with this bill, and that is what the ranking member, the gentleman from Illinois, (Mr. EVANS), with his contributions and his original bill, have attempted to do. They have attempted to bring the different programs together that we know work around medical care, around housing, around job development, around substance abuse and alcohol counseling but, most of all, around the concept that this Nation is not going to let veterans languish on the streets of our country. We have had enough of this. As we are sending new folks into battle, and as we are creating new veterans, we cannot forget the quarter of a million, the 350,000 that are on the streets tonight.

So this bill is a step, a major step, a big step in the direction of bringing those programs together and telling the Nation that we are going to get rid of this problem. I hope that this bill does not become just a bill that authorizes some programs, that this is a bill that is funded, fully funded to take care of people who have taken care of us. We can no longer tolerate this in America. I ask my colleagues not only to pass this bill, but to fight in the appropriations process for money and to take any step that must be taken after this to address the issues that we know have to be addressed.

Mr. Speaker, this is not rocket science. We know what to do. We know how to bring the resources together. The community does that in San Diego and virtually in every major city and other small towns across this country during the stand-downs. Let us make this bill a stand-down for 365 days a year where veterans of our Nation, the heroes of our Nation, can get the help they need and return to our society as productive members. Once again, Mr. Speaker, I thank the gentleman from New Jersey (Mr. SMITH) and I thank the gentleman from Illinois (Mr. EVANS). We are going to take care of our heroes.

Mr. SMITH of New Jersey. Mr. Speaker, I yield myself 1 minute, just to thank the gentleman from California (Mr. FILNER) for his kind remarks and also to make note that the gentleman from Kansas (Mr. MORAN), the chairman of our Subcommittee on Health, was very, very helpful in crafting this legislation. He is not here today because he is at the White House, or he would be here.

Mr. Speaker, I yield such time as he may consume to the gentleman from Connecticut (Mr. SIMMONS), a member of the committee and a Vietnam veteran himself.

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

Mr. SIMMONS. Mr. Speaker, I rise in full and complete support of the Homeless Veterans Assistance Act. First and foremost, this is a bipartisan bill. I think that is incredibly important. During consideration of this bill and its various parts within the Committee on Veterans' Affairs, there were some occasional disagreements, but these were all resolved on a bipartisan basis and all of the various elements of this bill came together so that when this bill ultimately was marked up and reported out of committee, my recollection is that it was unanimous and in fact, I am certain it was unanimous. I think that is an important part of why this is a good bill and why this bill deserves our support.

I believe that all bills dealing with veterans should be bipartisan, because their service to their country is not based on a partisan consideration.

When you are in the field, when you are on the frontline, when you are in a foxhole, when you are flying an airplane, when you are on an aircraft carrier or submarine, you do not ask the party affiliation of your comrade in arms. It does not matter. What matters is that you are serving a great Nation and you should be rewarded for your service because you did serve a great Nation, and that should be bipartisan.

I will also note that this bill, in addressing the issue of homelessness, sets a national goal to eliminate homelessness among veterans in 10 years, in 10 years. I think that is an important goal, and I think that is a goal that we should work towards.

It also provides veterans and homeless veterans, especially those with mental issues, priority when it comes to the benefits of this bill. I think that is a very important thing to consider. I left Vietnam in 1972. My last tour in Vietnam ended in 1972. That was almost 30 years ago. Here we are 30 years later, and there are still Vietnam veterans on the streets of our cities homeless in our communities across this country. Thirty years after the war is over, and there are still homeless veterans.

The problem is that the issue of homelessness with veterans goes beyond simply providing a house, a place to live, a structure. One cannot be happy in a house if one is not happy in one's own heart or in one's own head. For many of these veterans, we have to get to the issues of their heart and their head before we can find a home for them.

That is exactly what this legislation does. It partners the veteran with people in various bureaucracies, various elements of the administration, various aspects of the Committee on Veterans' Affairs so that this veteran can actually come home in his heart and in his head to a home.

For these reasons, Mr. Speaker, I support this bill, and I thank the gentleman from New Jersey (Mr. SMITH), the chairman of our committee, and the gentleman from Illinois (Mr. EVANS), the ranking member, and the members of the committee for their fine work on this bill.

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

Mr. SMITH of New Jersey. Mr. Speaker, I yield myself such time as I may consume just to conclude.

At the end of every movie we always see a list of credits, and they are the people really, not just the director or even the actor or actress that makes that movie, it is that cast of people that really do the nuts and bolts work of any movie. Well, the same goes for legislation. I think every one of us are very well aware how important staff is, and I just want to say how grateful I am to the professionalism and the competence and, above all, the compassion of our very fine staff. It is a bipartisan staff headed up by Pat Ryan, our Chief Counsel and Chief of Staff; John Bradley, Kimberly Cowins, Greg Carmichael, Kingston Smith, Jeannie McNally, Summer Larson, Darryl Kehrer, Paige McManus, Peter Dickenson, Devon Seibert, Jerry Tan and Art Wu, and the ranking member's staff, including Mike Dunishin and Susan Edgerton, all of whom played major roles in crafting this legislation. I want to express my sincerest gratitude.

Mr. Speaker, this truly is a bipartisan bill. We really want to end the horrific tragedy of homelessness for our veterans, end it for everyone, but first and foremost, those who served this country.

Mr. MORAN of Kansas. Mr. Speaker, the homeless assistance bill before the House today is a bipartisan product. The Committee has combined the best elements of the Chairman's bill, H.R. 2716, the Homeless Veterans Assistance Act of 2001, with those of Mr. Evans' bill, H.R. 936, and I believe our efforts will make a major impact in stemming homelessness in the veteran population.

This legislation incorporates accountability, innovation, prevention, and funding programs that work to reduce homelessness. I believe these are the right tools, and this is the right moment, for us to make a concerted effort to help our homeless veterans.

I want to thank Mr. FILNER and Mr. EVANS for their excellent work to bring this consensus bill to the House floor today. I congratulate the Chairman of our full Committee, Ranking Member EVANS and other Members who have worked on this bill for their substantial contribution to an effort to finally solve this vexing problem. The latest count of homeless veterans totals over 225,000. Those of us who are comfortable in our lives have no idea how horrible these veterans lives are. Access to VA benefits, specialized services and effective outreach are vital components to any hope these individuals have in changing their lives.

This bill can help our country's veterans return to a state of self-sufficiency, accountable for their own actions, with life skills to cope. Our goal is to eliminate chronic homelessness among veterans within ten years. By voting for this bill we take the first step in obtaining our goal of reducing our homeless veteran population. Also, some of our efforts may serve as models for homeless assistance programs for others.

Mr. Speaker, our veterans cannot wait any longer for us to take action on this problem. Homeless veterans need assistance today; they need our help. Please support this measure.

Mr. UDALL of New Mexico. Mr. Speaker, I rise today in strong support of H.R. 2716, the James Drappeaux-Stuart Collick-Heather French Henry Homeless Veterans Assistance Act. I am proud to be a cosponsor of this measure and I would like to thank Chairman SMITH, Ranking Member EVANS, and my colleagues on the Veterans Affairs Committee for their hard work on this importannt legislation.

For far too long, too many of the men and women who have served in our nation's military have been homeless. It is a sad fact that an estimated 225,000 veterans throughout the United States live on the streets. That is why I am pleased today to support the passage of H.R. 2716, which is a critical step in addressing this shameful situation in our country. Among several other provisions included in this bill, H.R. 2716 authorizes 2,000 additional HUD section 8 low-income housing vouchers over 4 years for homeless veterans, establishes a grant program for homeless veterans with special needs, and establishes a limited dental provision for veterans using VA homeless programs. In addition, H.R. 2716 establishes evaluation centers for programs that serve homeless populations and requires annual program assessments to be submitted to Congress. These are just a few of the many critical provisions in H.R. 2716 that will help eliminate the problem of chronic homelessness among veterans. I ask my colleagues to join me in support of this important legislation for the men and women who have sacrificed so much in defense of liberty and democracy.

Mr. GILMAN. Mr. Speaker, I rise today in strong support of H.R. 2716, the Homeless Veterans Assistance Act of 2001. I urge my colleagues to join in supporting this timely appropriate legislation.

This legislation authorizes, in addition to the current existing program, 500 Department of Housing and Urban Development low-income housing vouchers per year for the next 4 years. Along with this, the bill also requires the Veterans Health Administration to increase the number of caseworkers so that all veterans who receive such a housing voucher can be seen by a case manager.

The legislation also requires the VA to ensure the accuracy of its reporting system on: the demand for services by homeless veterans, the level of understanding among grant recipients of their responsibility to serve homeless veterans, and the development of an evaluation system to analyze the progress of veterans enrolled in the program, and on the overall effectiveness of the various homeless programs. The Secretary is also given the authority to rescind or recover homeless grant funds from those programs that fail to meet their established guidelines for using such money with relation to offering services to homeless veterans.

In terms of specific funding, the bill provides $60 million for fiscal year 2002 for the Department of Veterans Affairs Homeless Grant and Per Diem Program, and raises this amount to $75 million for fiscal years 2003–2005. Moreover, it also directs the VA Secretary to establish 10 new domiciliary for homeless veterans programs, and authorizes $5 million per year for this purpose beginning in 2003.

Finally, the legislation strengthens and expands job training and counseling services offered through the Department of Labor's Homeless Veterans Reintegration Program. Additional services are authorized through the creation of a demonstration project in six locations for veterans in institutional confinement, particularly those with substance abuse problems or mental illnesses. These services are designed to facilitate the successful reintegration of the veteran into productive society.

The issue of homeless veterans is one of our Government's more significant failures with regards to military and social policy. Every night thousands of veterans sleep on the streets or inside shelters. Additionally, many of these individuals have criminal records, substance abuse problems, and are often mentally ill.

Simply put, this is inexcusable. These veterans answered their country's call to service

in their prime years. We as a nation have an obligation to these men and women to ensure that they at least have a roof over their heads, and whatever assistance they may require to deal with the demons of mental illness or substance abuse. This bill takes a significant step toward this goal. Accordingly, I urge my colleagues to lend it their wholehearted support.

Mr. RODRIGUEZ. Mr. Speaker, I'd also like to thank our distinguished chairman and ranking member of the House Veterans Affairs Committee for crafting this bipartisan legislation that targets the specialized needs of a often-neglected population within the veterans community—the homeless—which has very little access to services. Last year, the VA issued a report on homeless veterans. It found that during 1999 there were an estimated 344,983 homeless veterans, an increase of 34 percent above the 1998 estimate. Many of our homeless veterans suffer from post traumatic stress disorder (PTSD) and other mental illnesses in addition to drug addiction. Unfortunately, the VA has cut the number of inpatient beds in half.

Many have argued, and the committee has heard testimony to this effect, that the lack of inpatient beds has adversely affected the quality of care for veterans who suffer from substance abuse, many of whom are homeless. The VA admitted during a hearing that they have not met 1996 capacity requirements for substance abuse. So while I'm happy H.R. 2716 authorizes more resources for homeless programs and promotes greater accountability and oversight for these programs, I have concerns with some of VA's policies, which may hinder implementation.

In particular, the VA's move from inpatient hospital settings to community based clinics may have unintentionally turned homeless veterans away from treatment. Therefore, I hope this legislation will enable the VA to better serve this population through aggressive outreach efforts and to render much-needed services as quickly as possible.

The events of the past month have reminded us that our Nation's peace and security must be protected at any cost. Those men and women who answer the call to defend our democracy when it is under attack should be assured that we will take care of them during their time of crisis.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 2716, 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. SMITH of New Jersey. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

FRANCIS BARDANOUVE UNITED STATES POST OFFICE BUILDING

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2876) to designate the facility of the United States Postal Service located in Harlem, Montana as the ''Francis Bardanouve United States Post Office Building.''

The Clerk read as follows:

H.R. 2876

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

SECTION 1. FRANCIS BARDANOUVE UNITED STATES POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 216 2nd Street, S.W. in Harlem, Montana, shall be designated and known as the ''Francis Bardanouve United States Post Office Building''.

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

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Virginia (Mrs. JO ANN DAVIS) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentlewoman from Virginia (Mrs. JO ANN DAVIS).

GENERAL LEAVE

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the bill now under consideration.

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

There was no objection.

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H.R. 2876. This legislation, introduced by our distinguished colleague, the gentleman from Montana (Mr. REHBERG), designates the facility of the United States Postal Service located at 216 2nd Street, Southwest, in Harlem, Montana, as the Francis Bardanouve Post Office Building.

Francis Bardanouve was a Montana State Representative from 1958 to 1994. He chaired the powerful House Committee on Appropriations for nearly 2 decades. His integrity and respect from his colleagues transcended party lines. He was a longtime farmer-rancher in Blaine County, Montana.

Mr. Speaker, I urge adoption of H.R. 2876, and I reserve the balance of my time.

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

Mr. Speaker, as a member of the House Committee on Government Reform, I am pleased to join my colleague, the gentlewoman from Virginia (Mrs. JO ANN DAVIS), in consideration of this postal naming legislation, H.R. 2876, which names a Post Office in Harlem, Montana after Francis Bardanouve, which was introduced by the gentleman from Montana (Mr. REHBERG) on September 10, 2001.

Francis Bardanouve represented Harlem, Montana for 36 years, most notably as chairman of the powerful House Committee on Appropriations. He was labeled a conservative Democrat who began his career in the Montana Legislature House of Representatives in 1959, serving until his retirement a few years ago. I want to thank the gentleman from Montana (Mr. REHBERG) for introducing this measure, and I would certainly urge swift passage.

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

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I yield such time as he may consume to the gentleman from Montana (Mr. REHBERG), the sponsor of the bill.

Mr. REHBERG. Mr. Speaker, let me begin by thanking my colleagues from the Committee on Government Reform for favorably reporting this piece of legislation. Mr. Speaker, I thank the chairman of the Committee on Government Reform and the ranking member for expediting House Resolution 2876 that designates the Post Office building in Harlem, Montana as the Francis Bardanouve Post Office. I also thank the majority leader, the gentleman from Texas (Mr. ARMEY), for scheduling this bill today.

It is important that from time to time we honor individuals within the circle of our communities, those whose lives quietly reflect the best that all of us reach for. Francis Bardanouve is such a person.

Francis's distinguished record in the Montana House of Representatives spanned 5 decades. When his career began in 1959, Dwight Eisenhower was President and George W. Bush was just another 12-year-old boy in Midland, Texas.

□ 1645

Francis was born, raised, educated in Blaine County, Montana. His roots entwine back to a Prussian bandmaster on one side of his family and a French farmer on the other. Besides serving actively as a legislator, Francis has worked hard his whole life as a farmer, a rancher, a husband, and a father.

Having had the privilege of serving three sessions with Francis in the Montana House, I can sum up his public service simply: common sense and compassion. He was both tight-fisted and kindhearted. As a long-serving Democrat chairman of the House Committee on Appropriations, Francis said, ''I voted against things I'd like to support. I left frustrated at times because there were things I'd like to do, but we didn't have the money.''

Former Montana Governor Ted Schwinden reaffirms this by stating: ''Francis was more parsimonious with the taxpayers' dollar than any other chairman over the years.''

When Francis announced his retirement in 1999, the Montana House of Representatives passed a resolution honoring him and designating a ''Francis Bardanouve Appreciation Day.''

This resolution aptly stated: ''Francis Bardanouve has never sought personal distinction or reward, but has had his leadership role cast upon him . . . The strong hands of Francis Bardanouve have played a major role in shaping the destiny of Montana.''

By designating the Harlem, Montana Post Office the ''Francis Bardanouve Post Office,'' we honor not only a good Montanan who quietly did his duty for many years, but we pay tribute to all those who honorably serve their community and this country day after day without expecting praise.

Public officials come and go, but Francis, please know that your deeds and service will remain forever engraved in the archives of our Nation, the post office in your community, and the hearts of your family and friends.

Mr. Speaker, I urge strong support of House Resolution 2876, and I include for the RECORD a news article regarding this legislation.

The article referred to is as follows:

[From the Independent Record, Apr. 15, 1993]

LAWMAKER HONORED FOR YEARS OF SERVICE

(By Bob Anez)

Rep. Francis Bardanouve bowed his head and blushed Wednesday as he listened to a half-hour tribute from the Montana House commemorating his 34 years as a state lawmaker.

''It's almost overwhelming,'' he told legislators after hearing praise about his efforts during three decades in the House. ''Whatever I have done is what you helped me do.''

Bardanouve, a Harlem Democrat, was first elected to the Legislature in 1958 and has served as chairman of the powerful House Appropriations Committee in 10 sessions.

He will not run for re-election next year because the newly drawn legislative districts prevent him from seeking his current seat.

Gov. Marc Racicot read a proclamation declaring Wednesday ''Francis Bardanouve Day.''

The document lauded Bardanouve for faithfully and diligently serving the interests of the people in his district and the state. It calls Bardanouve a ''living institution.''

The House unanimously approved a resolution honoring Bardanouve's years of service and branding him ''one of the Treasure State's living treasures.''

The measure cites his sense of fairness, willingness to listen and ability to make informed decisions.

''Francis Bardanouve has always faced the legislative challenge with energy, wisdom, keen wit and a dedication to the common good,'' the resolution says. ''Francis Bardanouve has never sought personal distinction or reward, but has had his leadership role cast upon him.''

The resolution calls him a believer in equality, fairness and integrity, and adds, ''The strong hands of Francis Bardanouve have played a major role in shaping the destiny of Montana.''

Several former and present lawmakers who have sat next to Bardanouve over the years recalled their sessions with the Harlem farmer.

Speaker John Mercer, a Polson Republican who was 2 years old when Bardanouve first became a legislator, advised him, ''Take great pride in your accomplishments.

''This House will always belong to you Francis,'' he added.

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

Mr. Speaker, I once again want to commend the gentleman for honoring such an outstanding individual by naming a post office after former Representative Bardanouve.

I also want to thank him for educating many of us who did not know that there was a Harlem, Montana. Generally, when we think of Harlem, we think of New York. So we thank the gentleman on both counts.

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

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I urge all Members to support this measure, H.R. 2876, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. QUINN). The question is on the motion offered by the gentlewoman from Virginia (Mrs. JO ANN DAVIS) that the House suspend the rules and pass the bill, H.R. 2876.

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.

EARL T. SHINHOSTER POST OFFICE

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2261) to designate the facility of the United States Postal Service located at 2853 Candler Road in Decatur, Georgia, as the ''Earl T. Shinhoster Post Office.''

The Clerk read as follows:

H.R. 2261

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

SECTION 1. EARL T. SHINHOSTER POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 2853 Candler Road in Decatur, Georgia, shall be known and designated as the ''Earl T. Shinhoster Post Office''.

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

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Virginia (Mrs. JO ANN DAVIS) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentlewoman from Virginia (Mrs. JO ANN DAVIS).

GENERAL LEAVE

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 2261.

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

There was no objection.

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 2261, introduced by our distinguished colleague, the gentlewoman from Georgia (Ms. MCKINNEY) designates the facility of the United States Postal Service located at 2853 Candler Road in Decatur, Georgia, as the Earl T. Shinhoster Post Office Building.

Members of the entire House delegation from the State of Georgia are original cosponsors of this legislation.

Earl Shinhoster was a dedicated community servant, both locally and globally. His efforts to observe and monitor elections in Africa helped to promote democracy and freedom, while his service as a Georgia State coordinator of voter education and his many roles with the National Association for the Advancement of Colored People helped strengthen domestic civil liberties, voting rights, and equality.

His persistence to forward our Nation's values will be missed, and this post office designation is a fitting tribute to his memory.

Mr. Speaker, I urge adoption of H.R. 2261, and I reserve the balance of my time.

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

Mr. Speaker, as a member of the Committee on Government Reform, I am pleased to join my colleague, the gentlewoman from Virginia (Mrs. JO ANN DAVIS), in consideration of H.R. 2281, which names a post office in Decatur, Georgia, after Earl T. Shinhoster.

H.R. 2261 was introduced by the gentlewoman from Georgia (Ms. MCKINNEY) on June 20, 2001.

Earl T. Shinhoster, a native of Savannah, Georgia, was a prominent civil rights leader and Director of the NAACP's Voter Endowment Project, a national voter registration project. He dedicated 30 years of his life to working in various leadership positions with the NAACP, serving as the organization's Acting Executive Director and Chief Economic Officer for 2 years in the mid-1990s.

Until his death last year, Mr. Shinhoster was involved in his business, the Shinhoster Group, and served as President of the Sister Cities Association of Greater Decatur, Inc.

Mr. Speaker, I thank my colleague, the gentlewoman from Georgia (Ms. MCKINNEY), for introducing this measure to honor such an outstanding individual who spent so much time with the National Association for the Advancement of Colored People. We all know the role that it has played in the development and protection of civil rights and civil liberties in this country.

I would urge swift passage of this bill.

Mr. Speaker, I yield such time as she may consume to the gentlewoman from Georgia (Ms. MCKINNEY).

Ms. MCKINNEY. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I also thank my colleague, the gentlewoman from Virginia (Mrs. JO ANN DAVIS), and the gentleman from Illinois (Mr. DAVIS), for their kind words on behalf of Mr. Shinhoster.

I was very happy to introduce this bill several months ago, and to announce its introduction at a special memorial service held at Martin Luther King, Jr.'s former church, Ebenezer Baptist Church.

First, let me thank the gentleman from Indiana (Chairman BURTON), for his help and cooperation in bringing this important legislation to the floor. When this bill leaves the House, Senator MAX CLELAND of Georgia will usher it through the Senate.

Earl Shinhoster, for those who did not have a chance to know him or know of him, was a wonderful activist, father, husband, and friend. I knew him first as an activist. Most of America got a chance to know him because he was an activist.

But as we got to know him, we learned that he operated in many dimensions; that while he served the family of man, he was also very much a family man.

His wife, Ruby, was so generous. She shared her Earl with all of us. And although Earl was also a father to Michael Omar, Earl also fathered to the vitality of the movement for the rights of America's poor and dispossessed. I thank Ruby and I thank Michael Omar.

The family of activists that helped to make America a better place were all friends of Earl Shinhoster: Reverend James Orange, former Ambassador Andrew Young, Mrs. Coretta Scott King, and our own colleague, the gentleman from Georgia (Mr. LEWIS).

But now Earl has joined the legion of human rights activists who came before him, from Sojourner Truth to Harriet Tubman, from Frederick Douglass to Henry McNeal Turner. It was Turner who said, ''I am here to demand my rights and to hurl thunderbolts at the man who would dare to cross the threshold of my manhood. . . .''

This line alone epitomizes the life Earl Shinhoster led. Earl was strong, proud, well-spoken, and internationalist. It has been little more than a year since Earl left us, but I can rest in the certainty that Martin is on his left side and Malcolm is on his right side.

Earl died an untimely death, but we know that his life was not spent in vain. I just want to take a moment to reflect on his legacy of helping and serving, and to suggest to all who will use this post office that the man we honor is well worth their emulation.

When Earl believed in a thing, he gave himself wholeheartedly. Earl served as Executive Director and CEO of the national NAACP in Baltimore, but Earl was also the Chairman of the Georgia delegation to the National Summit on Africa, and lived every day of his adult life working on behalf of his people.

In the words of Walter Butler, Jr., President of the Georgia State Conference of the NAACP, ''Earl gave his life that others could enjoy the fruits of the Constitution of life, liberty, and the pursuit of happiness.''

For younger people, if they were to study his life, they would find a man who came through the ranks of the civil rights movement. Earl started out in Savannah, Georgia, an area I used to represent in my first term in Congress, the old 11th District of Georgia.

In Savannah, he was active in the Connie Wimberly Youth Council. From there, it was on to the NAACP, which became for Earl a labor of love. He started out as a volunteer youth leader and rose all the way to the CEO position.

Like Malcolm and Martin, Earl was international. His passion for Africa, her suffering, and his efforts among the people there was another part of Earl's ministry. He once served as Field Director for the National Democratic Institute in Ghana, where he trained local citizens to serve as election monitors.

From Ghana his interest spread to Liberia. At the time of his death, he was assisting the country of Liberia. He was touring the United States with Liberia's First Lady, Mrs. Jewel Howard-Taylor, offering an opportunity for black Americans to learn firsthand what was happening in Liberia and how we could help.

As a result, the country of Liberia, by order of its President, made Earl T. Shinhoster a citizen of Liberia posthumously, offered land to his family, and is helping to establish the Earl T. Shinhoster People to People for Africa Foundation.

We now are in a position to honor Earl and ensure his legacy. We are in a position to ensure that his work and mission continue.

This bill would not have come this far without the support of the Georgia delegation to the House of Representatives, and I would like to personally thank the gentlemen from Georgia, Mr. COLLINS, Mr. ISAKSON, Mr. LINDER, Mr. LEWIS, Mr. BISHOP, Mr. DEAL, Mr. KINGSTON, Mr. NORWOOD, Mr. CHAMBLISS, and Mr. BARR, in their endorsement of this bill.

In closing, the circumstances that led to the tragic accident that claimed the life of this civil rights icon serve as marching orders for us to continue the valiant pursuit for justice, peace, and equity.

The tire that blew out and reportedly led his Ford Explorer to flip out of control was discovered to be a Firestone tire, the same model tire whose defective design has led to the death of dozens of people and scores of injuries across the world.

Firestone, in its beginning through colonial conquests in Africa, seized millions of acres of land to exploit the rubber that produces their tires, and today still holds the property. This hold contributes to the fight for space within this war-torn area.

So in addition to building on his legacy, we have to fight on behalf of families and victims of the Ford Explorer/Firestone Tires debacle, and we must fight for the people of Africa who are, all too often, unable to fight for themselves. We must help them find a way to stop the plunder and rape of Africa's human, mineral, and strategic resources.

To date, Firestone and Ford are reluctant to admit responsibility for the failure of their products. I know Earl will not rest until we help Africa receive real security and peace through justice.

In life, Earl believed his work for the NAACP, for civil rights, for equal rights did not suffer while he worked on Africa-related issues. Indeed, we know that the work for human rights has no boundaries and knows no end as long as there is evil on this Earth.

I have received Earl's marching orders, and I know that all is well with him as long as each and every one of us who was touched by him remembers his values and America's values as we traverse these dangerous times right now.

Let us continue to show the world, as Earl T. Shinhoster did through his work, that if you work on behalf of the people, you will truly live forever.

□ 1700

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I have no further speakers at this time, and I reserve the balance of my time.

Mr. DAVIS of Illinois. Mr. Speaker, it is my pleasure to yield as much time as she might consume to the gentlewoman from Florida (Mrs. MEEK).

(Mrs. MEEK of Florida asked and was given permission to revise and extend her remarks.)

Mrs. MEEK of Florida. Mr. Speaker, I thank my colleague for allowing me this opportunity to say a few words about Earl Shinhoster.

I knew Earl Shinhoster, and it is an honor to rise in support of H.R. 2261, designating a post office in Decatur, Georgia. It is in Decatur, Georgia; but Earl Shinhoster is known throughout this world.

Mr. Shinhoster is an American hero who led the southeast region of the NAACP during the last decades of the 20th century. I am proud to have known Earl Shinhoster and to share in the magnificent legacy he has left for America.

Mr. Shinhoster played a defining role in America's quest for justice and equality of opportunity during a major transitional period in the Nation's history. Designating this post office in his honor pays tribute to a young American crusader whose courage and wisdom appealed to our noblest character as a Nation, and the committee should be commended for naming this post office after Earl Shinhoster. So does

honor go to the gentlewoman from Georgia (Ms. MCKINNEY), who has always been a fighter in the area of civil rights, for taking the opportunity to recognize all of the good things that Earl Shinhoster did.

He labored, struggled, sacrificed, and gave his all to address the challenges of racial equality, wherever they emerged, police use of deadly force, academic excellence in the schools, racial disturbances, fair immigration practices, school busing, fair housing, insurance redlining, mortgage discrimination practices, fair political redistricting, voter education, and participation.

The history of Earl Shinhoster is a history of African Americans in the southeastern United States. His life chronicles the ongoing struggle of African Americans for equal rights and social justice. For those of us who knew him and worked with him, this post office will cause us to pause and reflect on his journey and remind us of the challenges that we must meet in this day and time.

For generations of Americans to come, the naming of this post office lets them know that there was a young American named Earl T. Shinhoster whose intelligence, vision, and leadership guided his people and this country toward our goal of freedom, justice, and democracy for all.

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I reserve the balance of my time.

Mr. DAVIS of Illinois. Mr. Speaker, it is my pleasure to yield such time as he might consume to the gentleman from Georgia (Mr. LEWIS), who is noted as a contemporary pioneer of the civil rights movement.

Mr. LEWIS of Georgia. Mr. Speaker, I want to thank my dear friend and colleague, the gentleman from Illinois (Mr. DAVIS), for yielding the time; and I want to thank my friend and colleague, the gentlewoman from Georgia (Ms. MCKINNEY), my neighbor next door, for bringing this legislation before us.

Mr. Speaker, I rise today to support the designation of the Earl T. Shinhoster Post Office in Decatur, Georgia. Earl Shinhoster was a great American.

I knew Earl. He was a friend of mine. He had a distinguished career of public service in Georgia, the Nation, and the world. Before his premature death last year, Earl lived in DeKalb County, Georgia, in metropolitan Atlanta with his family. He was a devoted husband, father, and brother. He was more than just a resident of Georgia; he was a citizen of the world.

Earl was born and reared in Savannah, Georgia. He loved our State. He loved our Nation. He traveled the length and breadth of the American South, into south Georgia and to the delta of Mississippi and the black belt of Alabama, eastern Arkansas, North Carolina, South Carolina, the bayou of Louisiana. Everybody in this part of the country knew Earl Shinhoster. He also traveled to Africa. He cared about her people, and he loved the people of the motherland.

Earl Shinhoster was a leader of the NAACP for more than 35 years. At the time of his death he was a director of Voter Empowerment, a national voter registration and education program. He was involved in efforts to raise census participation among blacks and others. It is because of his tireless work for voter education and voter participation, voter registration, turning out the vote, that many of us are where we are today.

Earl Shinhoster cared about people. He loved people. He was a graduate of Morehouse College. He loved Morehouse. He loved his school. He cared about human rights and civil rights. He cared deeply about all of the people of this land and of this planet. He cared about being empowered and empowering others. He cared about equal access and equal opportunity.

Throughout his life, Earl was always looking for creative ways to break down the barriers that separated us, to make things a little fairer, a little better. He truly lived to make a difference. I was there.

Mr. Speaker, Earl's eyes were always on the prize. He did not have time for small talk or just playing around or what some people call horsing around. He was a very serious young man.

Though his life was tragically cut short, his legacy must live on so that others may know and be inspired by this great American and the unbelievable impact he had on Georgia and our Nation and so much of our world.

For these reasons and others, Mr. Speaker, I support the designation of the Earl T. Shinhoster Post Office in Decatur, Georgia.

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I reserve the balance of my time.

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

Mr. Speaker, I do not have any additional speakers, but I do know the gentleman from Mississippi (Mr. THOMPSON) had intended to be here and speak on behalf of this bill; and had he been able to make it, I am sure that he would have done so.

Mr. Speaker, I want to thank all of those who have spoken, because through their eloquence, they have permitted us the opportunity to relive the life and legacy of Earl Shinhoster and also to pay tribute and recognize the tremendous work of the NAACP.

As a matter of fact, I was in Decatur, Illinois, Saturday with the Illinois chapters and there are so many similarities and so many things are relevant. So I simply thank all of them.

I commend the life and the work of Earl Shinhoster.

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

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I yield myself 1 minute to conclude.

Mr. Speaker, I think we have all heard how much Mr. Shinhoster was admired and respected by his colleagues and how much he has done for Georgia. I urge all Members to support this measure.

Mr. BISHOP. Mr. Speaker, if I were asked to describe Earl T. Shinhoster in a single word, ''patriot'' would be the first that would come to mind.

From his teen-age years until his untimely death at 47, he devoted his life to making the promises so eloquently expressed in the Declaration of Independence and the U.S. Constitution—promises such as justice, opportunity, and the freedom to pursue one's dreams—apply to every citizen.

We could also call him a ''relentless fighter'' and a ''thoughtful leader.''

Earl Shinhoster exemplified all of these qualities during three decades of service with the NAACP. As executive director and chief economic officer, he achieved renewed stability by sharply increasing membership and reducing indebtedness. As director of the Voter Empowerment Project, he increased registration and opened the political process to thousands of people. During the last census, he worked diligently to boost participation by African Americans in an effort to ensure that every American would be counted.

In one of his final public appearances, he urged fellow members of the NAACP to always keep fighting for the cause of humanity—and to always uphold the values they learned in their family, church and school. He was a man of courage, of commitment and of principle.

Mr. Speaker, I urge our colleagues to support H.R. 2261, a bill introduced by my colleague from Georgia, Congresswoman MCKINNEY, to name a Decatur, Georgia Post Office in memory of Earl T. Shinhoster, as a fitting tribute to a great American patriot.

Mr. HILLIARD. Mr. Speaker, I rise to speak of my friend Earl Shinhoster, who died on June 11, 2000, in a car accident.

This good man joined many of us in struggling to make America better in innumerable ways. He spent 30 years with the National Association for the Advancement of Colored People (NAACP).

This organization was the original civil rights organization, and it still stands among the great leaders for human rights in the world.

Earl Shinhoster began at the age of 13 stuffing envelopes, sitting-in and picketing for the basic civil rights of American people. He stayed with it, humbly saying later in life that he had never had a real job, just a calling and a movement.

He served as the NAACP director of the Southeast until he was called in 1995 to be acting director and chief executive officer of the national organization.

While in the South, he traveled to every meeting he could attend, in cities, on farms, in the poorest areas of the poorest area of our nation. No one was beneath him; no one was too poor or oppressed for his attention, love and service.

Few of us have served so well and so consistently as Earl Shinhoster. Few have asked for less compensation or sought less recognition. He was a servant of the people, of freedom and of God. Earl Shinhoster was a graduate of Morehouse College, where I also graduated.

When he died in that automobile accident, he was picked up by a chariot and taken to a higher place. He asked for no praise, but he will never be forgotten. Where he walked, there remains traces of his life on the hearts of everyone. We must all be grateful for his life and sing his memory in our songs.

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. QUINN). The question is on the motion offered by the gentlewoman from Virginia (Mrs. JO ANN DAVIS) that the House suspend the rules and pass the bill, H.R. 2261.

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.

CONGRESSMAN JULIAN C. DIXON POST OFFICE BUILDING

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2454) to redesignate the facility of the United States Postal Service located at 5472 Crenshaw Boulevard in Los Angeles, California, as the ''Congressman Julian C. Dixon Post Office Building,'' as amended.

The Clerk read as follows:

H.R. 2454

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

SECTION 1. REDESIGNATION.

The facility of the United States Postal Service located at 5472 Crenshaw Boulevard in Los Angeles, California, and known as the Latijera Station, shall be known and designated as the ''Congressman Julian C. Dixon Post Office''.

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in section 1 shall be deemed to be a reference to the Congressman Julian C. Dixon Post Office.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Virginia (Mrs. JO ANN DAVIS) and the gentleman from Illinois (Mr. Davis) each will control 20 minutes.

The Chair recognizes the gentlewoman from Virginia (Mrs. JO ANN DAVIS).

GENERAL LEAVE

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the bill, H.R. 2454.

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

There was no objection.

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 2454, introduced by our distinguished colleague, the gentlewoman from California (Ms. WATSON), designates the facility of the United States Postal Service located at 5472 Crenshaw Boulevard in Los Angeles, California as the Congressman Julian C. Dixon Post Office. Members of the entire House delegation from the State of California are co-sponsors of this legislation.

Julian C. Dixon served as a Member of Congress representing the Los Angeles, California area. Mr. Dixon served 10 terms in the U.S. House and had just been elected to an 11th term when he passed away in December of last year. Congressman Dixon was a tireless advocate of civil rights and as the highest ranking Democrat on the Permanent Select Committee on Intelligence, a highly respected voice on national security issues. He was also a friend of many Members of this House and will be sorely missed.

Mr. Speaker, I urge adoption of H.R. 2454, as amended.

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

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

Mr. Speaker, it is with great pride and pleasure that I stand to help honor and pay tribute to the late Congressman Julian Dixon. Julian grew up in California, went to school, went in to the military, returned home, finished college, went to law school, became a member of the California assembly. He was a graduate of California State University in 1962 and a 1967 graduate of Southwest University Law School in Los Angeles. He served in the military from 1957 to 1960, rising to the rank of sergeant before returning home where he practiced law.

Mr. Dixon got involved in public activities and public life. He was elected to the California assembly. He was elected to the U.S. House of Representatives where he served as a senior member of the powerful Committee on Appropriations where he once chaired the Subcommittee on the District of Columbia. In addition to serving as ranking Democrat on the House Permanent Select Committee on Intelligence, he served as chairman of the Committee on Standards of Official Conduct.

During the 1980's, Julian Dixon was the chairman of the Congressional Black Caucus. He was noted as being a sound politician who was not only well respected among his colleagues but his constituents also. I was pleased to call him brother because we both were members, and I still am, of Alpha Phi Alpha fraternity where Julian was well known, well respected and well loved.

Mr. Speaker, I encourage all of my colleagues to support H.R. 2454, to name a post office the Julian C. Dixon Post Office Building.

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I reserve the balance of my time.

Mr. DAVIS of Illinois. Mr. Speaker, I yield 5 minutes to the gentlewoman from California (Ms. WATSON), the author of this legislation.

Ms. WATSON of California. Mr. Speaker, I rise to speak in support of H.R. 2454, a bill I introduced to name a United States post office in my congressional district, and Julian's, after the late Congressman Julian C. Dixon.

Julian Dixon dedicated his life to serving his community. He ably represented his friends, his neighbors, and his constituents from Los Angeles and Culver City in Congress for over 2 decades. We went to high school together. I graduated the year ahead of him, and I followed him into the legislature. When he went to Congress, I went to the Senate. I took his staff, who remained with me for over a decade.

During his tenure, Julian served his community, his country and this institution by often taking on some of the toughest jobs here in Congress. Among those tough assignments was his chairmanship of the House Committee on Standards of Official Conduct. As chairman of this ethics panel, Julian was praised for the even-handed and deliberate manner in which he handled difficult cases involving his colleagues in the House.

Julian also served as the most senior Democrat on the House Permanent Select Committee on Intelligence. His colleagues in the House and within the U.S. intelligence establishment have often commented on how they valued Julian's experience and wisdom on questions of national security.

With the risk and challenges of America's current struggle against terrorism, Julian's contribution to this effort will be sorely missed by his friends, his colleagues and his constituents.

□ 1715

While serving his Nation, Julian never forgot about serving his community back home in Los Angeles, California, and in Culver City. When the 1992 civil disturbances tore apart neighborhoods in Los Angeles, Julian responded with creative ideas to rebuild neighborhoods and restore the hope. He fought for aid to small businesses and families impacted by the emergency. Typical of his approach was the ''Angel Gate'' program, which takes disadvantaged youth from inner city schools and gives them the opportunity to get additional math and science education from the California National Guard. When the Northridge Earthquake struck Los Angeles in 1994, Julian once again responded quickly to help his community recover.

Julian's commitment to Los Angeles was not limited to responding to crises. He was a tireless booster of his community and worked to bring improvements to the lives of his constituents. Many Angelenos probably remember him as a moving force behind the construction of the region's public transit infrastructure. Anyone from Los Angeles knows that traffic is a constant challenge. Julian worked hard to find solutions to improve mobility for all Angelenos.

But I believe that Julian's most lasting legacy will be his commitment to civil rights. Julian represented a district that is still one of the most diverse in the country, both in ethnic origin and social economic status. Throughout his career, he worked to promote policies that would give all Americans the opportunity they deserve to share in the American Dream. Julian was a tireless advocate for his constituents, his community, and his Nation. The ''Congressman Julian C. Dixon Post Office'' can only be a small part of the legacy of this great American; but I am so proud to play a role in serving the memory of my classmate, my friend, my neighbor, and my congressman, Julian C. Dixon.

H.R. 2454, I am proud to say, has been cosponsored by 69 of Julian's House colleagues from both parties; and I would like to thank Speaker HASTERT, Leader GEPHARDT, the gentleman from Texas (Mr. ARMEY), the gentleman from Michigan (Mr. BONIOR), and the entire California delegation for their cosponsorship. I am certain that Julian would be honored by the amount of support that this bill has received.

Once again, I thank my colleagues, and I urge a huge vote for H.R. 2454.

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I reserve the balance of my time.

Mr. DAVIS of Illinois. Mr. Speaker, I yield 4 minutes to the distinguished gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Speaker, I thank the gentleman for yielding me this time and also for his work in bringing forward this bill, and I thank the gentlewoman from Virginia as well for her work.

I am particularly grateful to the gentlewoman from California, the worthy successor of Julian Dixon, for her work early in her term in bringing forward a bill that she will find unanimous agreement on, I am almost sure, in this body.

Mr. Speaker, we like to think that post offices are named on the basis of sheer merit. I am not prepared to speak in the aggregate, but I will vouch for this one. No one was prepared for the sudden death of Julian Dixon, or for that matter of any Member; and when Julian died, he brought a huge plane load of people from both parties to California to his funeral. Least prepared, of course, were his own constituents, if I may say so, and a close second were the residents of the District of Columbia, whom he served for 15 years as Chair of the Subcommittee on the District of Columbia of the Committee on Appropriations.

It should be enough to have a post office named for you because you were a good Member, or even that you served two districts, the way Julian did, his own preeminently, but also the District of Columbia; but I would like to put forward four reasons why I think this courthouse naming is especially merited: the unique institutional role that Julian carved out in the Congress, his prolific work as a model legislator, his unique service to the District of Columbia, and the character and collegiality of this man, one of our most admired in this House.

First, institutionally. Julian not only served his constituents with the most extraordinary excellence, he served this institution uniquely. He was Chair of the Committee on Standards of Official Conduct when the Speaker of his party was brought before the committee, and he was a Member of the Permanent Select Committee on Intelligence advising on the security of the United States of America. Very difficult assignments, which he performed, passionate man though he was, with such balance and nonpartisanship that his stature grew in this House to a towering dimension. He served on both these committees at very difficult periods in the life of this body.

Second, his work as a legislator and as a model for other Members, Julian was fifth on the Committee on Appropriations when he died. He had been named one of 12 unsung heroes for his sheer ability to gather support for his position on appropriations and in the Congress. Of course, he brought millions of dollars to his own district in California; but he will be remembered just as much as the architect of appropriations in the national interest, especially civil rights.

Third, his unique role in service to the Nation's Capital. Here was a labor of love, Mr. Speaker. Because you get nothing for being Chair of the Subcommittee on the District of Columbia. Of course, this was a native Washingtonian whose parents took him to California. That should have been enough for Julian to say ''bye-bye, D.C.'' Instead, he, in fact, for 14 years, worked tough love with great respect for self-government and democracy in the Nation's Capital.

Finally, the man himself. Here is a Member who ranks among the most admired. If there were a list of all-time most admired, Julian Dixon is going to be right up there near the top. Why? Character, temperament, for collegiality, for intelligence, for hard work.

He was a man of few words. He did not jump up on this House floor every time we were in session just to say what everybody else was already saying. And people, therefore, listened, stopped to listen, stopped to hear, because they knew when Julian spoke it was worth hearing.

In naming a courthouse for Julian Dixon, we only begin the process of honoring a man of the House who always will be remembered, I believe, in the House that he loved.

Mr. DAVIS of Illinois. Mr. Speaker, I yield 3 minutes to the distinguished gentlewoman from California (Ms. MILLENDER-MCDONALD).

Ms. MILLENDER-McDONALD. Mr. Speaker, let me first thank the gentleman from Illinois and the gentlewoman from Virginia for their management of this bill, and my dear friend and colleague, the gentlewoman from California (Ms. WATSON), for sponsoring this important piece of legislation.

Mr. Speaker, I rise today to pay homage to the late Julian Dixon, the great Congressman who represented the 32nd Congressional District of California. Julian Dixon served in the House of Representatives with distinction and honor. He was a personal friend whom I admired and respected. It is appropriate and fitting that we are honoring his life and political legacy by redesignating the post office located at 5472 Crenshaw Boulevard in his name.

Julian Dixon was a tireless public servant. He aspired to and succeeded in effectively representing his constituents. Julian won reelection in west Los Angeles with over 84 percent of the vote. He enjoyed immense bipartisan support among his peers. He was known for his integrity, patience, intellect and diligence. Those qualities served him particularly well during his tenure as the ranking Democrat on the House Permanent Select Committee on Intelligence and as a senior member of the Committee on Appropriations. He previously chaired the Subcommittee on the District of Columbia for the full Committee on Appropriations. At a time when allies for the District were few in numbers, Julian's efforts were, indeed, Herculean.

Leadership was always his calling; and during the 1980s, he served as the chairman of the Congressional Black Caucus. His leadership was under a microscope and bright lights during his term as chairman of the Committee on Standards of Official Conduct. Julian's chairmanship coincided with the turbulent era of House scrutiny that focused on ethics violations by a former illustrious Democratic Speaker of the House, who was later forced to resign. Julian Dixon had the unenviable task of conducting a fair and impartial bipartisan investigation of a well-respected Speaker. With his quiet and calm demeanor, Julian dispelled false notions that he could not be fair in conducting a historic investigation. He proved his detractors wrong and received kudos for his impartiality.

An astute politician, Representative Dixon was also a staunch ally of the defense industry in California. As a member of the Subcommittee on Defense, he planned his work and worked his plan until he delivered the scope of appropriations necessary to ensure the competitiveness of defense contracting companies in Southern California.

Julian was committed to ensuring that the Los Angeles transportation system would accommodate the needs of his citizens. He was especially attentive to expanding the commuter rail. His efforts were instrumental in enabling employees to reach work via rail as opposed to having to rely on personal vehicles.

The premature death of Representative Dixon surprised all of us, because

as elected officials from Southern California, we relied on his steadfastness and consistency. Although his passing created a tremendous sense of loss for the members of the Congressional Black Caucus, it sparked a resurgence of political rededication by local elected officials to seize the mantle of leadership and fill the void.

Julian cast a giant political shadow, and we continue to reflect on his lasting political contributions. I treasure my service in Congress with my former colleague. The naming of this post office in his name is a small symbol of our congressional gratitude for his work. But our efforts pale in comparison to the wonderful and many deeds he performed on behalf of the constituents he loved and faithfully served.

Nonetheless, I am proud to offer my political support on behalf of H.R. 2454.

Mr. DAVIS of Illinois. Mr. Speaker, I yield 3 minutes to the gentlewoman from California (Ms. WOOLSEY).

Ms. WOOLSEY. Mr. Speaker, Congressman Julian Dixon was a legislative pioneer and a trusted colleague. It is only fitting that this post office in Los Angeles be named as a testament to his legendary career.

During Julian's 22 years in Congress, he worked tirelessly as an advocate for the people of the 32nd district of California, as well as for all of the people of California and of the people of this Nation.

One of Julian's most notable, but perhaps lesser-known, accomplishments came in 1994, when he spearheaded the passage of a bill that provided $8.6 billion in relief for the Los Angeles earthquake victims, and specifically forbade using the funds for discrimination on the basis of sexual orientation.

□ 1730

This was the first time language banning sexual discrimination was included in Federal law.

Julian was a great hero. He was a great hero for human rights. We in this body must follow his example. We must build on the essence of his inclusive vision. Mr. Speaker, we miss Julian.

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

Mr. Speaker, I have no further requests for time, although I note that the gentleman from California (Mr. FARR) and the gentleman from Georgia (Mr. LEWIS) were desirous of making comments relative to the contributions made by Representative Dixon. I know all of the brothers of our fraternity, Alpha Phi Alpha, every time they visit California and get an opportunity, each one of them will go by and visit the Julian C. Dixon Post Office.

Mr. Speaker, I thank the gentlewoman from Virginia for her courtesy.

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

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I yield myself 30 seconds.

Mr. Speaker, I urge all of my colleagues to support H.R. 2454. I did not have the opportunity to know Mr. Dixon, but he sounds like a great man and I urge all of my colleagues to support this measure.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in strong support of this legislation which will redesignate the postal facility at 5472 Crenshaw Boulevard in Los Angeles as the "Congressman Julian C. Dixon Post Office Building," in honor of my colleague and friend Congressman Julian C. Dixon of California. There is much that I could say, but a day, a week, even a month would not allow me enough time to express all that Julian C. Dixon was to his family, colleagues, friends, constituents nor to God's good works here on earth.

A son is a mother's and father's best hopes and dreams personified. A husband is a wife's best friend, companion and advisor. A father is a counselor, aide and active participant in the lives of his children. Congressman is the title bestowed to those among us who are selected by the residents of our communities to represent the people's interest in our nation's democracy. A leader among Members of Congress demonstrates himself as a pillar of strength for our community of public servants who populate the halls of power within federal government.

These are only a few of the titles that the Honorable Julian C. Dixon gathered during his brief 66 years with us.

Congressman Dixon honorably represented the residents of the 32nd Congressional District for twenty-two years. He was first elected in 1978 to serve the residents of the 32nd District of California, which includes the greater Crenshaw community, parts of West Los Angeles, and the city of Culver City. Julian Dixon's reputation as an intelligent, politically savvy team player with high ethics and tough judgement made him a mover and shaker on Capitol Hill from his earliest days here in Washington, DC.

Julian Dixon was appointed to the House Appropriations Committee and rose quickly to become chairman of the District of Columbia Subcommittee, where he championed the cause of disenfranchised District of Columbia residents for a larger voice their city's governance. As a member of the Appropriation Subcommittee on Defense; the Subcommittee on Commerce, Justice, State, and Judiciary; and the Subcommittee on the District of Columbia he always put people first, and did so with a spirit of cooperation and conviction rarely found in these hallowed halls.

As a member of the House Appropriations Committee Congressman Dixon found ways to balance the needs of poorer residents of his District with those holding large economic interests. For example, he sponsored a loan guarantee act for small businesses hurt by military base closings and defense contract terminations.

Julian Dixon believed in helping the helpless and proud to stand under that banner. He was not apologetic, as some have been, because of the scorn shown to public servants that work for justice and equity for the poorest Americans, while insuring fairness for all. In living his convictions to serve all of his constituents he stepped in with "dire emergency" supplements for Los Angeles after the riots in 1992 and the Northridge earthquake in January 1994.

Because of his impeccable character and commitment to the Democratic Party he chaired the rules committee at the Democratic National Convention in 1989. Later in 1989 he chaired the House ethics Committee where he also served with distinction. In acknowledgement of his keen leadership, In Janaury 1999, Minority Leader RICHARD GEPHARDT pointed the Congressman ranking member on the House Permanent Select Committee on Intelligence, making him the highest—ranking Democrat on this exclusive 16-member panel.

The 106th Congress marked Congressman Dixon's 11th term in the House of Representatives. His work as a public servant was highly respected, and his stature as a statesman unmatched. For this reason and many others, members from both sides of the aisle will miss Julian. Julian Dixon, while serving in the United States House of Representative, lived the lessons of his life in earnest—truth, justice, equality, and compassion for all.

God called Julian to Himself and now it is our heavy burden to continue Congressman Dixon's example without his guidance and maturity. This postal dedication is a fitting tribute to a man whose, selflessness, compassion, and patriotism serves as a beacon to all citizens of this national committed to living in a better America.

Ms. LEE. Mr. Speaker, I rise in strong support of H.R. 2454, to dedicate a U.S. Postal Service facility in Los Angeles after the late Congressman Julian Dixon.

Representative Dixon proudly represented west Los Angeles as a Member of Congress from 1979 until his untimely passing in 2000. He was the ranking Democrat on the House Permanent Select Committee on Intelligence and a senior member of the Appropriations Committee, where he tirelessly worked to expand and uphold civil rights.

Representative Dixon worked hard to represent his district and beyond. He was a champion and leading supporter of the Los Angeles commuter rail system. He was known for his efforts to boost the economic standards of his district and maintain the nation's commitment to uphold basic human rights.

Representative Julian Dixon was regarded as a leader, friend, and mentor to many of us.

I urge my colleagues to support this bill to designate the post office in honor of Representative Julian Dixon and his heroic work throughout his lifetime.

Mr. SCHIFF. Mr. Speaker, I would like to take this opportunity to honor the memory of Representative Julian Dixon by strongly supporting the redesignation of the facility of the United States Postal Service located in Los Angeles, California, as the "Congressman Julian C. Dixon Post Office Building."

Born in Washington, D.C., Dixon moved to Los Angeles where he attended California State University at Los Angeles and earned a law degree at Southwestern University. A bold, consistent voice for minority rights, Dixon devoted his life to serving Los Angeles, D.C., and the country as a whole.

Starting out as an attorney, he spent three years in the California State Legislature where he rose to the post of chairman of the Assembly's Democratic Caucus before running to represent the area of west Los Angeles in the U.S. Congress. Once there, he tirelessly served his district, which stretches from Koreatown to Culver City and from Cheviot Hills to Crenshaw, for eleven impressive terms.

Dixon served on the Ethics and Appropriations Committees, was the ranking Democrat

on the House Permanent Select Committee on Intelligence, and chaired the subcommittee overseeing the District of Columbia. Additionally, he served as a chairman of the Congressional Black Caucus.

He was a relentless, charismatic leader of civil rights, education, and urban development and loyally committed to his constituents. A perfect example of this is the effort he put forth in 1994 to introduce and spearhead the passage of a bill providing $8.6 billion in relief for Los Angeles earthquake victims. Because this bill specifically forbade discrimination on the basis of sexual orientation, it set a precedent as the first language banning discrimination based on sexual orientation being included in federal law. However, this was not the only time he set precedent. While on the Appropriations Committee, he successfully lead the fight for federal funding of Los Angeles area public transportation measures—specifically its much-needed Metro Rail subway project. Additionally, he responded to constituents needs by making constant inroads on crime and gang prevention, by committing himself to improving Los Angeles schools, and by obtaining a ''dire emergency'' supplemental appropriations bill after the Los Angeles riots to meet emergency needs in his district and other affected areas.

Julian Dixon is a true example of the difference one person's passion can make upon the lives of the American people and the way government works. His life-long commitment to improving his city and country is truly commendable and will not be forgotten.

Mr. BISHOP. Mr. Speaker, when Julian Dixon became chairman of the House Ethics Committee some years ago, a reporter asked a political scholar at one of Washington's think-tanks to evaluate the veteran House member from California. The scholar thought for a moment, and answered that he was basically a quiet man—but one who was also extremely bright, deep, thoughtful, tough, and extraordinarily effective.

To those of us who knew him and served with him, he was all of these things during his many years of legislative service—and more!

To me, he was a mentor and friend. When I arrived in Congress, I soon recognized that while his style may have been low-key, he was truly an impressive mover and shaker who was achieving many things others were unable to achieve—one who was uplifting the poor and disadvantaged protecting the integrity of the legislative process, and building a stronger and more secure country.

While he fought as hard as anyone I know for causes he believed in, he fought truthfully and fairly. And, when it was over, he invariably retained the deep respect and friendship of those with whom he differed. There are many fighters, but only a rare few who end up bringing people closer together.

It is a privilege to rise in support of H.R. 2454 to designate a Post Office in his hometown of Los Angeles as the ''Congressman Julian C. Dixon Post Office Building.''

Mr. WAXMAN. Mr. Speaker, I urge my colleagues to support H.R. 2454, a bill that would name the U.S. post office facility on Crenshaw Boulevard in Los Angeles after my good friend Julian Dixon, who served in the House from 1979 until his death last December.

Julian was a giant of a man and a great legislator. I was fortunate to have the opportunity to know and work with him for three decades. He never asked for public credit or press attention. He simply worked hard and effectively for our country and the people he served. His leadership over the years on the Appropriations, Defense, Ethics and Intelligence Committees and in the Congressional Black Caucus earned him the respect and admiration of all Members of Congress. Julian never failed to rise above partisanship for the good of the Congress and our nation.

Congressman Dixon was a great statesman. I urge the passage of this fitting tribute.

Ms. ROYBAL-ALLARD. Mr. Speaker, I rise in strong support of H.R. 2454, to name a Post Office in Los Angeles, California after my friend, mentor, and fellow Angeleno, Congressman Julian Dixon.

And I commend my colleague, Congresswoman DIANE WATSON, for sponsoring this fitting legislation.

I had the privilege of knowing Julian Dixon for many years, including the years he served with my father, Congressman Edward R. Roybal, in the 1970s and 80s.

Julian Dixon's achievements during his nearly three-decade tenure as a legislator are too numerous to recount.

He was chairman of the House ethics committee, maintaining bipartisanship on a traditionally partisan committee. A fighter in the struggle for civil rights, he brought that commitment to his chairmanship of the District of Columbia Appropriations subcommittee where he was a strong advocate for the rights of DC residents. Recognizing his leadership capabilities, Julian was elected Chairman of the influential Congressional Black Caucus in the 1980s. More recently, he served as ranking democrat on the prestigious and demanding Select Intelligence Committee.

While Julian accomplished many great things during his tenure in the House of Representatives, his first and most cherished priority was always his constituents and his Los Angeles-area community.

Whether it was fighting for emergency funding for Los Angeles after the riot in 1992 and the Northridge earthquake in 1994, or advocating on behalf of the Los Angeles public transportation system, Julian Dixon was a devoted and effective legislator.

His constituents and community will continue to benefit from his great legacy of service for many years to come.

I can think of no more appropriate tribute than to have a community institution, such as this post office, named after Julian Dixon—for Julian was and continues to be a true institution in his community and throughout our great state of California.

Mr. BERMAN. Mr. Speaker, I rise today in support of H.R. 2454, designating the Congressman Julian Dixon Post Office in Los Angeles, California.

Julian Dixon was a true statesman who served his constituents in California, and the people of the United States with great distinction for over 20 years. Julian cared passionately for the poor and worked to see that their interests were heard in Washington. With serene eloquence, Julian worked to increase diversity on the Hill, successfully initiated and funded residential programs for ''at risk'' youth in the inner city, and provided training and education to the high school students of his district in the high-tech defense industry for, as he once stated, ''what good is it to have high tech weapons and inadequate training for the kids who will be using them?''

I am grateful to have served with Julian Dixon and I know his constituents were grateful for his service. Julian was one of those all-too-rare Members of Congress who had the ability to approach the most difficult and divisive questions in a judicious, thoughtful, and non-partisan manner. Julian served with distinction in many roles in Congress, but his work as Chair of the Ethics Committee and Chair of the District of Columbia Appropriations Subcommittee perfectly illustrate his commitment to take on thankless tasks in an effort to make his country a better place.

This was a man who truly connected with the people, regardless of where they lived. There was never a time when he was too busy to talk to those who wanted to bend his ear; the Rayburn subway driver, the committee secretary, and of course, there was always time to talk to a former staffer. To name this post office for Julian Dixon is to give proper tribute to a man who dedicated his life to public service.

Mr. MATSUI. Mr. Speaker, I rise today to join my colleagues in honoring the late Julian C. Dixon. I had the distinct pleasure of coming to Congress with Mr. Dixon in 1978 and it is with a heavy heart that I pay tribute to him today as a cosponsor of H.R. 2454 to redesignate the U.S. Postal Service facility located at 5422 Crenshaw Boulevard in Los Angeles, California as the Julian C. Dixon Post Office Building.

With only four Democrats in that year's freshman class, Mr. Dixon and I became fast friends and close confidants. From the start, I greatly admired his political sophistication and extraordinary sensitivity. His reliably liberal voice served as a consistent champion for minorities, but was decidedly silent during partisan wrangling. For this and many other reasons, Mr. Dixon was held by the California delegation as the moral compass of our State. This body has lost a distinguished gentleman, but will forever be richer in his memory.

Ms. HARMAN. Mr. Speaker, I rise in strong support of H.R. 2454, which would name the United States Postal Service located at 5472 Crenshaw Boulevard in Los Angeles in honor of our colleague and friend, Julian C. Dixon.

As many have already said, Julian was a wonderful person. His strength flowed from his quiet, yet determined, manner. His success derived from his friendliness and good humor and his ability to fill the shoes of other individuals, even adversaries.

As chairman of the District of Columbia Appropriations Subcommittee, in particular, he demonstrated that influence is often more powerful when not exercised and that the ability of Congress to legislate outcomes is often counter-productive when actually used. He had a deep respect for the citizens of the District, as he did for his own constituents.

The respect this chamber had for Julian is evident by the difficult assignments he was asked to undertake, including chairing the House Committee on Standards for two successive Congresses. Just prior to his death, he was the ranking member on the House Intelligence Committee, on which I also served and where I had the opportunity to witness both his love for our nation and his deep concerned about its security.

Julian was the consummate legislator. He believed in the innate goodness of people and it was that belief which invariably helped him win the day.

As future generations pass by the Postal Service at 5472 Crenshaw Boulevard in Los Angeles, I hope they too will appreciate the values, the service and dedication which characterized the life of Julian C. Dixon.

I was proud to serve with him and proud to have him as a friend.

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. QUINN). The question is on the motion offered by the gentlewoman from Virginia (Mrs. JO ANN DAVIS) that the House suspend the rules and pass the bill, H.R. 2454, 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.

The title of the bill was amended so as to read: ''A bill to redesignate the facility of the United States Postal Service located at 5472 Crenshaw Boulevard in Los Angeles, California, as the 'Congressman Julian C. Dixon Post Office'.''.

A motion to reconsider was laid on the table.

COMMUNICATION FROM THE HONORABLE CAROLYN B. MALONEY, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Hon. CAROLYN B. MALONEY, Member of Congress:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, October 10, 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 I have received a subpoena for testimony and documents issued by the Supreme Court of New York.

After consultation with the Office of General Counsel, I have determined that the subpoena for testimony does not comply with the requirements of Rule VIII.

Sincerely,

CAROLYN B. MALONEY,
Member of Congress.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 5 o'clock and 31 minutes p.m.), the House stood in recess until approximately 6:30 p.m.

□ 1833

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HAYES) at 6 o'clock and 33 minutes p.m.

CONFERENCE REPORT ON H.R. 2904, MILITARY CONSTRUCTION APPROPRIATIONS ACT, 2002

Mr. HOBSON submitted the following conference report and statement on the bill (H.R. 2904) making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2002, and for other purposes:

CONFERENCE REPORT (H. REPT. 107–246)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2904) ''making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2002, and for other purposes,'' having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated for military construction, family housing, and base realignment and closure functions administered by the Department of Defense, for the fiscal year ending September 30, 2002, and for other purposes, namely:

MILITARY CONSTRUCTION, ARMY

(INCLUDING RESCISSION)

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Army as currently authorized by law, including personnel in the Army Corps of Engineers and other personal services necessary for the purposes of this appropriation, and for construction and operation of facilities in support of the functions of the Commander in Chief, $1,778,256,000, to remain available until September 30, 2006: Provided, That of this amount, not to exceed $163,198,000 shall be available for study, planning, design, architect and engineer services, and host nation support, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of his determination and the reasons therefor: Provided further, That of the funds appropriated for ''Military Construction, Army'' under Public Law 106–52, $36,400,000 are rescinded.

MILITARY CONSTRUCTION, NAVY

(INCLUDING RESCISSION)

For acquisition, construction, installation, and equipment of temporary or permanent public works, naval installations, facilities, and real property for the Navy as currently authorized by law, including personnel in the Naval Facilities Engineering Command and other personal services necessary for the purposes of this appropriation, $1,144,221,000, to remain available until September 30, 2006: Provided, That of this amount, not to exceed $34,152,000 shall be available for study, planning, design, architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of his determination and the reasons therefor: Provided further, That of the funds appropriated for ''Military Construction, Navy'' under Public Law 106–246, $19,588,000 are rescinded.

MILITARY CONSTRUCTION, AIR FORCE

(INCLUDING RESCISSION)

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Air Force as currently authorized by law, $1,194,880,000, to remain available until September 30, 2006: Provided, That of this amount, not to exceed $83,210,000 shall be available for study, planning, design, architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of his determination and the reasons therefor: Provided further, That of the funds appropriated for ''Military Construction, Air Force'' under previous Military Construction Appropriations Acts, $4,000,000 are rescinded.

MILITARY CONSTRUCTION, DEFENSE-WIDE

(INCLUDING TRANSFER AND RESCISSIONS OF FUNDS)

For acquisition, construction, installation, and equipment of temporary or permanent public works, installations, facilities, and real property for activities and agencies of the Department of Defense (other than the military departments), as currently authorized by law, $840,558,000, to remain available until September 30, 2006: Provided, That such amounts of this appropriation as may be determined by the Secretary of Defense may be transferred to such appropriations of the Department of Defense available for military construction or family housing as he may designate, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: Provided further, That of the amount appropriated, not to exceed $66,496,000 shall be available for study, planning, design, architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of his determination and the reasons therefor: Provided further, That of the funds appropriated for ''Military Construction, Defense-wide'' under Public Law 106–246, $65,280,000 are rescinded: provided further; That of the funds appropriated for ''Military Construction, Defense-wide'' under previous Military Construction Appropriations Acts, $4,000,000 are rescinded.

MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $405,565,000, to remain available until September 30, 2006.

MILITARY CONSTRUCTION, AIR NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $253,386,000, to remain available until September 30, 2006.

MILITARY CONSTRUCTION, ARMY RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $167,019,000, to remain available until September 30, 2006.

MILITARY CONSTRUCTION, NAVAL RESERVE

(INCLUDING RESCISSION)

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the reserve components of the Navy and Marine Corps as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $53,201,000, to remain available

until September 30, 2006: Provided, That of the funds appropriated for ''Military Construction, Naval Reserve'' under Public Law 106–246, $925,000 are rescinded.

MILITARY CONSTRUCTION, AIR FORCE RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air Force Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $74,857,000, to remain available until September 30, 2006.

NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

For the United States share of the cost of the North Atlantic Treaty Organization Security Investment Program for the acquisition and construction of military facilities and installations (including international military headquarters) and for related expenses for the collective defense of the North Atlantic Treaty Area as authorized in Military Construction Authorization Acts and section 2806 of title 10, United States Code, $162,600,000, to remain available until expended.

FAMILY HOUSING CONSTRUCTION, ARMY

For expenses of family housing for the Army for construction, including acquisition, replacement, addition, expansion, extension and alteration, as authorized by law, $312,742,000, to remain available until September 30, 2006.

FAMILY HOUSING OPERATION AND MAINTENANCE, ARMY

For expenses of family housing for the Army for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, $1,089,573,000.

FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE CORPS

For expenses of family housing for the Navy and Marine Corps for construction, including acquisition, replacement, addition, expansion, extension and alteration, as authorized by law, $331,780,000, to remain available until September 30, 2006.

FAMILY HOUSING OPERATION AND MAINTENANCE, NAVY AND MARINE CORPS

For expenses of family housing for the Navy and Marine Corps for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, $910,095,000.

FAMILY HOUSING CONSTRUCTION, AIR FORCE

For expenses of family housing for the Air Force for construction, including acquisition, replacement, addition, expansion, extension and alteration, as authorized by law, $550,703,000, to remain available until September 30, 2006.

FAMILY HOUSING OPERATION AND MAINTENANCE, AIR FORCE

For expenses of family housing for the Air Force for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, $844,715,000.

FAMILY HOUSING, DEFENSE-WIDE

For expenses of family housing for the activities and agencies of the Department of Defense (other than the military departments) for construction, including acquisition, replacement, addition, expansion, extension and alteration, and for operation and maintenance, leasing, and minor construction, as authorized by law, as follows: for Construction, $250,000 to remain available until September 30, 2006; for Operation and Maintenance, $43,762,000; in all $44,012,000.

DEPARTMENT OF DEFENSE FAMILY HOUSING IMPROVEMENT FUND

For the Department of Defense Family Housing Improvement Fund, $2,000,000, to remain available until expended, for family housing initiatives undertaken pursuant to section 2883 of title 10, United States Code, providing alternative means of acquiring and improving military family housing, and supporting facilities.

HOMEOWNERS ASSISTANCE FUND, DEFENSE

For the Homeowners Assistance Fund established by section 1013 of the Demonstration Cities and Metropolitan Development Act of 1966, as amended (42 U.S.C. 3374) $10,119,000, to remain available until expended.

BASE REALIGNMENT AND CLOSURE ACCOUNT

For deposit into the Department of Defense Base Closure Account 1990 established by section 2906(a)(1) of the Department of Defense Authorization Act, 1991 (Public Law 101–510), $632,713,000, to remain available until expended.

GENERAL PROVISIONS

SEC. 101. None of the funds appropriated in Military Construction Appropriations Acts shall be expended for payments under a cost-plus-a-fixed-fee contract for construction, where cost estimates exceed $25,000, to be performed within the United States, except Alaska, without the specific approval in writing of the Secretary of Defense setting forth the reasons therefor.

SEC. 102. Funds appropriated to the Department of Defense for construction shall be available for hire of passenger motor vehicles.

SEC. 103. Funds appropriated to the Department of Defense for construction may be used for advances to the Federal Highway Administration, Department of Transportation, for the construction of access roads as authorized by section 210 of title 23, United States Code, when projects authorized therein are certified as important to the national defense by the Secretary of Defense.

SEC. 104. None of the funds appropriated in this Act may be used to begin construction of new bases inside the continental United States for which specific appropriations have not been made.

SEC. 105. No part of the funds provided in Military Construction Appropriations Acts shall be used for purchase of land or land easements in excess of 100 percent of the value as determined by the Army Corps of Engineers or the Naval Facilities Engineering Command, except: (1) where there is a determination of value by a Federal court; (2) purchases negotiated by the Attorney General or his designee; (3) where the estimated value is less than $25,000; or (4) as otherwise determined by the Secretary of Defense to be in the public interest.

SEC. 106. None of the funds appropriated in Military Construction Appropriations Acts shall be used to: (1) acquire land; (2) provide for site preparation; or (3) install utilities for any family housing, except housing for which funds have been made available in annual Military Construction Appropriations Acts.

SEC. 107. None of the funds appropriated in Military Construction Appropriations Acts for minor construction may be used to transfer or relocate any activity from one base or installation to another, without prior notification to the Committees on Appropriations.

SEC. 108. No part of the funds appropriated in Military Construction Appropriations Acts may be used for the procurement of steel for any construction project or activity for which American steel producers, fabricators, and manufacturers have been denied the opportunity to compete for such steel procurement.

SEC. 109. None of the funds available to the Department of Defense for military construction or family housing during the current fiscal year may be used to pay real property taxes in any foreign nation.

SEC. 110. None of the funds appropriated in Military Construction Appropriations Acts may be used to initiate a new installation overseas without prior notification to the Committees on Appropriations.

SEC. 111. None of the funds appropriated in Military Construction Appropriations Acts may be obligated for architect and engineer contracts estimated by the Government to exceed $500,000 for projects to be accomplished in Japan, in any NATO member country, or in countries bordering the Arabian Sea, unless such contracts are awarded to United States firms or United States firms in joint venture with host nation firms.

SEC. 112. None of the funds appropriated in Military Construction Appropriations Acts for military construction in the United States territories and possessions in the Pacific and on Kwajalein Atoll, or in countries bordering the Arabian Sea, may be used to award any contract estimated by the Government to exceed $1,000,000 to a foreign contractor: Provided, That this section shall not be applicable to contract awards for which the lowest responsive and responsible bid of a United States contractor exceeds the lowest responsive and responsible bid of a foreign contractor by greater than 20 percent: Provided further, That this section shall not apply to contract awards for military construction on Kwajalein Atoll for which the lowest responsive and responsible bid is submitted by a Marshallese contractor.

SEC. 113. The Secretary of Defense is to inform the appropriate committees of Congress, including the Committees on Appropriations, of the plans and scope of any proposed military exercise involving United States personnel 30 days prior to its occurring, if amounts expended for construction, either temporary or permanent, are anticipated to exceed $100,000.

SEC. 114. Not more than 20 percent of the appropriations in Military Construction Appropriations Acts which are limited for obligation during the current fiscal year shall be obligated during the last 2 months of the fiscal year.

(TRANSFER OF FUNDS)

SEC. 115. Funds appropriated to the Department of Defense for construction in prior years shall be available for construction authorized for each such military department by the authorizations enacted into law during the current session of Congress.

SEC. 116. For military construction or family housing projects that are being completed with funds otherwise expired or lapsed for obligation, expired or lapsed funds may be used to pay the cost of associated supervision, inspection, overhead, engineering and design on those projects and on subsequent claims, if any.

SEC. 117. Notwithstanding any other provision of law, any funds appropriated to a military department or defense agency for the construction of military projects may be obligated for a military construction project or contract, or for any portion of such a project or contract, at any time before the end of the fourth fiscal year after the fiscal year for which funds for such project were appropriated if the funds obligated for such project: (1) are obligated from funds available for military construction projects; and (2) do not exceed the amount appropriated for such project, plus any amount by which the cost of such project is increased pursuant to law.

(TRANSFER OF FUNDS)

SEC. 118. During the 5-year period after appropriations available to the Department of Defense for military construction and family housing operation and maintenance and construction have expired for obligation, upon a determination that such appropriations will not be necessary for the liquidation of obligations or for making authorized adjustments to such appropriations for obligations incurred during the period of availability of such appropriations, unobligated balances of such appropriations may be transferred into the appropriation ''Foreign Currency Fluctuations, Construction, Defense'' to be merged with and to be available for the same time period and for the same purposes as the appropriation to which transferred.

SEC. 119. The Secretary of Defense is to provide the Committees on Appropriations of the Senate and the House of Representatives with

an annual report by February 15, containing details of the specific actions proposed to be taken by the Department of Defense during the current fiscal year to encourage other member nations of the North Atlantic Treaty Organization, Japan, Korea, and United States allies bordering the Arabian Sea to assume a greater share of the common defense burden of such nations and the United States.

(TRANSFER OF FUNDS)

SEC. 120. During the current fiscal year, in addition to any other transfer authority available to the Department of Defense, proceeds deposited to the Department of Defense Base Closure Account established by section 207(a)(1) of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100–526) pursuant to section 207(a)(2)(C) of such Act, may be transferred to the account established by section 2906(a)(1) of the Department of Defense Authorization Act, 1991, to be merged with, and to be available for the same purposes and the same time period as that account.

SEC. 121. (a) No funds appropriated pursuant to this Act may be expended by an entity unless the entity agrees that in expending the assistance the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a–10c, popularly known as the ''Buy American Act'').

(b) No funds made available under this Act shall be made available to any person or entity who has been convicted of violating the Act of March 3, 1933 (41 U.S.C. 10a–10c, popularly known as the ''Buy American Act'').

SEC. 122. (a) In the case of any equipment or products that may be authorized to be purchased with financial assistance provided under this Act, it is the sense of the Congress that entities receiving such assistance should, in expending the assistance, purchase only American-made equipment and products.

(b) In providing financial assistance under this Act, the Secretary of the Treasury shall provide to each recipient of the assistance a notice describing the statement made in subsection (a) by the Congress.

(TRANSFER OF FUNDS)

SEC. 123. Subject to 30 days prior notification to the Committees on Appropriations, such additional amounts as may be determined by the Secretary of Defense may be transferred to the Department of Defense Family Housing Improvement Fund from amounts appropriated for construction in ''Family Housing'' accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund: Provided, That appropriations made available to the Fund shall be available to cover the costs, as defined in section 502(5) of the Congressional Budget Act of 1974, of direct loans or loan guarantees issued by the Department of Defense pursuant to the provisions of subchapter IV of chapter 169, title 10, United States Code, pertaining to alternative means of acquiring and improving military family housing and supporting facilities.

SEC. 124. None of the funds appropriated or made available by this Act may be obligated for Partnership for Peace Programs in the New Independent States of the former Soviet Union.

SEC. 125. (a) Not later than 60 days before issuing any solicitation for a contract with the private sector for military family housing the Secretary of the military department concerned shall submit to the congressional defense committees the notice described in subsection (b).

(b)(1) A notice referred to in subsection (a) is a notice of any guarantee (including the making of mortgage or rental payments) proposed to be made by the Secretary to the private party under the contract involved in the event of—

(A) the closure or realignment of the installation for which housing is provided under the contract;

(B) a reduction in force of units stationed at such installation; or

(C) the extended deployment overseas of units stationed at such installation.

(2) Each notice under this subsection shall specify the nature of the guarantee involved and assess the extent and likelihood, if any, of the liability of the Federal Government with respect to the guarantee.

(c) In this section, the term ''congressional defense committees'' means the following:

(1) The Committee on Armed Services and the Military Construction Subcommittee, Committee on Appropriations of the Senate.

(2) The Committee on Armed Services and the Military Construction Subcommittee, Committee on Appropriations of the House of Representatives.

(TRANSFER OF FUNDS)

SEC. 126. During the current fiscal year, in addition to any other transfer authority available to the Department of Defense, amounts may be transferred from the account established by section 2906(a)(1) of the Department of Defense Authorization Act, 1991, to the fund established by section 1013(d) of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3374) to pay for expenses associated with the Homeowners Assistance Program. Any amounts transferred shall be merged with and be available for the same purposes and for the same time period as the fund to which transferred.

SEC. 127. Notwithstanding this or any other provision of law, funds appropriated in Military Construction Appropriations Acts for operations and maintenance of family housing shall be the exclusive source of funds for repair and maintenance of all family housing units, including general or flag officer quarters: Provided, That not more than $35,000 per unit may be spent annually for the maintenance and repair of any general or flag officer quarters without 30 days advance prior notification to the appropriate committees of Congress: Provided further, That the Under Secretary of Defense (Comptroller) is to report annually to the Committees on Appropriations all operations and maintenance expenditures for each individual general or flag officer quarters for the prior fiscal year.

SEC. 128. In addition to the amounts provided in Public Law 107–20, of the funds appropriated under the heading ''Military Construction, Air Force'' in this Act, $8,000,000 is to remain available until September 30, 2005: Provided, That notwithstanding any other provision of law, such funds may be obligated or expended to carry out planning and design and military construction activities at the Masirah Island Airfield in Oman, not otherwise authorized by law.

SEC. 129. Not later than 90 days after the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a master plan for the environmental remediation of Hunters Point Naval Shipyard, California. The plan shall identify an aggregate cost estimate for the entire project as well as cost estimates for individual parcels. The plan shall also include a detailed cleanup schedule and an analysis of whether the Department is meeting legal requirements and community commitments. Following submission of the initial report, the Department shall submit semi-annual progress reports to the congressional defense committees.

(RESCISSION OF FUNDS)

SEC. 130. Of the funds available to the Secretary of Defense in the ''Foreign Currency Fluctuations, Construction, Defense'' account, $60,000,000 are rescinded.

SEC. 131. (a) REQUESTS FOR FUNDS FOR ENVIRONMENTAL RESTORATION AT BRAC SITES IN FUTURE FISCAL YEARS.—In the budget justification materials submitted to Congress in support of the Department of Defense budget for any fiscal year after fiscal year 2002, the amount requested for environmental restoration, waste management, and environmental compliance activities in such fiscal year with respect to military installations approved for closure or realignment under the base closure laws shall accurately reflect the anticipated cost of such activities in such fiscal year.

(b) BASE CLOSURE LAWS DEFINED.—In this section, the term ''base closure laws'' means the following:

(1) Section 2687 of title 10, United States Code.

(2) The Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note).

(3) Title II of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100–526; 10 U.S.C. 2687 note).

SEC. 132. (a) The total of the amounts appropriated by the other provisions of this Act, other than the amounts appropriated for the accounts specified in subsection (c), is hereby reduced by 1.127 percent.

(b) The total amount of the reduction computed under subsection (a) shall be allocated proportionally among all of the budget activities, activity groups, and subactivity groups and among all of the accounts and all of the programs, projects, and activities within each account, except for the accounts specified in subsection (c).

(c) No reduction shall be allocated under this section to the Base Realignment and Closure Account, or to the North Atlantic Treaty Organization Security Investment Program.

This Act may be cited as the ''Military Construction Appropriations Act, 2002''.

And the Senate agree to the same.

DAVID L. HOBSON,
JAMES T. WALSH,
DAN MILLER,
ROBERT B. ADERHOLT,
KAY GRANGER,
VIRGIL GOODE, Jr.,
JOE SKEEN,
DAVID VITTER,
BILL YOUNG,
JOHN W. OLVER,
CHET EDWARDS,
SAM FARR,
ALLEN BOYD,
NORMAN DICKS,
DAVID OBEY,
Managers on the Part of the House.

DIANNE FEINSTEIN,
DANIEL K. INOUYE,
TIM JOHNSON,
MARY LANDRIEU,
HARRY REID,
ROBERT C. BYRD,
KAY BAILEY HUTCHISON,
CONRAD BURNS,
LARRY E. CRAIG
MIKE DEWINE,
TED STEVENS,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2904) making appropriations for the Department of Defense for the fiscal year ending September 30, 2002, and for other purposes, submit the following joint statement to the House of Representatives and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report.

The Senate deleted the entire House bill after the enacting clause and inserted the Senate bill (S. 1460). The conference agreement includes a revised bill.

ITEMS OF GENERAL INTEREST

Matters Addressed by Only One Committee.—The language and allocations set forth in House Report 107–207 and Senate Report 107–

68 should be complied with unless specifically addressed to the contrary in the conference report and statement of the managers. Report language included by the House which is not changed by the report of the Senate or the conference, and Senate report language which is not changed by the conference is approved by the committee of conference. The statement of the managers, while repeating some report language for emphasis, does not intend to negate the language referred to above unless expressly provided herein. In cases in which the House or the Senate have directed the submission of a report from the Department of Defense, such report is to be submitted to both House and Senate Committees on Appropriations.

Financial Management.—The conferees agree that the rescission of funds and general reductions included in the conference agreement are based on prior year unobligated balances and such factors as savings through favorable bids, reduced overhead costs, downsizing or cancellation due to force structure changes (if any), other administrative cost reduction initiatives, revised economic assumptions, and inflation re-estimates. The conferees direct that no project for which funds were previously appropriated, or for which funds are appropriated in this bill, may be canceled as a result of the reductions included in the conference agreement.

Foreign Currency Fluctuations, Construction, Defense.—The amounts available in the ''Foreign Currency Fluctuations, Construction, Defense'' account exceed those necessary to eliminate losses due to unfavorable fluctuations in foreign currency exchange rates. Accordingly, the conferees include a provision (Section 130) which rescinds $60,000,000 from this account.

Sustainment, Restoration, and Modernization: Reporting Requirement.—The conferees agree to the following general rules for repairing a facility under operation and maintenance funding:

Components of the facility may be repaired by replacement, and such replacement can be up to current standards or code.

Interior arrangements and restorations may be included as repair, but additions, new facilities, and functional conversions must be performed as military construction projects.

Such projects may be done concurrent with repair projects, as long as the final conjunctively funded project is a complete and usable facility.

The appropriate Service Secretary shall notify the appropriate Committees 21 days prior to carrying out any repair project with an estimated cost in excess of $7,500,000.

The Department is directed to provide sustainment, restoration, and modernization backlog at all installations for which there is a requested construction project in future budget requests. This information is to be provided on the form 1390. In addition, for all troop housing requests, the form 1391 is to show all sustainment, restoration, and modernization conducted in the past two years and future requirements for unaccompanied housing at the installation.

Family Housing Operation and Maintenance: Financial Management.—The conferees agree to continue the restriction on the transfer of funds between the family housing operation and maintenance accounts. The limitation is ten percent to all primary accounts and subaccounts. Such transfers are to be reported to the appropriate Committees within thirty days of such action.

Overseas Basing Master Plan.—The conferees support the Senate direction for an overseas basing master plan, to be submitted no later than April 1, 2002.

Pennsylvania: Joint-use Facility.—The conferees are aware of the need to renovate four Guard and Reserve facilities in Northeastern Pennsylvania and the benefits of consolidating them into a joint-use facility. Therefore, the conferees encourage the Department to make this project a priority and program the requirement in the Future Years Defense Plan.

MILITARY CONSTRUCTION, ARMY

(INCLUDING RESCISSION)

The conference agreement appropriates $1,778,256,000 for Military Construction, Army, instead of $1,739,334,000 as proposed by the House, and $1,668,957,000 as proposed by the Senate. Within this amount, the conference agreement earmarks $163,198,000 for study, planning, design, architect and engineer services, and host nation support instead of $163,141,000 as proposed by the House and $176,184,000 as proposed by the Senate. The conference agreement rescinds $36,400,000 from funds appropriated for Military Construction, Army under Public Law 106–52, as proposed by the House, instead of $26,400,000 as proposed by the Senate.

MILITARY CONSTRUCTION, NAVY

(INCLUDING RESCISSION)

The conference agreement appropriates $1,144,221,000 for Military Construction, Navy, instead of $1,154,248,000 as proposed by the House, and $1,148,633,000 as proposed by the Senate. Within this amount, the conference agreement earmarks $34,152,000 for study, planning, design, architect and engineer services instead of $30,972,000 as proposed by the House and $37,332,000 as proposed by the Senate. The conference agreement rescinds $19,588,000 from funds appropriated for Military Construction, Navy under Public Law 106–246, as proposed by the House and Senate.

Texas: Kingsville Naval Air Station: Airfield Lighting.—The conferees direct the Navy to accelerate design of this project and to include the required construction funding in the budget request for fiscal year 2003.

MILITARY CONSTRUCTION, AIR FORCE

(INCLUDING RESCISSION)

The conference agreement appropriates $1,194,880,000 for Military Construction, Air Force, instead of $1,185,220,000 as proposed by the House, and $1,148,269,000 as proposed by the Senate. Within this amount, the conference agreement earmarks $83,210,000 for study, planning, design, architect and engineer services instead of $83,000,000 as proposed by the House and $83,420,000 as proposed by the Senate. The conference agreement rescinds $4,000,000 from funds appropriated for Military Construction, Air Force under previous Military Construction Appropriations Acts, as proposed by the Senate.

Nebraska—Offutt Air Force Base: Fire/Crash Rescue Station.—The conferees direct the Air Force to accelerate design of this project and to include the required construction funding in the budget request for fiscal year 2003.

Wyoming—F.E. Warren Air Force Base: Storm Water Drainage System.—The fiscal year 2001 Senate Report 106–290 included funding of $10,300,000 for a Storm Water Drainage System Project at F.E. Warren Air Force Base in Wyoming. Unfortunately, funding constraints prohibited final action. Storm water flooding remains a major problem at F.E. Warren Air Force Base. The project will better manage and divert flood waters on the installation. In addition, the project will greatly decrease the amount of storm water leaving the base which significantly impacts on the surrounding community. The conferees agree that this project addresses an urgent, mission critical, and safety requirement, and the Air Force is strongly encouraged to include this project in the budget request for fiscal year 2003.

Korea—Osan Air Base: Base Civil Engineer Complex.—The conferees are concerned about the significant cost of replacing current civil engineer facilities at Osan Air Base as proposed in the fiscal year 2002 budget request. Although the conferees support follow-on family housing projects envisioned for Osan Air Base, they do not support funding for a robust civil engineering complex without significant host nation contribution. The conferees understand that the civil engineers currently occupy land that will ultimately be used to build family housing. Family housing is a direct quality of life issue that will have a significant impact on the airmen and the families assigned to the base. The conferees agree to provide the Air Force $12,000,000 for the base civil engineer project for site preparation and preliminary utilities requirements. The conferees direct that any further funding requirements related to this project be funded through host nation support.

MILITARY CONSTRUCTION, DEFENSE-WIDE

(INCLUDING TRANSFER AND RESCISSIONS OF FUNDS)

The conference agreement appropriates $840,558,000 for Military Construction, Defense-wide, instead of $863,058,000 as proposed by the House, and $881,058,000 as proposed by the Senate. Within this amount, the conference agreement earmarks $66,496,000 for study, planning, design, architect and engineer services instead of $74,496,000 as proposed by the House and $88,496,000 as proposed by the Senate. The conference agreement rescinds $69,280,000 from funds appropriated for Military Construction, Defense-wide under Public Law 106–246 and previous Military Construction Appropriations Acts, as proposed by the Senate, instead of $10,250,000 as proposed by the House.

Chemical Demilitarization: Defense Road Requirements.—The conferees are concerned about the emergency preparedness planning as part of the Chemical Demilitarization Program. Of the funds made available in the ''Military Construction, Defense-wide'' account, the Department may spend up to $300,000 to conduct a feasibility study on the requirements for defense roads at the chemical demilitarization sites in the United States to support emergency preparedness requirements.

Energy Conservation and Improvement Program.—The conferees agree to provide a total of $27,000,000 for this program. Of these funds, the conferees direct that $6,000,000 be used to conduct a service-wide assessment of renewable energy alternatives at or near Department of Defense installations, as described in detail in Senate Report 107–68.

Measurement and Signature Intelligence Facilities.—The conferees have agreed to drop Senate report language which allocated $10,000,000 for the planning and design of two Measurement and Signature Intelligence (MASINT) facilities.

MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

The conference agreement appropriates $405,565,000 for Military Construction, Army National Guard, instead of $313,348,000 as proposed by the House, and $378,549,000 as proposed by the Senate.

Arizona—Papago Park Military Reservation: Add/Alter Readiness Center.—Although the conferees were unable to fund this project due to funding constraints, the conferees strongly urge the Army National Guard to include this project in its fiscal year 2003 budget submission.

Weapons of Mass Destruction—Civil Support Teams.—Of the funds provided for unspecified minor construction within the ''Military Construction, Army National Guard'' account, the conferees direct that not less than

$6,000,000 be made available to directly support the completion of facilities for WMD/CST locations.

MILITARY CONSTRUCTION, AIR NATIONAL GUARD

The conference agreement appropriates $253,386,000 for Military Construction, Air National Guard, instead of $198,803,000 as proposed by the House, and $222,767,000 as proposed by the Senate.

Ohio—Mansfield Lahm Airport: Replace Vehicle Maintenance Facility.—Although the conferees were unable to fund this project due to funding constraints, the conferees strongly urge the Air National Guard to include this project in its fiscal year 2003 budget submission.

MILITARY CONSTRUCTION, ARMY RESERVE

The conference agreement appropriates $167,019,000 for Military Construction, Army Reserve, instead of $167,769,000 as proposed by the House, and $111,404,000 as proposed by the Senate.

MILITARY CONSTRUCTION, NAVAL RESERVE

(INCLUDING RESCISSION)

The conference agreement appropriates $53,201,000 for Military Construction, Naval Reserve, instead of $62,351,000 as proposed by the House, and $33,641,000 as proposed by the Senate. The conference agreement rescinds $925,000 from funds appropriated for Military Construction, Naval Reserve under Public Law 106–246, as proposed by the House and Senate.

Texas—Fort Worth Joint Reserve Base: Compartmented Intelligence Facility.—In Senate Report 107–68, the compartmented intelligence facility at Fort Worth Joint Reserve Base was incorrectly identified as a Navy project. This project should be executed with funds made available for unspecified minor construction in the ''Military Construction, Naval Reserve'' account.

MILITARY CONSTRUCTION, AIR FORCE RESERVE

The conference agreement appropriates $74,857,000 for Military Construction, Air Force Reserve, instead of $81,882,000 as proposed by the House, and $53,732,000 as proposed by the Senate.

Michigan—Selfridge Air National Guard Base: Alter Command Post/Logistics Base.—In Senate Report 107–68, the alter command post/logistics base project at Selfridge Air National Guard Base was incorrectly identified as an Air National Guard project. This project should be executed with funds made available for unspecified minor construction in the ''Military Construction, Air Force Reserve'' account.

NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

The conference agreement appropriates $162,600,000 for the North Atlantic Treaty Organization Security Investment Program (NSIP), as proposed by the House and Senate.

FAMILY HOUSING CONSTRUCTION, ARMY

The conference agreement appropriates $312,742,000 for Family Housing Construction, Army, as proposed by the Senate, instead of $294,042,000 as proposed by the House.

FAMILY HOUSING OPERATION AND MAINTENANCE, ARMY

The conference agreement appropriates $1,089,573,000 for Family Housing Operation and Maintenance, Army, instead of $1,096,431,000 as proposed by the House and $1,108,991,000 as proposed by the Senate.

District of Columbia-Fort McNair: General Officer Quarters.—The Army has requested it be allowed to substitute the renovation of Quarters 7 at Fort McNair, at a cost of $700,000, in place of Quarters 3, as submitted in its budget request for $1,200,000. The conferees agree with this substitution. The conferees are encouraged by the Army's study being performed by the National Association of Homebuilders to refine and reduce the original cost projections for Fort McNair's quarters, which appear too high. The conferees expect the Army to use the most economical and cost-effective approach toward renovating these historic quarters.

FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE CORPS

The conference agreement appropriates $331,780,000 for Family Housing Construction, Navy and Marine Corps, instead of $334,780,000 as proposed by the House and $312,600,000 as proposed by the Senate.

The conferees direct that the following projects are to be accomplished within the increased amount provided for construction improvements:

District of Columbia: 8th and I Marine Barracks (2 units)	$1,600,000
Hawaii: Barking Sands (69 units)	11,840,000
Massachusetts: Westover Air Reserve Base (124 units)	6,940,000

FAMILY HOUSING OPERATION AND MAINTENANCE, NAVY AND MARINE CORPS

The conference agreement appropriates $910,095,000 for Family Housing Operation and Maintenance, Navy and Marine Corps, as proposed by the House, instead of $918,095,000 as proposed by the Senate.

FAMILY HOUSING CONSTRUCTION, AIR FORCE

The conference agreement appropriates $550,703,000 for Family Housing Construction, Air Force, as proposed by the Senate, instead of $536,237,000 as proposed by the House.

The conferees direct that the following projects are to be accomplished within the increased amount provided for construction improvements:

Missouri: Whiteman AFB (164 units)	$17,966,000
South Carolina: Charleston AFB (32 units)	4,500,000

FAMILY HOUSING OPERATION AND MAINTENANCE, AIR FORCE

The conference agreement appropriates $844,715,000 for Family Housing Operation and Maintenance, Air Force, instead of $858,121,000 as proposed by the House and $869,121,000 as proposed by the Senate.

FAMILY HOUSING, DEFENSE-WIDE

The conference agreement appropriates $44,012,000 for Family Housing, Defense-wide, as proposed by the House and Senate.

DEPARTMENT OF DEFENSE FAMILY HOUSING IMPROVEMENT FUND

The conference agreement provides $2,000,000 for the Department of Defense Family Housing Improvement Fund, as proposed by the House and Senate. Transfer authority is provided for the execution of any qualifying project under privatization authority, which resides in the Fund.

Housing Privatization Support Costs.—The conferees are extremely concerned about the costs of consultants hired to assist the services with the housing privatization initiative. For example, the Army requested $27,918,000 and the Air Force requested $35,402,000 to pay for consultants. Costs of this magnitude are exorbitant, especially as neither the Army nor Air Force has made sufficient progress in privatizing its housing inventory. Therefore, the conferees agree to reduce $7,918,000 from the ''Family Housing Operation and Maintenance, Army'' account, and $13,402,000 from the ''Family Housing Operation and Maintenance, Air Force'' account. Furthermore, the conferees remind the services that these funds should be spent on creating, analyzing and negotiating complex real estate transactions-not on public relations or work that can be done by the services' staff.

HOMEOWNERS ASSISTANCE FUND, DEFENSE

The conference agreement appropriates $10,119,000 for the Homeowners Assistance Fund, Defense, as proposed by the House and Senate.

BASE REALIGNMENT AND CLOSURE ACCOUNT

The conference agreement appropriates $632,713,000 for the Base Realignment and Closure Account, instead of $552,713,000 as proposed by the House and $682,200,000 as proposed by the Senate.

Environmental Remediation Shortfalls.—The conferees have included a general provision (Section 131) directing the Department of Defense to accurately reflect the cost of environmental remediation activities in its future budget submissions for Base Realignment and Closure (BRAC) funding. The conferees note that the Navy and Air Force BRAC budget requests for fiscal year 2002 were far below the level of funding needed to meet urgent obligations.

The conferees have agreed to provide and fully offset $100,513,000 over the budget request to fund environmental remediation funding shortfalls in the Navy and Air Force BRAC accounts. The conference provision includes $80,513,000 for the Navy and $20,000,000 for the Air Force. The conferees note that the funding shortfalls are the result of inadequate programming and budgeting decisions on the part of the Navy and Air Force.

The conferees strongly believe that the Navy and Air Force should bear the burden of making up these shortfalls. Therefore, the funding to cover the BRAC environmental remediation shortfalls is derived from the following sources: a rescission of $19,588,000 from previously appropriated Navy planning and design funds, a rescission of $925,000 from previously appropriated Naval Reserve planning and design funds, a $60,000,000 general reduction in the fiscal year 2002 ''Military Construction, Navy'' account, and a $20,000,000 general reduction in the fiscal year 2002 ''Military Construction, Air Force'' account. The conferees direct that no item of congressional interest may be canceled or delayed as a result of these general reductions.

In addition to the funds provided in this Act, the Navy and Air Force are directed to allocate all unobligated balances from previously appropriated BRAC funds to address their fiscal year 2002 BRAC environmental remediation funding shortfall. The conferees direct the services to program and budget for the entire amount of their annual BRAC environmental remediation obligations in future years, beginning with fiscal year 2003. Failure to do so will force the congressional committees to take proportionate reductions in specific military construction projects or programs requested by the services.

GENERAL PROVISIONS

The conference agreement includes general provisions (Sections 101–120) that were not amended by either the House or Senate in their versions of the bill.

The conference agreement includes a provision, Section 121, as proposed by the House, which prohibits the expenditure of funds except in compliance with the Buy American Act. The Senate bill contained no similar provision.

The conference agreement includes a provision, Section 122, as proposed by the House, which states the Sense of the Congress that recipients of equipment or products authorized to be purchased with financial assistance provided in this Act are to be

notified that they must purchase American-made equipment and products. The Senate bill contained no similar provision.

The conference agreement includes a provision, Section 123, as proposed by the House and Senate, permitting the transfer of funds from Family Housing, Construction accounts to the DOD Family Housing Improvement Fund.

The conference agreement includes a provision renumbered Section 124, as proposed by the House and the Senate, to prohibit the use of funds in this Act to be obligated for Partnership for Peace programs in the New Independent States of the former Soviet Union.

The conference agreement includes a provision renumbered Section 125, as proposed by the House and the Senate, which requires the Secretary of Defense to notify Congressional Committees sixty days prior to issuing a solicitation for a contract with the private sector for military family housing.

The conference agreement includes a provision renumbered Section 126, as proposed by the House and the Senate, which provides transfer authority to the Homeowners Assistance Program.

The conference agreement includes a provision renumbered Section 127, as proposed by the Senate, regarding funding for operation and maintenance of general officer quarters.

The conference agreement includes a provision renumbered Section 128, as proposed by the Senate, which authorizes $8,000,000 for a military construction project at Masirah Island Airfield, Oman. The House bill contained a similar provision.

The conference agreement includes a provision, Section 129, as proposed by the Senate, which requires the Secretary of Defense to submit a master plan for the environmental remediation of Hunters Point Naval Shipyard, California. The House bill contained no similar provision.

The conference agreement includes a provision, Section 130, which rescinds $60,000,000 from the ''Foreign Currency Fluctuations, Construction, Defense'' account.

The conference agreement includes a provision, Section 131, which directs the Department of Defense to accurately reflect the cost of environmental restoration activities in its future budget submissions for the Base Realignment and Closure (BRAC) account.

The conference agreement includes a provision, Section 132, which reduces all accounts in the bill with the exception of the ''NATO Security Investment Program'' account and the ''Base Realignment and Closure'' account by 1.127 percent.

Those general provisions not included in the conference agreement are as follows:

The conference agreement deletes the House provision regarding family housing master plans.

The conference agreement deletes the Senate provision regarding a defense road feasibility study at Pine Bluff Arsenal, Arkansas.

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
ALABAMA		
ARMY		
ANNISTON ARMY DEPOT		
COMPONENT MAINTENANCE FACILITY	2,300	2,300
REBUILD SHOP AND FACILITY	2,850	2,850
FORT RUCKER		
AIRCRAFT PARTS WAREHOUSE	---	6,800
COMMANCHE SIMULATOR TRAINING FACILITY	11,400	11,400
REDSTONE ARSENAL		
AMMUNITION SURVEILLANCE FACILITY	---	2,700
DINING FACILITY	7,200	7,200
AIR FORCE		
MAXWELL AFB		
SQUADRON OFFICER SCHOOL ACADEMIC FACILITY	9,000	9,000
OFFICER TRAINING SCHOOL DORMITORY	11,800	11,800
SQUADRON OFFICER SCHOOL DORMITORY	13,600	13,600
ARMY NATIONAL GUARD		
HUNTSVILLE		
UNIT TRAINING EQUIPMENT SITE	7,498	7,498
MOBILE		
ADD/ALTER READINESS CENTER	5,333	5,333
AIR NATIONAL GUARD		
DOTHAN AGS		
COMBAT COMMUNICATIONS COMPLEX	---	11,000
AIR FORCE RESERVE		
MAXWELL AFB		
FUEL CELL MAINTENANCE HANGAR	7,300	7,300
AIRCRAFT MAINTENANCE HANGAR	9,900	9,900
TOTAL, ALABAMA	88,181	108,681
ALASKA		
ARMY		
FORT RICHARDSON		
BARRACKS COMPLEX (PHASE I)	45,000	45,000
MOUT TRAINING FACILITY	---	18,000
FORT WAINWRIGHT		
ASSEMBLY BUILDING	4,200	4,200
POWER PLANT COOLING TOWER	23,000	23,000
AIR FORCE		
EARECKSON AFB		
UPGRADE WASTEWATER SYSTEM	4,600	4,600
ELMENDORF AFB		
ADD/ALTER AIRCRAFT FUEL SYSTEM MAINTENANCE HANGAR	12,200	12,200
DORMITORY	20,000	20,000

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
DEFENSE-WIDE		
EIELSON AFB		
REPLACE BULK FUEL STORAGE TANKS	8,800	8,800
FORT WAINWRIGHT		
HOSPITAL REPLACEMENT (PHASE III)	18,500	18,500
ARMY NATIONAL GUARD		
JUNEAU		
READINESS CENTER	---	7,568
AIR NATIONAL GUARD		
ELMENDORF AFB		
UPGRADE COMBAT COMMUNICATIONS FACILITIES	5,000	5,000
TOTAL, ALASKA	141,300	166,868
ARIZONA		
ARMY		
FORT HUACHUCA		
EFFLUENT REUSE SYSTEM	6,100	6,100
YUMA PROVING GROUNDS		
RANGE IMPROVEMENTS	---	3,100
NAVY		
YUMA MARINE CORPS AIR STATION		
AIR TRAFFIC CONTROL TOWER	6,750	6,750
LAND ACQUISITION (PHASE II)	8,660	8,660
STATION ORDNANCE AREA	7,160	7,160
AIR FORCE		
DAVIS-MONTHAN AFB		
CHILD DEVELOPMENT CENTER	---	6,200
DORMITORY	8,700	8,700
REPLACE AIRCRAFT RECLAMATION/PARTS PROCESS COMPLEX	8,600	8,600
LUKE AFB		
CHILD DEVELOPMENT CENTER	---	4,500
ARMY NATIONAL GUARD		
MARANA		
AVIATION MAINTENANCE HANGAR	14,358	14,358
ARMY RESERVE		
MESA		
RESERVE CENTER/ORGANIZATIONAL MAINTENANCE SHOP	10,900	10,900
AIR FORCE RESERVE		
LUKE AFB		
ADD/ALTER SQUADRON OPERATIONS FACILITY	---	1,400
TOTAL, ARIZONA	71,228	86,428
ARKANSAS		
ARMY		
PINE BLUFF ARSENAL		
AMMUNITION DEMILITARIZATION FACILITY (PHASE VI)	26,000	---

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
AIR FORCE		
LITTLE ROCK AFB		
C-130J FLIGHT SIMULATOR FACILITY	10,600	10,600
FIRE STATION	---	7,500
DEFENSE-WIDE		
PINE BLUFF ARSENAL		
AMMUNITION DEMILITARIZATION FACILITY (PHASE VI)	---	26,000
ARMY RESERVE		
CONWAY		
RESERVE CENTER/ORGANIZATIONAL MAINTENANCE SHOP	---	5,625
TOTAL, ARKANSAS	36,600	49,725
CALIFORNIA		
ARMY		
FORT IRWIN		
DIRECT SUPPORT MAINTENANCE SHOP	---	23,000
MONTEREY DEFENSE LANGUAGE INSTITUTE		
BARRACKS COMPLEX	---	5,900
NAVY		
CAMP PENDLETON MARINE CORPS BASE		
AIRCRAFT HANGAR IMPROVEMENTS	4,470	4,470
BACHELOR ENLISTED QUARTERS	21,200	21,200
BACHELOR ENLISTED QUARTERS	21,600	21,600
BOAT MAINTENANCE FACILITY	11,980	11,980
HELO OUTLYING LANDING FIELD (PHASE II)	3,910	3,910
INDOOR PHYSICAL FITNESS FACILITY	13,460	13,460
IRON/MANGANESE PLANT	11,180	11,180
REGIMENTAL ARTILLERY MAINTENANCE COMPLEX	13,160	13,160
CHINA LAKE NAVAL AIR WARFARE CENTER		
PROPULSION AND EXPLOSIVES LABORATORY (PHASE I)	---	10,100
CORONADO NAVAL AMPHIBIOUS BASE		
EXPEDITIONARY WARFARE TRAINING FACILITY	8,610	8,610
EL CENTRO NAVAL AIR FACILITY		
TRANSIENT BACHELOR ENLISTED QUARTERS	23,520	23,520
LEMOORE NAVAL AIR STATION		
BACHELOR ENLISTED QUARTERS	10,010	10,010
PORT HUENEME NAVAL CONSTRUCTION BATTALION CENTER		
VEHICLE MAINTENANCE SCHOOL	3,780	3,780
PORT IMPROVEMENTS	12,400	12,400
SAN DIEGO NAVAL STATION		
BACHELOR ENLISTED QUARTERS	47,240	47,240
REPLACE PIERS 10/11 (PHASE II)	17,500	17,500
SAN NICHOLAS ISLAND		
SUPPLY PIER	13,730	13,730

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
TWENTYNINE PALMS		
ACADEMIC INSTRUCTION BUILDING	9,860	9,860
AMMUNITION STORAGE FACILITIES	9,540	9,540
BACHELOR ENLISTED QUARTERS	29,675	29,675
ENLISTED DINING FACILITY	11,930	11,930
RESERVE SUPPORT FACILITIES	8,760	8,760
VEHICLE WASH STATION	5,360	5,360
AIR FORCE		
BEALE AFB		
COMMUNICATIONS OPERATIONS CENTER	---	7,900
EDWARDS AFB		
ADD/ALTER TERMINAL AREA CONTROL FACILITY	4,600	4,600
CONSOLIDATED SUPPORT FACILITY	11,700	11,700
LOS ANGELES AFB		
CONSOLIDATED BASE SUPPORT COMPLEX	23,000	23,000
TRAVIS AFB		
RADAR APPROACH CONTROL CENTER	---	3,300
REPLACE SUPPORT FACILITY	6,800	6,800
VANDENBERG AFB		
MISSILE TRANSPORT BRIDGE	11,800	11,800
DEFENSE-WIDE		
CAMP PENDLETON MARINE CORPS BASE		
FLEET HOSPITAL SUPPORT FACILITIES	3,150	3,150
REPLACE MEDICAL/DENTAL CLINC (HORNO)	4,300	4,300
REPLACE MEDICAL/DENTAL CLINIC (LAS FLORES)	3,800	3,800
REPLACE MEDICAL/DENTAL CLINIC (LAS PULGAS)	4,050	4,050
TRACY DEFENSE DISTRIBUTION DEPOT		
REPLACE GENERAL PURPOSE WAREHOUSE	30,000	30,000
CORONADO NAVAL AMPHIBIOUS BASE		
SEAL TEAM FIVE OPERATIONS FACILITY	13,650	13,650
TWENTYNINE PALMS		
HOSPITAL LDRP CONVERSION	1,600	1,600
ARMY NATIONAL GUARD		
FORT IRWIN		
MANEUVER AREA TRAINING EQUIPMENT SITE (PHASE I)	21,953	21,953
LANCASTER		
READINESS CENTER	4,530	4,530
AZUSA		
READINESS CENTER	---	14,011
NAVY RESERVE		
PORT HUENEME NAVAL RESERVE CENTER		
VEHICLE MAINTENANCE FACILITY	1,000	1,000
AIR FORCE RESERVE		
MARCH ARB		
FIRE/CRASH RESCUE STATION	---	7,200

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
TOTAL, CALIFORNIA	458,808	530,219
COLORADO		
ARMY		
FORT CARSON		
BARRACKS COMPLEX (NELSON BLVD) (PHASE I)	25,000	25,000
PUEBLO DEPOT		
AMMUNITION DEMILITARIZATION FACILITY (PHASE III)	11,000	---
AIR FORCE		
BUCKLEY AFB		
DORMITORY	11,200	11,200
FITNESS CENTER	12,000	12,000
SCHRIEVER AFB		
SBIRS MISSION CONTROL STATION BACKUP	19,000	19,000
SECURE AREA LOGISTICS FACILITY	---	11,400
U.S. AIR FORCE ACADEMY		
ADD/ALTER ATHLETIC FACILITIES (PHASE II)	11,400	11,400
INSTALL AIR CONDITIONING (ENLISTED DORMITORY)	1,300	1,300
REPLACE CONTROL TOWER	6,400	6,400
UPGRADE POTABLE WATER SYSTEM (CADET AREA)	6,400	6,400
DEFENSE-WIDE		
PUEBLO DEPOT		
AMMUNITION DEMILITARIZATION FACILITY (PHASE III)	---	11,000
SCHRIEVER AFB		
MEDICAL/DENTAL CLINIC	4,000	4,000
ARMY RESERVE		
FORT CARSON		
ARMED FORCES RESERVE CENTER/NEW RESERVE CENTER	9,394	9,394
TOTAL, COLORADO	117,094	128,494
CONNECTICUT		
AIR NATIONAL GUARD		
ORANGE ANGS		
REPLACE AIR CONTROL SQUADRON COMPLEX	12,000	12,000
DISTRICT OF COLUMBIA		
ARMY		
FORT MCNAIR		
PHYSICAL FITNESS TRAINING CENTER	11,600	11,600
NAVY		
ANACOSTIA		
BACHELOR ENLISTED QUARTERS REPLACEMENT	9,810	9,810
AIR FORCE		
BOLLING AFB		
ADD/ALTER CHAPEL CENTER	2,900	2,900

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
TOTAL, DISTRICT OF COLUMBIA	24,310	24,310
DELAWARE		
AIR FORCE		
DOVER AFB		
FIRE/CRASH RESCUE STATION	---	7,300
FLORIDA		
NAVY		
KEY WEST NAVAL AIR STATION		
AIR TRAFFIC CONTROL TOWER/OPERATIONS BUILDING	11,400	11,400
MAYPORT NAVAL STATION		
BACHELOR ENLISTED QUARTERS	16,420	16,420
PENSACOLA NAVAL AIR STATION		
CONSOLIDATED FIRE STATION	---	3,700
WHITING FIELD NAVAL AIR STATION		
AIRFIELD APPROACH LIGHTING	2,140	2,140
AIR FORCE		
CAPE CANAVERAL AIR STATION		
REPLACE FIRE/CRASH RESCUE STATION	7,800	7,800
EGLIN AFB		
COMMAND AND CONTROL TEST OPERATIONS CENTER	11,400	11,400
HURLBURT FIELD		
CONSOLIDATED COMMUNICATION FACILITY	4,000	4,000
DINING FACILITY/FITNESS CENTER	6,400	6,400
MACDILL AFB		
MISSION PLANNING CENTER (PHASE I)	10,000	---
TYNDALL AFB		
ADD/ALTER COMMUNICATIONS FACILITY	---	5,300
F-22 FUELS SYSTEM MAINTENANCE HANGAR	3,050	3,050
F-22 SQUAD OPERATIONS/AIRCRAFT MAINT UNIT HANGAR	12,000	12,000
DEFENSE-WIDE		
HURLBURT FIELD		
ADD/ALTER MEDICAL/DENTAL CLINIC	8,800	8,800
CV-22 TRAINING DEVICE SUPPORT FACILITY	10,200	10,200
READINESS SUPPLY PACKAGE FACILITY	3,200	3,200
MACDILL AFB		
PUBLIC ACCESS BUILDING	2,500	2,500
RENOVATE COMMAND AND CONTROL FACILITY	9,500	9,500
MAYPORT NAVAL STATION		
REPLACE MEDICAL/DENTAL CLINIC	24,000	24,000
AIR NATIONAL GUARD		
CAMP BLANDING		
REPLACE WEATHER TRAINING COMPLEX	6,900	6,900

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
ARMY RESERVE		
ST PETERSBURG		
ARMED FORCES RESERVE CENTER (PHASE II)	---	34,056
NAVY RESERVE		
JACKSONVILLE NAVAL AIR STATION		
HANGAR RENOVATIONS	3,744	3,744
READINESS SUPPORT SITE FACILITIES	2,500	2,500
AIR FORCE RESERVE		
HOMESTEAD ARB		
ADD/ALTER COMMUNICATIONS FACILITY	---	2,000
TOTAL, FLORIDA	155,954	191,010
GEORGIA		
ARMY		
FORT BENNING		
PASSENGER PROCESSING FACILITY	17,000	17,000
RUNWAY EXTENSION	6,900	6,900
FORT GILLEM		
CRIMINAL INVESTIGATION FORENSIC LABORATORY	29,000	29,000
EXPLOSIVE ORDANCE DETACHMENT OPERATIONS BUILDING	5,600	5,600
FORT GORDON		
INFORMATION SYSTEMS FACILITY	11,000	11,000
VEHICLE MAINTENANCE FACILITY	23,000	23,000
FORT STEWART		
EDUCATION CENTER	16,000	16,000
SOLDIER SERVICE CENTER	10,200	10,200
VEHICLE MAINTENANCE FACILITY	13,600	13,600
AIR FORCE		
MOODY AFB		
FITNESS CENTER	---	8,600
ROBINS AFB		
FIRE TRAINING FACILITY	3,800	3,800
LARGE ITEM AIRCRAFT SUPPORT EQUIPMENT PAINT FAC	3,050	3,050
REPLACE KC-135 SQUADRON OPERATIONS FACILITY	7,800	7,800
DEFENSE-WIDE		
ALBANY MARINE CORPS LOGISTICS BASE		
REPLACE MEDICAL/DENTAL CLINIC	5,800	5,800
FORT BENNING		
TACTICAL EQUIPMENT COMPLEX	5,100	5,100
FORT STEWART		
CONSOLIDATED TROOP MEDICAL CLINIC	11,000	11,000
AIR NATIONAL GUARD		
ROBINS AFB		
REPLACE OPERATIONS AND TRAINING COMPLEX	6,100	6,100

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
AIR FORCE RESERVE		
ROBINS AFB		
AIR FORCE RESERVE HEADQUARTERS (PHASE II)	2,000	2,000
TOTAL, GEORGIA	176,950	185,550
HAWAII		
ARMY		
PEARL HARBOR		
SHIPPING OPERATIONS BUILDING	11,800	11,800
POHAKULOA TRAINING AREA		
COMMAND AND RANGE CONTROL BUILDING	5,100	5,100
LAND ACQUISITION (KAHUKU WINDMILL SITE)	---	900
LAND ACQUISITION (PARKER RANCH)	---	1,500
SCHOFIELD BARRACKS		
BARRACKS COMPLEX (WILSON STREET) (PHASE I-C)	23,000	23,000
WHEELER ARMY AIRFIELD		
BARRACKS COMPLEX (AVIATION) (PHASE VI-A)	50,000	50,000
NAVY		
CAMP SMITH		
CINCPAC HEADQUARTERS (PHASE III)	37,580	37,580
KANEOHE BAY MARINE CORPS BASE		
BACHELOR ENLISTED QUARTERS	24,920	24,920
LUALUALEI NAVAL MAGAZINE		
SHORE POWER AT WHARVES	6,000	6,000
PEARL HARBOR NAVAL COMPLEX		
BACHELOR ENLISTED QUARTERS	17,300	17,300
BACHELOR ENLISTED QUARTERS	23,300	23,300
DRYDOCK SUPPORT FACILITY	7,900	7,900
ELECTRICAL DISTRIBUTION SYSTEM IMPROVEMENTS	12,100	12,100
SEWER FORCE MAIN	16,900	16,900
FORD ISLAND WATER LINE REPLACEMENT	---	14,100
DEFENSE-WIDE		
HICKAM AFB		
REPLACE HYDRANT FUEL SYSTEM	29,200	29,200
TOTAL, HAWAII	265,100	281,600
IDAHO		
AIR FORCE		
MOUNTAIN HOME AFB		
REPLACE AIRCRAFT PARKING APRON	14,600	14,600
ARMY NATIONAL GUARD		
GOWEN FIELD		
READINESS CENTER	8,117	8,117

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
TOTAL, IDAHO	22,717	22,717
ILLINOIS		
ARMY		
ROCK ISLAND ARSENAL		
CHILD DEVELOPMENT CENTER	---	3,500
NAVY		
GREAT LAKES NAVAL TRAINING CENTER		
RECRUIT BARRACKS	41,130	41,130
RECRUIT BARRACKS	41,130	41,130
NAVY RESERVE		
GREAT LAKES		
RESERVE CENTER RENOVATION	4,426	4,426
TOTAL, ILLINOIS	86,686	90,186
INDIANA		
ARMY		
NEWPORT ARMY AMMUNITION PLANT		
AMMUNITION DEMILITARIZATION FACILITY (PHASE IV)	66,000	---
NAVY		
CRANE NAVAL SURFACE WARFARE CENTER		
MICROWAVE DEVICES ENGINEERING FACILITY	---	9,110
SPECIAL WARFARE MUNITIONS ENGINEERING FACILITY	5,820	5,820
DEFENSE-WIDE		
NEWPORT ARMY AMMUNITION PLANT		
AMMUNITION DEMILITARIZATION FACILITY (PHASE IV)	---	66,000
AIR NATIONAL GUARD		
FORT WAYNE IAP		
UPGRADE AIRCRAFT PARKING RAMP AND TAXIWAY	---	8,500
AIR FORCE RESERVE		
GRISSOM ARB		
SERVICES COMPLEX (PHASE III)	13,200	13,200
TOTAL, INDIANA	85,020	102,630
IOWA		
ARMY NATIONAL GUARD		
ESTHERVILLE		
READINESS CENTER	2,713	2,713
AIR NATIONAL GUARD		
SIOUX GATEWAY AIRPORT		
KC-135 PARKING APRON/HYDRANT REFUELING SYSTEM	14,400	14,400
KC-135 FUEL CELL/CORROSION CONTROL HANGAR	8,300	8,300

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
KC-135 EXTEND AND UPGRADE TAXIWAY	4,300	4,300
TOTAL, IOWA	29,713	29,713
KANSAS		
ARMY		
FORT RILEY		
CHILD DEVELOPMENT CENTER	6,800	6,800
MODIFIED RECORD FIRE RANGE	4,100	4,100
AIR FORCE		
MCCONNELL AFB		
HEALTH AND WELLNESS CENTER	---	5,100
ARMY NATIONAL GUARD		
FORT RILEY		
ORGANIZATIONAL MAINTENANCE SHOP	645	645
TOTAL, KANSAS	11,545	16,645
KENTUCKY		
ARMY		
BLUE GRASS ARMY DEPOT		
AMMUNITION DEMILITARIZATION FACILITY (PHASE II)	3,000	---
FORT CAMPBELL		
BARRACKS COMPLEX (MARKET GARDEN ROAD) (PHASE III)	47,000	47,000
DEPLOYMENT STAGING COMPLEX	3,300	3,300
DEPLOYMENT STAGING COMPLEX/AIR	3,300	3,300
DEPLOYMENT STAGING COMPLEX/RAIL	3,300	3,300
ELECTRICAL SUBSTATION	10,000	10,000
EXPAND KEYHOLE HARDSTAND AREA	10,600	10,600
PASSENGER PROCESSING FACILITY	11,400	11,400
FORT KNOX		
MULTI-PURPOSE DIGITAL TANK RANGE (PHASE IV)	---	12,000
DEFENSE-WIDE		
BLUEGRASS ARMY DEPOT		
AMMUNITION DEMILITARIZATION FACILITY (PHASE II)	---	3,000
ARMY RESERVE		
FORT KNOX		
RESERVE CENTER	14,846	14,846
TOTAL, KENTUCKY	106,746	118,746
LOUISIANA		
ARMY		
FORT POLK		
EDUCATION CENTER	10,800	10,800

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
READINESS AND OPERATIONS FACILITY	10,400	10,400
AIR FORCE		
BARKSDALE AFB		
CONTROL TOWER	---	5,000
ARMY NATIONAL GUARD		
CAMP BEAUREGARD		
READINESS CENTER	5,392	5,392
CARVILLE		
READINESS CENTER	5,677	5,677
NAVY RESERVE		
LAFAYETTE		
MARINE RESERVE TRAINING CENTER	5,200	5,200
NEW ORLEANS JOINT RESERVE BASE		
EQUIPMENT SHOP AND HOLDING SHELTER	2,270	2,270
JOINT RESERVE CENTER (PHASE II)	---	10,000
REFUELER MAINTENANCE FACILITY	650	650
REPLACE BRIDGES	1,300	1,300
TOTAL, LOUISIANA	41,689	56,689
MAINE		
NAVY		
BRUNSWICK NAVAL AIR STATION		
AIRCRAFT MAINTENANCE HANGAR	41,665	41,665
BACHELOR ENLSITED QUARTERS	22,630	22,630
P-3 SUPPORT FACILITY	3,100	3,100
PORTSMOUTH NAVAL SHIPYARD		
BACHELOR ENLISTED QUARTERS	---	14,620
ARMY NATIONAL GUARD		
BANGOR		
ARMY AVIATION SUPPORT FACILITY (PHASE I)	11,618	11,618
TOTAL, MAINE	79,013	93,633
MARYLAND		
ARMY		
ABERDEEN PROVING GROUND		
AMMUNITION DEMILITARIZATION FACILITY (PHASE IV)	66,500	---
AMMUNITION SURVEILLANCE FACILITY	5,300	5,300
CLIMATIC TEST FACILITY	9,000	9,000
CHEMISTRY LABORATORY (EDGEWOOD ARSENAL)	44,000	44,000
FORT MEADE		
CHILD DEVELOPMENT CENTER	5,800	5,800
OPERATIONS FACILITY (55TH SIGNAL COMPANY)	---	5,400
NAVY		
INDIAN HEAD NAVAL EXPLOSIVE ORDANCE CENTER		
JOINT EOD EQUIPMENT MAGNETIC EVALUATION FACILITY	1,250	1,250

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
PATUXENT RIVER NAVAL AIR WARFARE CENTER		
ADVANCED SYSTEMS INTEGRATION FACILITY (PHASE VI)..	10,770	10,770
RANGES OPERATIONS SUPPORT FACILITY.....	2,260	2,260
ST INIGOES NAVALEX		
COMMUNICATIONS INTEGRATION FACILITY.....	---	5,100
AIR FORCE		
ANDREWS AFB		
CONSOLIDATE SQUADRON OPERATIONS FACILITY.....	10,070	10,070
REPAIR EAST RUNWAY.....	7,600	7,600
UPGRADE FIRE TRAINING FACILITY.....	1,750	1,750
DEFENSE-WIDE		
ABERDEEN PROVING GROUND		
AMMUNITION DEMILITARIZATION FACILITY (PHASE IV)...	---	66,500
OPERATIONAL TRAINING FACILITY.....	3,200	3,200
ANDREWS AFB		
ADD/ALTER MEDICAL CLINIC.....	7,300	7,300
BRANCH MEDICAL/DENTAL CLINIC RELOCATION.....	2,950	2,950
ARMY NATIONAL GUARD		
SALISBURY		
ORGANIZATIONAL MAINTENANCE SHOP.....	2,314	2,314
TOTAL, MARYLAND.....	180,064	190,564
MASSACHUSETTS		
AIR FORCE		
HANSCOM AFB		
RENOVATE ACQUISITION MGMT FACILITY (PHASE III)....	9,400	9,400
ARMY NATIONAL GUARD		
FRAMINGHAM		
ORGANIZATIONAL MAINTENANCE SHOP.....	8,347	8,347
AIR NATIONAL GUARD		
BARNES ANGB		
UPGRADE SUPPORT FACILITIES.....	---	5,200
TOTAL, MASSACHUSETTS.....	17,747	22,947
MICHIGAN		
ARMY NATIONAL GUARD		
LANSING		
COMBINED SUPPORT MAINTENANCE SHOP (PHASE II).....	5,809	5,809
AUGUSTA		
TASS INSTRUCTION/ADMINISTRATION/BARRACKS/MESS HALL	---	13,318
AIR NATIONAL GUARD		
SELFRIDGE ANGB		
RUNWAY CLEAR ZONE LAND ACQUISITION.....	2,000	2,000

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
W. K. KELLOGG AIRPORT		
MUNITIONS MAINTENANCE AND STORAGE COMPLEX.....	---	9,500
NAVY RESERVE		
SELFRIDGE ANGB		
VEHICLE MAINTENANCE FACILITY.....	1,490	1,490
TOTAL, MICHIGAN.....	9,299	32,117
MINNESOTA		
AIR NATIONAL GUARD		
DULUTH IAP		
COMPOSITE AIRCRAFT MAINTENANCE COMPLEX (PHASE I)..	---	10,000
NAVY RESERVE		
DULUTH		
RESERVE CENTER ADDITION.....	2,980	2,980
AIR FORCE RESERVE		
MINNEAPOLIS-ST PAUL ARS		
CONSOLIDATED LODGING FACILITY (PHASE III).....	---	8,400
TOTAL, MINNESOTA.....	2,980	21,380
MISSISSIPPI		
NAVY		
GULFPORT NAVAL CONSTRUCTION BATTALION CENTER		
BACHELOR ENLISTED QUARTERS.....	14,300	14,300
MOBILIZATION OPERATIONS FACILITY.....	7,360	7,360
PASCAGOULA NAVAL STATION		
FLEET OPERATIONS FACILITY.....	---	4,680
MERIDIAN NAVAL AIR STATION		
T-45 AIRCRAFT SUPPORT FACILITY.....	---	3,370
AIR FORCE		
KEESLER AFB		
REPLACE TECHNICAL TRAINING FACILITY (PHASE II-A)..	28,600	28,600
COLUMBUS AFB		
RADAR APPROACH CONTROL CENTER.....	---	5,000
ARMY NATIONAL GUARD		
BATESVILLE		
READINESS CENTER.....	---	3,055
CAMP SHELBY		
MILITARY EDUCATION CENTER (PHASE II).....	11,444	11,444
GULFPORT		
READINESS CENTER.....	9,145	9,145
AIR NATIONAL GUARD		
JACKSON IAP		
C-17 FACILITY CONVERSION.....	16,500	16,500

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
UPGRADE CORROSION CONTROL FACILITY	5,700	5,700
ARMY RESERVE		
GULFPORT CBC		
CONTROLLED HUMIDITY STORAGE WAREHOUSE (PHASE I)	---	12,184
AIR FORCE RESERVE		
KEESLER AFB		
C-130J MAINTENANCE HANGAR	12,000	12,000
TOTAL, MISSISSIPPI	105,049	133,338
MISSOURI		
ARMY		
FORT LEONARD WOOD		
BASIC COMBAT TRAINING COMPLEX (PHASE II)	27,000	27,000
NIGHT FIRE RANGE	4,300	4,300
RECORD FIRE RANGE	3,550	3,550
NAVY		
KANSAS CITY MARINE CORPS SUPPORT ACTIVITY		
BACHELOR ENLISTED QUARTERS	9,010	9,010
TOTAL, MISSOURI	43,860	43,860
MONTANA		
AIR FORCE		
MALMSTROM AFB		
CHILD DEVELOPMEMT CENTER	---	4,650
ARMY NATIONAL GUARD		
KALISPELL		
READINESS CENTER	822	822
TOTAL, MONTANA	822	5,472
NEVADA		
NAVY		
FALLON NAVAL AIR STATION		
WATER TREATMENT CAPITAL IMPROVEMENTS	---	6,150
AIR FORCE		
NELLIS AFB		
DYNAMIC BATTLE CONTROL CENTER	12,600	12,600
LAND ACQUISITION	---	19,000
AIR NATIONAL GUARD		
RENO-TAHOE IAP		
REPLACE BASE SUPPLY WAREHOUSE COMPLEX	8,500	8,500
TOTAL, NEVADA	21,100	46,250
NEW HAMPSHIRE		
ARMY NATIONAL GUARD		
CONCORD		
ARMY AVIATION SUPPORT FACILITY	27,185	27,185

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
READINESS CENTER	1,868	1,868
AIR NATIONAL GUARD		
PEASE AFB		
KC-135R SIMULATOR TRAINING FACILITY	2,200	2,200
ARMY RESERVE		
ROCHESTER		
RESERVE CENTER/ORGANIZATIONAL MAINTENANCE SHOP	9,122	9,122
TOTAL, NEW HAMPSHIRE	40,375	40,375
NEW JERSEY		
ARMY		
FORT MONMOUTH		
BARRACKS	20,000	20,000
PICATINNY ARSENAL		
HIGH ENERGY PROPELLANT FORMULATION FACILITY	---	10,200
NAVY		
EARLE NAVAL WEAPONS STATION		
EXPLOSIVE TRUCK HOLDING YARDS	---	4,370
AIR FORCE		
MCGUIRE AFB		
AIR FREIGHT TERMINAL/BASE SUPPLY COMPLX (PHASE II)	---	12,600
C-17 ADD/ALTER FUEL CELL	1,050	1,050
C-17 COMMUNICATIONS SUPPORT	1,400	1,400
C-17 FLIGHT SIMULATOR FACILITY	4,900	4,900
C-17 MAINTENANCE HANGAR	27,700	27,700
C-17 THREE BAY HANGAR	1,500	1,500
DEFENSE-WIDE		
MCGUIRE AFB		
BULK FUEL STORAGE TANK	4,400	4,400
AIR NATIONAL GUARD		
ATLANTIC CITY IAP		
COMMUNICATIONS/SECURITY FORCES COMPLEX	6,300	6,300
MCGUIRE AFB		
REPLACE JOINT MEDICAL TRAINING FACILITY	4,900	4,900
ARMY RESERVE		
FORT DIX		
BARRACKS MODERNIZATION	12,000	12,000
TOTAL, NEW JERSEY	84,150	111,320
NEW MEXICO		
ARMY		
WHITE SANDS MISSILE RANGE		
PROFESSIONAL DEVELOPMENT CENTER	---	7,600

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
AIR FORCE		
CANNON AFB		
REPLACE FIRE/CRASH RESCUE STATION	9,400	9,400
KIRTLAND AFB		
TELESCOPE/ATMOSPHERE COMPENSATION LABORATORY	15,500	15,500
UPGRADE SMALL ARMS RANGE SUPPORT FACILITY	---	4,300
DEFENSE-WIDE		
HOLLOMAN AFB		
MEDICAL CLINIC ALTERATION	5,700	5,700
TOTAL, NEW MEXICO	30,600	42,500
NEW YORK		
ARMY		
FORT DRUM		
BATTLE SIMULATION CENTER (PHASE II)	9,000	9,000
FIELD OPERATIONS FACILITY	2,150	2,150
HAZARDOUS MATERIALS STORAGE FACILITY	4,700	4,700
TACTICAL EQUIPMENT SHOPS	31,000	31,000
TRAINING AREA ACCESS ROAD	---	18,500
U.S. MILITARY ACADEMY		
CADET PHYSICAL DEVELOPMENT CENTER (PHASE II)	37,900	37,900
ARMY NATIONAL GUARD		
FORT DRUM		
MANEUVER AREA TRAINING EQUIPMENT SITE (PHASE I)	17,000	17,000
AIR NATIONAL GUARD		
FRANCIS S. GABRESKI AIRPORT		
COMPOSITE SUPPORT COMPLEX	19,000	19,000
HANCOCK FIELD		
CIVIL ENGINEERING FACILITY	---	1,500
COMPOSITE READINESS SUPPORT FACILITY	---	2,500
NIAGARA FALLS IAP		
FUEL CELL/CORROSION CONTROL HANGAR ADDITION	---	2,800
TOTAL, NEW YORK	120,750	146,050
NORTH CAROLINA		
ARMY		
FORT BRAGG		
BARRACKS COMPLEX (BUTNER ROAD) (PHASE II)	49,000	49,000
BARRACKS COMPLEX (LONGSTREET ROAD) (PHASE II)	27,000	27,000
BARRACKS COMPLEX (TAGAYTAY ROAD) (PHASE II-C)	17,500	17,500
PARACHUTE TEAM GENERAL PURPOSE BUILDING	7,700	7,700
VEHICLE MAINTENANCE FACILITY	13,600	13,600
SUNNY POINT MILITARY OCEAN TERMINAL		
DEPLOYMENT STAGING AREA	2,000	2,000

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
FIRE STATION	2,750	2,750
OPEN STORAGE AREA	2,050	2,050
ROAD IMPROVEMENTS AND TRUCK PAD	4,600	4,600
NAVY		
CAMP LEJEUNE MARINE CORPS BASE		
ACADEMIC BUILDING	15,860	15,860
AMMUNITION STORAGE MAGAZINE UPGRADE (PHASE I)	5,880	5,880
BACHELOR ENLISTED QUARTERS	16,530	16,530
BACHELOR ENLISTED QUARTERS	13,550	13,550
ENGINEERING EQUIPMENT MAINTENANCE SHOP	6,960	6,960
LANDFILL CELL	8,290	8,290
NEW RIVER MARINE CORPS AIR STATION		
PROPERTY CONTROL FACILITY	1,560	1,560
PROPERTY CONTROL FACILITY	2,490	2,490
AIR FORCE		
POPE AFB		
CONSOLIDATE C-130 CORROSION CONTROL FACILTY	17,800	17,800
DEFENSE-WIDE		
CAMP LEJEUNE MARINE CORPS BASE		
ELEMENTARY SCHOOL ADDITION AND RENOVATION	8,857	8,857
FORT BRAGG		
IMAGERY AND ANALYSIS FACILITY	3,150	3,150
LANGUAGE SUSTAINMENT TRAINING FACILITY	2,100	2,100
REPAIR TRAINING FACILITY	1,812	1,812
TEAM OPERATIONS/INFORMATION AUTOMATION FACILITY	5,800	5,800
TRAINING FACILITY	5,000	5,000
TRAINING RANGE	2,600	2,600
VEHICLE MAINTENANCE COMPLEX	3,600	3,600
WEATHER OPERATIONS FACILITY	1,000	1,000
BATTALION OPERATIONS/VEHICLE MAINTENANCE FACILITY	8,500	8,500
POPE AFB		
BULK FUEL STORAGE TANK	3,400	3,400
ARMY NATIONAL GUARD		
FORT BRAGG		
MILITARY EDUCATION FACILITY (PHASE II)	---	8,290
TOTAL, NORTH CAROLINA	260,939	269,229
NORTH DAKOTA		
AIR FORCE		
GRAND FORKS AFB		
KC-135 SQUADRON OPERATIONS/AIRCRAFT MAINT UNIT	7,800	7,800
DEFENSE-WIDE		
GRAND FORKS AFB		
HYDRANT FUEL SYSTEM	9,110	9,110

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
MINOT AFB		
HYDRANT FUEL SYSTEM	14,000	14,000
AIR NATIONAL GUARD		
HECTOR IAP		
WEAPONS RELEASE SYSTEMS COMPLEX	---	5,000
TOTAL, NORTH DAKOTA	30,910	35,910
OHIO		
AIR FORCE		
WRIGHT-PATTERSON AFB		
ADD/ALTER SPECIAL OPERATIONS INTELLIGENCE FACILITY	3,450	3,450
CONSOLIDATE ACQ MANAGEMENT COMPLEX (PHASE IV-B)	21,400	21,400
SECURITY GATE,BASE ENTRANCE	---	3,400
ARMY NATIONAL GUARD		
BOWLING GREEN		
READINESS CENTER	---	3,200
CINCINNATI		
READINESS CENTER	9,780	9,780
COSHOCTON		
READINESS CENTER	---	2,632
AIR NATIONAL GUARD		
SPRINGFIELD-BECKLEY MUNICIPAL AIRPORT		
AIRCRAFT PARKING APRON/TAXIWAY	---	10,600
ARMY RESERVE		
CLEVELAND		
LAND ACQUISITION	1,200	1,200
TOTAL, OHIO	35,830	55,662
OKLAHOMA		
ARMY		
FORT SILL		
DEPLOYMENT STAGING COMPLEX	5,100	5,100
AIR FORCE		
ALTUS AFB		
REPAIR AIRFIELD PAVEMENTS (PHASE I)	20,200	20,200
TINKER AFB		
DORMITORY	10,200	10,200
ALTER DEPOT PLATING SHOP	---	11,200
ARMY NATIONAL GUARD		
OKLAHOMA CITY		
READINESS CENTER	---	9,320
TOTAL, OKLAHOMA	35,500	56,020
OREGON		
ARMY NATIONAL GUARD		
EUGENE		
JOINT ARMED FORCES RESERVE CENTER (PHASE I)	---	8,300

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
PENNSYLVANIA		
NAVY		
PHILADELPHIA NAVAL FOUNDRY AND PROPELLER CENTER		
MACHINE SHOP MODERNIZATION	---	14,800
DEFENSE-WIDE		
NEW CUMBERLAND DEFENSE DISTRIBUTION DEPOT		
SPECIAL PURPOSE WAREHOUSE	19,900	19,900
PHILADELPHIA DEFENSE SUPPLY CENTER		
CONSOLIDATE INDOOR FITNESS FACILITIES	2,429	2,429
AIR NATIONAL GUARD		
PITTSBURGH IAP		
REPLACE VEHICLE MAINTENANCE COMPLEX	3,200	3,200
ARMY RESERVE		
JOHNSTOWN		
TRANSIENT QUARTERS	---	3,000
NAVY RESERVE		
WILLOW GROVE		
HANGAR FIRE PROTECTION UPGRADES	3,715	3,715
TOTAL, PENNSYLVANIA	29,244	47,044
RHODE ISLAND		
NAVY		
NEWPORT NAVAL STATION		
SPECIAL WARFARE OFFICERS INSTRUCTION BUILDING	15,290	15,290
UNMANNED UNDERSEA COMBAT VEHICLE LABORATORY	---	9,370
AIR NATIONAL GUARD		
QUONSET STATE AIRPORT		
C-130J REPLACE COMPOSITE MAINTENANCE SHOPS	9,600	9,600
TOTAL, RHODE ISLAND	24,890	34,260
SOUTH CAROLINA		
ARMY		
FORT JACKSON		
BASIC COMBAT TRAINEE COMPLEX (PHASE I)	26,000	26,000
CENTRAL ENERGY PLANT	---	3,650
NAVY		
BEAUFORT MARINE CORPS AIR STATION		
AIRBORNE WEAPONS SUPPORT EQUIPMENT WAREHOUSE	1,960	1,960
CHILD DEVELOPMENT CENTER	6,060	6,060
PARRIS ISLAND MARINE CORPS RECRUIT DEPOT		
MILITARY POLICE AND EMERGENCY SERVICES FACILITY	5,430	5,430
AIR FORCE		
SHAW AFB		
EDUCATION CENTER	---	5,800

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
DEFENSE-WIDE		
BEAUFORT MARINE CORPS AIR STATION		
REPLACE LAUREL BAY ELEMENTARY SCHOOL	12,850	12,850
TOTAL, SOUTH CAROLINA	52,300	61,750
SOUTH DAKOTA		
AIR FORCE		
ELLSWORTH AFB		
LIVE ORDNANCE LOADING AREA	---	12,200
ARMY NATIONAL GUARD		
MITCHELL		
COMBINED SUPPORT MAINTENANCE SHOP	14,228	14,228
AIR NATIONAL GUARD		
JOE FOSS FIELD/SOUIX CITY		
RUNWAY/TAXIWAY IMPROVEMENTS	---	6,500
TOTAL, SOUTH DAKOTA	14,228	32,928
TENNESSEE		
NAVY		
MILLINGTON NAVAL SUPPORT ACTIVITY		
ELEVATED WATER TANK	3,900	3,900
AIR FORCE		
ARNOLD AFB		
CONVERT FACILITY TO HYPERSONIC PLANT	10,400	10,400
UPGRADE JET ENGINE AIR INDUCTION SYSTEM (PHASE IV)	14,000	14,000
ARMY NATIONAL GUARD		
ALCOA		
READINESS CENTER	8,203	8,203
HENDERSON		
ORGANIZATIONAL MAINTENANCE SHOP	2,012	2,012
AIR NATIONAL GUARD		
NASHVILLE IAP		
REPLACE AIRCRAFT MAINTENANCE COMPLEX (PHASE I)	---	11,000
TOTAL, TENNESSEE	38,515	49,515
TEXAS		
ARMY		
CORPUS CHRISTI ARMY DEPOT		
ENERGY DISASSEMBLY AND CLEANING FACILITY	---	10,400
FORT BLISS		
REPLACE ELEVATED WATER TANKS	---	5,000

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
FORT HOOD		
BARRACKS COMPLEX	41,000	41,000
COMMAND AND CONTROL FACILITY (PHASE II)	10,000	10,000
GRAY ARMY AIRFIELD DEPLOYMENT UPGRADE (PHASE II)	---	18,000
MULTI-PURPOSE DIGITAL TRAINING RANGE (PHASE II)	13,000	13,000
VEHICLE MAINTENANCE FACILITY	12,200	12,200
VEHICLE MAINTENANCE FACILITY	23,000	23,000
FORT SAM HOUSTON		
GENERAL INSTRUCTION BUILDING	2,250	2,250
AIR FORCE		
LACKLAND AFB		
JOINT ADVANCED LANGUAGE TRAINING CENTER	4,200	4,200
DORMITORY	8,600	8,600
LAUGHLIN AFB		
ADD/ALTER FITNESS CENTER	12,000	12,000
SECURITY FORCES COMPLEX	---	3,600
SHEPPARD AFB		
FITNESS CENTER/HEALTH AND WELLNESS CENTER	---	8,200
REPLACE STUDENT DORMITORY/DINING FACILITY	16,000	16,000
STUDENT DORMITORY/DINING FACILITY	21,000	21,000
DYESS AFB		
C-130 SQUADRON OPERATIONS FACILITY	---	16,800
DEFENSE-WIDE		
DYESS AFB		
MEDICAL TREATMENT FACILITY ALTERATION	3,300	3,300
FORT HOOD		
ADD/ALTER HOSPITAL	12,200	12,200
ARMY NATIONAL GUARD		
AUSTIN		
ARMY AVIATION SUPPORT FACILITY	25,659	25,659
AIR NATIONAL GUARD		
CAMP MABRY		
REPLACE WEATHER FLIGHT COMPLEX	900	900
ARMY RESERVE		
RED RIVER ARMY DEPOT		
RESERVE CENTER/ORGANIZATIONAL MAINTENANCE SHOP	1,862	1,862
NAVY RESERVE		
FORT WORTH JOINT RESERVE BASE		
BACHELOR ENLISTED QUARTERS MODERNIZATION	---	9,060
TOTAL, TEXAS	207,171	278,231
UTAH		
AIR FORCE		
HILL AFB		
CONSOLIDATE HYDRAULIC/PNEUDRAULIC REPAIR FACILITY	14,000	14,000

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
DEPOT MAINTENANCE HANGAR (PHASE I)	---	18,000
TOTAL, UTAH	14,000	32,000
VERMONT		
AIR NATIONAL GUARD		
BURLINGTON IAP		
VEHICLE MAINTENANCE COMPLEX	---	5,600
VIRGINIA		
ARMY		
FORT BELVOIR		
CHAPEL	4,950	4,950
OPERATIONS BUILDING	31,000	31,000
FORT EUSTIS		
FIELD OPERATIONS FACILITY	1,750	1,750
MAIN PIER	23,000	23,000
DEFENSE ACCESS ROADS	---	9,900
FORT LEE		
AIRBORNE TRAINING FACILITY	17,500	17,500
MILITARY ENTRANCE PROCESSING STATION	6,400	6,400
NAVY		
LITTLE CREEK NAVAL AMPHIBIOUS BASE		
PERSONNEL SUPPORT FACILITY	---	9,090
NORFOLK NAVAL STATION		
AIRCRAFT MAINTENANCE HANGAR REPLACEMENT	11,300	11,300
AIRCRAFT MAINTENANCE HANGAR REPLACEMENT	14,100	14,100
AIRFIELD PAVEMENT UPGRADE	6,360	6,360
BACHELOR ENLISTED QUARTERS MODERNIZATION	14,730	14,730
DEPERMING PIER REPLACEMENT	2,810	2,810
PIER REPLACEMENT (PHASE I)	28,210	28,210
WATERFRONT ELECTRICAL UPGRADE	15,620	15,620
WATERFRONT ELECTRICAL UPGRADE	12,900	12,900
QUANTICO MARINE CORPS COMBAT DEVELOPMENT COMMAND		
AIRCRAFT FIRE AND RESCUE STATION	3,790	3,790
BACHELOR ENLISTED QUARTERS	9,390	9,390
AIR FORCE		
LANGLEY AFB		
DORMITORY	8,300	8,300
F-22 LOW OBSERVABLE/COMPOSITE REPAIR FACILITY	16,000	16,000
F-22 OPERATIONS AND MAINTENANCE FACILITY	19,000	19,000
F-22 UPGRADE FLIGHTLINE INFRASTRUCTURE	4,000	4,000
DEFENSE-WIDE		
FORT BELVOIR		
ADDITIONAL CHILLER UNIT	900	900

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
NORFOLK		
ADD/ALTER BRANCH MEDICAL CLINIC	21,000	21,000
PENTAGON		
PHYSICAL FITNESS AND READINESS FACILITY	25,000	25,000
ARMY NATIONAL GUARD		
FORT PICKETT		
MANEUVER AND EQUIPMENT TRAINING SITE	---	10,700
NAVY RESERVE		
WILLIAMSBURG		
HEADQUARTERS BUILDING	2,130	2,130
TOTAL, VIRGINIA	300,140	329,830
WASHINGTON		
ARMY		
FORT LEWIS		
AMMUNITION SUPPLY POINT EXPANSION	17,000	17,000
BARRACKS COMPLEX (17TH AND B STREET) (PHASE I)	48,000	48,000
COMBAT VEHICLE TRAIL	7,300	7,300
DEPLOYMENT STAGING COMPLEX	15,500	15,500
DEPLOYMENT STAGING COMPLEX/RAIL	16,500	16,500
PALLET HANDING FACILITY	13,200	13,200
VEHICLE MAINTENANCE FACILITY	9,100	9,100
VEHICLE MAINTENANCE FACILITY	9,600	9,600
NAVY		
BANGOR STRATEGIC WEAPONS FACILITY		
UTILITIES AND SITE IMPROVEMENTS	3,900	3,900
BREMERTON NAVAL STATION		
REPLACE PIER DELTA (PHASE II)	24,460	24,460
EVERETT NAVAL STATION		
SHORE INTERMEDIATE MAINTENANCE FACILITY	6,820	6,820
PUGET SOUND NAVAL SHIPYARD		
INDUSTRIAL SKILLS CENTER (PHASE II)	---	14,000
WHIDBEY ISLAND NAVAL AIR STATION		
P-3 SUPPORT FACILITY	3,470	3,470
CONTROL TOWER	---	3,900
AIR FORCE		
FAIRCHILD AFB		
REPLACE MUNITIONS MAINTENANCE ADMIN FACILITY	2,800	2,800
MCCHORD AFB		
ADD/ALTER MISSION SUPPORT CENTER (PHASE I)	15,800	15,800
C-17 EXTEND NOSE DOCKS	4,900	4,900
DEFENSE-WIDE		
FORT LEWIS		
LANGUAGE SUSTAINMENT TRAINING FACILITY	1,100	1,100

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
TACTICAL EQUIPMENT COMPLEX	5,800	5,800
WHIDBEY ISLAND NAVAL AIR STATION		
AIRCREW WATER SURVIVAL TRAINING FACILITY	6,600	6,600
ARMY RESERVE		
FORT LEWIS		
RESERVE CENTER/ORGANIZATIONAL MAINTENANCE SHOP	21,978	21,978
TOTAL, WASHINGTON	233,828	251,728
WEST VIRGINA		
ARMY NATIONAL GUARD		
WILLIAMSTOWN		
READINESS CENTER	---	6,433
GLEN JEAN		
RESERVE CENTER/ORGANIZATIONAL MAINTENANCE SHOP	---	21,389
AIR NATIONAL GUARD		
YEAGER AIRPORT		
BASE CIVIL ENGINEER MAINTENANCE COMPLEX	---	4,100
TOTAL, WEST VIRGINA	---	31,922
WISCONSIN		
ARMY NATIONAL GUARD		
OSHKOSH		
ORGANIZATIONAL MAINTENANCE SHOP	5,274	5,274
AIR NATIONAL GUARD		
VOLK FIELD		
CONTROL TOWER	---	5,700
TOTAL, WISCONSIN	5,274	10,974
WYOMING		
AIR FORCE		
F. E. WARREN AFB		
FITNESS CENTER	10,200	10,200
DEFENSE-WIDE		
F. E. WARREN AFB		
MEDICAL CLINIC ALTERATION	2,700	2,700
NAVY RESERVE		
CHEYENNE		
RESERVE CENTER ADDITION	1,060	1,060
TOTAL, WYOMING	13,960	13,960
EL SALVADOR		
DEFENSE-WIDE		
COMALAPA AB		
FORWARD OPERATING LOCATION	12,577	12,577

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
GERMANY		
ARMY		
BAMBERG		
BARRACKS COMPLEX (WARNER'S 3)	20,000	20,000
PHYSICAL FITNESS TRAINING CENTER	16,000	16,000
BAUMHOLDER		
VEHICLE MAINTENANCE FACILITY	9,000	9,000
DARMSTADT		
BARRACKS COMPLEX (CAMBRAI FRITSCH 4028)	6,700	6,700
BARRACKS COMPLEX (KELLEY 4163)	6,800	6,800
HANAU		
BARRACKS COMPLEX (PIONEER 8)	7,200	7,200
HEIDELBERG		
BARRACKS COMPLEX (PATTON 114)	6,800	6,800
BARRACKS COMPLEX (TOMPKINS 4253)	8,500	8,500
MANNHEIM		
VEHICLE MAINTENANCE FACILITY	16,000	16,000
WEISBADEN		
CHILD DEVELOPMENT CENTER	6,800	6,800
PHYSICAL FITNESS TRAINING CENTER	19,500	19,500
AIR FORCE		
RAMSTEIN AB		
COMBAT COMMUNICATIONS SQUADRON COMPLEX (PHASE I)	15,000	15,000
DORMITORY	11,000	11,000
FREIGHT TERMINAL & DEFENSE COURIER SERVICE	9,400	9,400
STRATEGIC LIFT AREA EXPANSION	4,600	4,600
UPGRADE UTILITY INFRASTRUCTURE	2,900	2,900
SPANGDAHLEM AB		
NORTHWEST INFRASTRUCTURE EXPANSION	6,200	6,200
REFUELER VEHICLE MAINTENANCE FACILITY	2,500	2,500
DEFENSE-WIDE		
GEILENKIRCHEN		
ELEMENTARY SCHOOL MULTI PURPOSE ROOM	1,733	1,733
HEIDELBERG		
HOSPITAL ADDITION/CLINIC ALTERATION	28,000	28,000
ELEMENTARY SCHOOL CLASSROOM ADDITION/RENOVATION	3,312	3,312
KAISERLAUTERN		
ELEMENTARY SCHOOL CLASSROOM ADDITION	1,439	1,439
KITZINGEN		
ELEMENTARY SCHOOL CLASSROOM ADDITION	1,394	1,394
LANDSTUHL		
ELEMENTARY SCHOOL/MIDDLE SCHOOL CLASSROOM ADDITION	1,444	1,444
RAMSTEIN		
HIGH SCHOOL CLASSROOM ADDITION	2,814	2,814

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
VOGELWEH		
ELEMENTARY SCHOOL CLASSROOM ADDITION/RENOVATION...	1,558	1,558
WEISBADEN		
ELEMENTARY SCHOOL CLASSROOM ADDITION.....	1,378	1,378
WUERZBURG		
ELEMENTARY SCHOOL CLASSROOM/GYMNASIUM ADDITION....	2,684	2,684
TOTAL, GERMANY.....	220,656	220,656
GREECE		
NAVY		
LARISSA NAVAL SUPPORT ACTIVITY		
BACHELOR ENLISTED QUARTERS.....	12,240	12,240
SOUDA BAY NAVAL SUPPORT ACTIVITY		
SEWAGE TREATMENT PLANT ADDITION.....	3,210	3,210
TOTAL, GREECE.....	15,450	15,450
GREENLAND		
AIR FORCE		
THULE AB		
REPLACE TAXIWAYS/APRONS.....	19,000	---
DEFENSE-WIDE		
THULE AB		
COMPOSITE MEDICAL FACILITY REPLACEMENT.....	10,800	10,800
TOTAL, GREENLAND.....	29,800	10,800
GUAM		
NAVY		
GUAM NAVAL SUPPORT ACTIVITY		
BACHELOR ENLISTED QUARTERS MODERNIZATION.....	9,300	9,300
WATERFRONT UTILITIES UPGRADE.....	14,800	14,800
AIR FORCE		
ANDERSEN AFB		
WAR RESERVE MATERIAL STORAGE FACILITY.....	4,550	4,550
REPLACE SECURITY FORCES OPERATIONS FACILITY.....	5,600	5,600
DEFENSE-WIDE		
ANDERSEN AFB		
REPLACE HYDRANT FUEL SYSTEM.....	20,000	20,000
ARMY NATIONAL GUARD		
BARRIGADA		
READINESS CENTER (PHASE II).....	---	7,748
AIR NATIONAL GUARD		
ANDERSON AFB		
OPERATIONS AND TRAINING FACILITY.....	4,300	4,300

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
TOTAL, GUAM	58,550	66,298
ICELAND		
NAVY		
KEFLAVIK NAVAL AIR STATION		
SOLID WASTE DISPOSAL CONNECTION CHARGE	2,820	2,820
ITALY		
NAVY		
SIGONELLA NAVAL AIR STATION		
P-3 SUPPORT FACILITY	3,060	3,060
AIR FORCE		
AVIANO AB		
DORMITORY	8,200	8,200
INDOOR FIRING RANGE	3,600	3,600
DEFENSE-WIDE		
AVIANO AB		
ELEMENTARY SCHOOL CLASSROOM ADDITION	3,647	3,647
TOTAL, ITALY	18,507	18,507
JAPAN		
ARMY		
CAMP SCHWAB		
SPECIAL FORCES TRAINING RANGE	---	3,800
DEFENSE-WIDE		
YOKOTA AB		
BULK FUEL STORAGE TANK	13,000	13,000
TOTAL, JAPAN	13,000	16,800
KOREA		
ARMY		
CAMP CARROLL		
ELECTRICAL DISTRIBUTION SYSTEM	8,000	8,000
PHYSICAL FITNESS TRAINING CENTER	8,593	8,593
CAMP CASEY		
VEHICLE MAINTENANCE FACILITY	8,500	8,500
CAMP HOVEY		
BARRACKS COMPLEX	33,000	33,000
SANITARY SEWER SYSTEM	2,750	2,750
CAMP HUMPHREYS		
BARRACKS COMPLEX	14,500	14,500
CAMP JACKSON		
GENERAL INSTRUCTION BUILDING	6,100	6,100

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
CAMP STANLEY		
BARRACKS COMPLEX	28,000	28,000
YONGSAN		
BARRACKS COMPLEX	---	12,800
AIR FORCE		
KUNSAN AB		
ADD/ALTER FITNESS CENTER	12,000	12,000
OSAN AB		
DORMITORY	14,400	14,400
DORMITORY	15,800	15,800
OFFICER DORMITORY	9,700	9,700
REPLACE BASE CIVIL ENGINEER COMPLEX	36,000	12,000
REPLACE TRAFFIC MANAGEMENT FACILITY	5,925	5,925
REPLACE VEHICLE OPERATIONS/ADMINISTRATION FACILITY	2,000	2,000
VEHICLE MAINTENANCE FACILITY	17,317	17,317
DEFENSE-WIDE		
CAMP CASEY		
REPLACE FUEL STORAGE FACILITY	5,500	5,500
TOTAL, KOREA	228,085	216,885
KWAJALEIN		
ARMY		
KWAJALEIN ATOLL		
COLD STORAGE WAREHOUSE	11,000	11,000
OMAN		
AIR FORCE		
MASIRAH ISLAND		
AIRFIELD REPAIRS (PHASE II)	---	8,000
PORTUGAL		
DEFENSE-WIDE		
LAJES FIELD		
DENTAL CLINIC REPLACEMENT	3,750	3,750
AMERICAN SAMOA		
ARMY RESERVE		
AMERICAN SAMOA		
RESERVE CENTER/ORGANIZATIONAL MAINTENANCE SHOP	19,703	19,703
SPAIN		
NAVY		
ROTA NAVAL STATION		
AIRCRAFT FIRE AND RESCUE ADDITION	2,240	2,240

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
DEFENSE-WIDE		
ROTA NAVAL STATION		
MARINE LOADING ARMS	3,000	3,000
TOTAL, SPAIN	5,240	5,240
TURKEY		
AIR FORCE		
ESKISEHIR		
DORMITORY/MISSION SUPPORT FACILITY	4,000	4,000
INCIRLIK AB		
BASE SUPPLY WAREHOUSE	---	5,500
TOTAL, TURKEY	4,000	9,500
UNITED KINGDOM		
AIR FORCE		
RAF MILDENHALL		
AVIONICS MAINTENANCE COMPLEX (PHASE II)	10,800	10,800
FITNESS CENTER	11,600	11,600
RAF LAKENHEATH		
REPLACE SUPPLY MATERIAL CONTROL FACILITY	11,300	11,300
DEFENSE-WIDE		
RAF FELTWELL		
CONSTRUCT NEW MIDDLE SCHOOL	22,132	22,132
TOTAL, UNITED KINGDOM	55,832	55,832
WAKE ISLAND		
AIR FORCE		
WAKE ISLAND		
REPAIR AIRFIELD PAVEMENT (PHASE I)	25,000	9,700
NATO		
NATO SECURITY INVESTMENT PROGRAM	162,600	162,600
WORLDWIDE CLASSIFIED		
ARMY		
CLASSIFIED LOCATIONS		
CLASSIFIED PROJECT	4,000	4,000
AIR FORCE		
CLASSIFIED LOCATION		
TACTICAL UNIT DETACHMENT FACILITY	4,458	4,458

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
DEFENSE-WIDE		
CLASSIFIED LOCATION		
AVIATION AND MAINTENANCE FACILITY	2,400	2,400
TOTAL, WORLDWIDE CLASSIFIED	10,858	10,858
WORLDWIDE UNSPECIFIED		
ARMY		
UNSPECIFIED WORLDWIDE LOCATIONS		
HOST NATION SUPPORT	23,100	23,100
PLANNING AND DESIGN	134,098	140,098
UNSPECIFIED MINOR CONSTRUCTION	18,000	19,565
RESCISSION	---	-36,400
NAVY		
UNSPECIFIED WORLDWIDE LOCATIONS		
PLANNING AND DESIGN	29,932	34,152
UPSPECIFIED MINOR CONSTRUCTION	10,546	12,679
GENERAL REDUCTION	---	-60,000
RESCISSION	---	-19,588
AIR FORCE		
UNSPECIFIED WORLDWIDE LOCATIONS		
PLANNING AND DESIGN	79,130	83,210
UPSPECIFIED MINOR CONSTRUCTION	11,250	11,750
GENERAL REDUCTION	---	-20,000
RESCISSION	---	-4,000
DEFENSE-WIDE		
UNSPECIFIED WORLDWIDE LOCATIONS		
ENERGY CONSERVATION IMPROVEMENT PROGRAM	35,600	27,100
CONTINGENCY CONSTRUCTION	10,000	10,000
CHEMICAL DEMILITARIZATION	---	-10,000
RESCISSION	---	-69,280
PLANNING AND DESIGN		
TRICARE MANAGEMENT ACTIVITY	26,300	28,300
SPECIAL OPERATIONS COMMAND	6,861	6,861
CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	700	700
DEFENSE THREAT REDUCTION AGENCY	2,400	2,400
DEPARTMENT OF DEFENSE DEPENDENT EDUCATION	1,929	1,929
BALLISTIC MISSILE DEFENSE ORGANIZATION	6,290	6,290
DEFENSE INTELLIGENCE AGENCY	6,516	6,516
DEFENSE LOGISTICS AGENCY	3,500	3,500
UNDISTRIBUTED	20,000	10,000
SUBTOTAL, PLANNING AND DESIGN	74,496	66,496
UNSPECIFIED MINOR CONSTRUCTION		
TRICARE MANAGEMENT ACTIVITY	5,526	5,526

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
SPECIAL OPERATIONS COMMAND	1,903	1,903
DEFENSE FINANCE AND ACCOUNTING SERVICE	1,500	1,500
DEPARTMENT OF DEFENSE DEPENDENT EDUCATION	4,249	4,249
BALLISTIC MISSILE DEFENSE ORGANIZATION	2,009	2,009
JOINT CHIEFS OF STAFF	6,305	6,305
UNDISTRIBUTED	3,000	3,000
SUBTOTAL, UNSPECIFIED MINOR CONSTRUCTION	24,492	24,492
ARMY NATIONAL GUARD		
UNSPECIFIED WORLDWIDE LOCATIONS		
PLANNING AND DESIGN	25,794	36,151
UNSPECIFIED MINOR CONSTRUCTION	4,671	16,526
AIR NATIONAL GUARD		
UNSPECIFIED WORLDWIDE LOCATIONS		
PLANNING AND DESIGN	3,972	7,073
UNSPECIFIED MINOR CONSTRUCTION	5,000	6,713
ARMY RESERVE		
UNSPECIFIED WORLDWIDE LOCATIONS		
PLANNING AND DESIGN	8,024	8,524
UNSPECIFIED MINOR CONSTRUCTION	2,375	2,625
NAVY RESERVE		
UNSPECIFIED WORLDWIDE LOCATIONS		
PLANNING AND DESIGN	1,176	1,676
RESCISSION	---	-925
AIR FORCE RESERVE		
UNSPECIFIED WORLDWIDE LOCATIONS		
PLANNING AND DESIGN	4,336	6,461
UNSPECIFIED MINOR CONSTRUCTION	4,996	4,996
TOTAL, WORLDWIDE UNSPECIFIED	510,988	323,194

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
FAMILY HOUSING, ARMY		
ALASKA		
FORT WAINWRIGHT (32 UNITS)	12,000	12,000
ARIZONA		
FORT HUACHUCA (72 UNITS)	10,800	10,800
KANSAS		
FORT LEAVENWORTH (84 UNITS)	10,000	20,000
TEXAS		
FORT BLISS (76 UNITS)	13,600	13,600
FORT SAM HOUSTON (70 UNITS)	---	11,200
KOREA		
CAMP HUMPHREYS (54 UNITS)	12,800	12,800
CONSTRUCTION IMPROVEMENTS	220,750	220,750
PLANNING AND DESIGN	11,592	11,592
SUBTOTAL, CONSTRUCTION	291,542	312,742
OPERATION AND MAINTENANCE		
FURNISHING ACCOUNT	45,546	45,546
MANAGEMENT ACCOUNT	82,177	82,177
MISCELLANEOUS ACCOUNT	1,277	1,277
SERVICES ACCOUNT	49,520	49,520
UTILITIES ACCOUNT	258,790	247,790
LEASING	196,956	196,956
MAINTENANCE OF REAL PROPERTY	446,806	446,306
INTEREST PAYMENT	1	1
HOUSING PRIVATIZATION SUPPORT COST	27,918	20,000
SUBTOTAL, OPERATION AND MAINTENANCE	1,108,991	1,089,573
TOLAL, FAMILY HOUSING, ARMY	1,400,533	1,402,315

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
FAMILY HOUSING, NAVY AND MARINE CORPS		
ARIZONA		
YUMA (51 UNITS)	9,017	9,017
CALIFORNIA		
TWENTYNINE PALMS (74 UNITS)	16,250	16,250
HAWAII		
KANEOHE BAY (172 UNITS)	46,996	46,996
PEARL HARBOR (70 UNITS)	16,827	16,827
MISSISSIPPI		
PASCAGOULA (160 UNITS)	23,354	23,354
VIRGINIA		
QUANTICO (39 UNITS)	---	7,000
ITALY		
SIGONELLA (10 UNITS)	2,403	2,403
CONSTRUCTION IMPROVEMENTS	183,054	203,434
PLANNING AND DESIGN	6,499	6,499
SUBTOTAL, CONSTRUCTION	304,400	331,780
OPERATION AND MAINTENANCE		
FURNISHINGS ACCOUNT	32,701	32,701
MANAGEMENT ACCOUNT	85,535	85,535
MISCELLANEOUS ACCOUNT	1,200	1,200
SERVICES ACCOUNT	65,787	65,787
UTILITIES ACCOUNT	195,172	187,172
LEASING ACCOUNT	123,965	123,965
MAINTENANCE ACCOUNT	409,567	409,567
SVCM'S MORTGAGE INSURANCE PREMIUM ACCOUNT	68	68
HOUSING PRIVATIZATION SUPPORT COST	4,100	4,100
SUBTOTAL, OPERATION AND MAINTENANCE	918,095	910,095
TOTAL, FAMILY HOUSING, NAVY AND MARINE CORPS	1,222,495	1,241,875

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
FAMILY HOUSING, AIR FORCE		
ARIZONA		
LUKE AFB (120 UNITS)	15,712	15,712
CALIFORNIA		
TRAVIS AFB (118 UNITS)	18,150	18,150
COLORADO		
BUCKLEY AFB (55 UNITS)	11,400	11,400
DELAWARE		
DOVER AFB (120 UNITS)	18,145	18,145
DISTRICT OF COLUMBIA		
BOLLING AFB (136 UNITS)	16,926	16,926
HAWAII		
HICKAM AFB (102 UNITS)	25,037	25,037
IDAHO		
MOUNTAIN HOME AFB (56 UNITS)	---	10,000
LOUISIANA		
BARKSDALE AFB (56 UNITS)	7,300	7,300
SOUTH DAKOTA		
ELLSWORTH AFB (78 UNITS)	13,700	13,700
VIRGINIA		
LANGLEY AFB (4 UNITS)	1,200	1,200
PORTUGAL		
LAJES FIELD (64 UNITS)	13,230	13,230
CONSTRUCTION IMPROVEMENTS	352,879	375,345
PLANNING AND DESIGN	24,558	24,558
SUBTOTAL, CONSTRUCTION	518,237	550,703
OPERATION AND MAINTENANCE		
FURNISHINGS ACCOUNT	36,619	36,619
MANAGEMENT ACCOUNT	58,224	58,224
SERVICES ACCOUNT	28,356	28,356
UTILITIES ACCOUNT	168,652	157,652
MISCELLANEOUS	2,384	2,384
LEASING	102,919	102,919
MAINTENANCE	436,526	436,526
MORTGAGE INSURANCE PREMIUMS	35	35
HOUSING PRIVATIZATION SUPPORT COST	35,406	22,000
SUBTOTAL, OPERATION AND MAINTENANCE	869,121	844,715
TOTAL, FAMILY HOUSING, AIR FORCE	1,387,358	1,395,418

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
FAMILY HOUSING, DEFENSE-WIDE		
CONSTRUCTION IMPROVEMENTS	250	250
OPERATION AND MAINTENANCE		
FURNISHINGS ACCOUNT (NSA)	129	129
FURNISHINGS ACCOUNT (DIA)	3,630	3,630
FURNISHINGS ACCOUNT (DLA)	30	30
MANAGEMENT ACCOUNT (NSA)	15	15
MANAGEMENT ACCOUNT (DLA)	292	292
MISCELLANEOUS ACCOUNT (NSA)	57	57
SERVICES ACCOUNT (NSA)	374	374
SERVICES ACCOUNT (DLA)	78	78
UTILITIES ACCOUNT (NSA)	414	414
UTILITIES ACCOUNT (DLA)	428	428
LEASING (NSA)	11,698	11,698
LEASING (DIA)	25,600	25,600
MAINTENANCE OF REAL PROPERTY (NSA)	658	658
MAINTENANCE OF REAL PROPERTY (DLA)	359	359
SUBTOTAL, OPERATION AND MAINTENANCE	43,762	43,762
TOTAL, FAMILY HOUSING, DEFENSE-WIDE	44,012	44,012
DEPARTMENT OF DEFENSE FAMILY HOUSING IMPROVEMENT FUND		
DEPARTMENT OF DEFENSE FAMILY HOUSING IMPROVEMENT FUND	2,000	2,000
HOMEOWNERS ASSISTANCE FUND, DEFENSE		
HOMEOWNERS ASSISTANCE FUND, DEFENSE	10,119	10,119
BASE REALIGNMENT AND CLOSURE ACCOUNT		
BASE REALIGNMENT AND CLOSURE ACCOUNT	532,200	632,713
GENERAL PROVISIONS		
GENERAL PROVISIONS (SEC. 130)	---	-60,000
GENERAL PROVISIONS (SEC. 132)	---	-112,802
GRAND TOTAL	9,971,312	10,500,000

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 2002 recommended by the Committee of Conference, with comparisons to the fiscal year 2001 amount, the 2002 budget estimates, and the House and Senate bills for 2002 follows:

[In thousands of dollars]

New budget (obligational) authority, fiscal year 2001	$8,936,498
Budget estimates of new (obligational) authority, fiscal year 2002	9,971,312
House bill, fiscal year 2002	10,500,000
Senate bill, fiscal year 2002	10,500,000
Conference agreement, fiscal year 2002	10,500,000
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 2001	+1,563,502
Budget estimates of new (obligational) authority, fiscal year 2002	+528,688
House bill, fiscal year 2002	
Senate bill, fiscal year 2002	

DAVID L. HOBSON,
JAMES T. WALSH,
DAN MILLER,
ROBERT B. ADERHOLT,
KAY GRANGER,
VIRGIL GOODE, Jr.,
JOE SKEEN,
DAVID VITTER,
BILL YOUNG,
JOHN W. OLVER,
CHET EDWARDS,
SAM FARR,
ALLEN BOYD,
NORMAN DICKS,
DAVID OBEY,
Managers on the Part of the House.

DIANNE FEINSTEIN,
DANIEL K. INOUYE,
TIM JOHNSON,
MARY LANDRIEU,
HARRY REID,
ROBERT C. BYRD,
KAY BAILEY HUTCHISON,
CONRAD BURNS,
LARRY E. CRAIG,
MIKE DEWINE,
TED STEVENS,
Managers on the Part of the Senate.

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 the motions to suspend the rules on which further proceedings were postponed earlier today.

Votes will be taken in the following order:

House Concurrent Resolution 248, by the yeas and nays;

House Concurrent Resolution 217, by the yeas and nays;

H.R. 2272, by the yeas and nays.

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

Proceedings on H.R. 2716 will resume tomorrow.

EXPRESSING SENSE OF CONGRESS THAT PUBLIC SCHOOLS MAY DISPLAY ''GOD BLESS AMERICA''

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the concurrent resolution, H. Con. Res. 248.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Delaware (Mr. CASTLE) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 248, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 404, nays 0, answered ''present'' 10, not voting 16, as follows:

[Roll No. 387]

YEAS—404

Abercrombie
Aderholt
Akin
Allen
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
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
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clyburn
Coble
Collins
Combest
Condit
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crenshaw
Crowley
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Filner
Flake
Fletcher
Foley
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 (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hyde
Inslee
Isakson
Israel
Issa
Istook
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
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
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
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller, Gary
Miller, George
Mink
Mollohan
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
Pascrell
Pastor
Paul
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
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
Schaffer
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
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
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins (OK)
Watson (CA)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weller
Whitfield
Wicker
Wilson
Wolf
Wu
Wynn
Young (AK)
Young (FL)

PRESENTS—10

Ackerman
Capuano
Frank
Honda
Jackson (IL)
Nadler
Rivers
Schakowsky
Watt (NC)
Woolsey

NOT VOTING—16

Becerra
Burton
Clement
Conyers
Cubin
Ehrlich
Kilpatrick
LaTourette
Miller (FL)
Pryce (OH)
Sherwood
Sweeney
Taylor (NC)
Tierney
Weldon (PA)
Wexler

□ 1859

Mr. SHADEGG, Ms. LEE and Ms. HARMAN changed their vote from ''nay'' to ''yea.''

Mr. JACKSON of Illinois changed his vote from ''yea'' to ''present.''

Mr. McDERMOTT changed his vote from ''present'' to ''yea.''

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

□ 1900

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. HAYES). Pursuant to clause 8 of rule XX, the Chair will reduce to 5 minutes the minimum time for electronic voting on each additional motion to suspend the rules on which the Chair has postponed further proceedings.

RECOGNIZING HISTORIC SIGNIFICANCE OF UNITED STATES-AUSTRALIAN RELATIONSHIP

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the concurrent resolution, H. Con. Res. 217, as amended.

The Clerk read the title of the concurrent 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 concurrent resolution, H. Con. Res. 217, as amended, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 413, nays 1, not voting 16, as follows:

[Roll No. 388]

YEAS—413

Abercrombie
Ackerman
Aderholt
Akin
Allen
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
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
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clyburn
Coble
Collins
Combest
Condit
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crenshaw
Crowley
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Filner
Flake
Fletcher
Foley
Forbes
Ford
Fossella
Frank
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 (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
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
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
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
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller, Gary
Miller, George
Mink
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
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
Schaffer
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
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
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Traficant
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)
Weller
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—1

Paul

NOT VOTING—16

Becerra
Burton
Clement
Conyers
Cubin
Ehrlich
Kilpatrick
LaTourette
Lewis (KY)
Miller (FL)
Pryce (OH)
Sherwood
Sweeney
Taylor (NC)
Weldon (PA)
Wexler

□ 1909

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

The result of the vote was announced as above recorded.

The title of the bill was amended so as to read:

Amend the title so as to read: ''Concurrent resolution recognizing the historic significance of the 50th anniversary of the alliance between Australia and the United States under the ANZUS Treaty, recognizing the strong support provided by Australia to the United States in the aftermath of the terrorist attacks on September 11, 2001, including jointly invoking Article IV of the ANZUS Treaty, which commits both countries to act to meet a common danger, and reaffirming the importance of economic and security cooperation between the United States and Australia.''.

A motion to reconsider was laid on the table.

CORAL REEF AND COASTAL MARINE CONSERVATION ACT OF 2001

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 2272, 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 Illinois (Mr. HYDE) that the House suspend the rules and pass the bill, H.R. 2272, as amended, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 382, nays 32, not voting 16, as follows:

[Roll No. 389]

YEAS—382

Abercrombie
Ackerman
Aderholt
Akin
Allen
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barrett
Bartlett
Bass
Bentsen
Bereuter
Berkley
Berman
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clyburn
Combest
Condit
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crenshaw
Crowley
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doyle
Dreier
Dunn
Edwards
Ehlers
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah

Ferguson
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Frank
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)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hefley
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
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.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
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
McNulty
Meehan
Meek (FL)
Meeks (NY
Menendez
Mica
Millender-McDonald
Miller, George
Mink
Mollohan
Moore
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pitts
Platts
Pomeroy
Portman
Price (NC)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Rush
Ryan (WI)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shaw
Shays
Sherman
Shimkus
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Strickland
Stupak
Sununu
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Towns
Traficant
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)
Weller
Whitfield
Wicker
Wilson
Wolf
Wu
Wynn
Young (AK)
Young (FL)

NAYS—32

Barr
Barton
Berry
Bonilla
Coble
Collins
Culberson
Doolittle
Duncan
Flake
Hall (TX)
Hayworth
Hostettler
Johnson, Sam
Kerns
Miller, Gary
Moran (KS)
Norwood
Paul
Pickering
Pombo
Royce
Ryun (KS)
Schaffer
Shadegg
Shows
Smith (MI)
Stearns
Stenholm
Stump
Toomey
Woolsey

NOT VOTING—16

Becerra
Burton
Clement
Conyers
Cubin
Ehrlich
Honda
Kilpatrick
LaTourette
Miller (FL)
Pryce (OH)
Sherwood
Sweeney
Taylor (NC)
Weldon (PA)
Wexler

□ 1947

Mr. NORWOOD changed his vote from ''yea'' to ''nay.''

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.

PERSONAL EXPLANATION

Ms. KILPATRICK. Mr. Speaker, official business requires my presence in the 15th Congressional District of Michigan today. Had I been present, I would have voted "Aye" on Rollcall No. 387, H. Con. Res. 248, expressing the sense of Congress that public schools may display the words "God Bless America" as an expression of support for the nation; "Aye" on Rollcall No. 388, H. Con. Res. 317, which recognizes the 15th Anniversary of the ANZUS Treaty; and "Aye" on Rollcall No. 389, H.R. 2272, the Coral Reef and Coastal Marine Conservation Act.

STUART COLLICK-HEATHER FRENCH HENRY HOMELESS VETERANS ASSISTANCE ACT

The SPEAKER pro tempore (Mr. SIMMONS). The pending business is the question of suspending the rules and passing the bill, H.R. 2716, 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 New Jersey (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 2716, as amended, on which the yeas and nays are ordered.

VACATING ORDERING OF YEAS AND NAYS

Mr. SMITH of New Jersey. Mr. Speaker, I ask unanimous consent to vacate the ordering of the yeas and nays on the motion to suspend the rules and pass the bill, H.R. 2716, as amended, to the end that the Chair put the question on the motion de novo.

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

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 2716, 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.

REPORT ON RESOLUTION WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 2217, DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 2002

Mr. HASTINGS of Washington, from the Committee on Rules, submitted a privileged report (Rept. No. 107–247) on the resolution (H. Res. 267) waiving points of order against the conference report to accompany the bill (H.R. 2217) making appropriations for the Department of Interior and related agencies for the fiscal year ending September 30, 2002, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 2904, MILITARY CONSTRUCTION APPROPRIATIONS ACT, 2002

Mr. HASTINGS of Washington, from the Committee on Rules, submitted a privileged report (Rept. No. 107–248) on the resolution (H. Res. 268) waiving points of order against the conference report to accompany the bill (H.R. 2904) making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2002, and for other purposes, which was referred to the House Calendar and ordered to be printed.

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 gentlewoman from California (Ms. MILLENDER-MCDONALD) is recognized for 5 minutes.

(Ms. MILLENDER-MCDONALD addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

TRIBUTE TO LIEUTENANT GENERAL T. MICHAEL MOSELEY

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

Mr. GIBBONS. Mr. Speaker, I am honored and privileged today to come to the floor to recognize one of the finest officers in the United States Air Force, Lieutenant General T. Michael ''Buzz'' Moseley.

For the past 2 years, General Moseley served with noteworthy distinction in the vital position of director of the Air Force Office of Legislative Liaison. During his time in Washington, and especially with regard to his work here on Capitol Hill, General Moseley personified the Air Force core values of integrity, selfless service, and excellence in all things. Many Members and staff enjoyed the opportunity to meet with him on a variety of Air Force issues and came to appreciate his many talents.

Today, it is my privilege to recognize some of Buzz's many accomplishments since he entered the military 29 years ago, and to commend the superb service he provided the Air Force, the Congress and our Nation. Buzz Moseley entered the United States Air Force through the Reserve Officer Training Corps Program at Texas A&M. While an Aggie, he completed both his bachelor's and master's degrees in political science. He earned his pilot wings in 1973 at Webb Air Force Base, Texas, and was then assigned to stay on as a T–37 instructor pilot.

From 1979 to 1983, he flew the F–15 as an instructor-pilot, flight lead and mission commander, first at Holloman Air Force Base, New Mexico, and then while serving overseas at Kadena Air Base, Japan. Over his career, General Moseley demonstrated his skill as an aviator in the T–37, T–38, and F–15 aircraft, and has logged over 2,800 hours of flying time.

From early in his career, General Moseley and his exceptional leadership skills were always evident to both superiors and subordinates as he repeatedly proved himself in numerous select command positions. He was the commander of the F–15 division of the United States Air Force Fighter Weapons School at Nellis Air Force Base, Nevada, and the commander of the 33rd Operations Group at Eglin Air Force Base, Florida.

When stationed at Nellis Air Force Base a second time, he commanded the 57th Fighter Weapons Wing, with 26 squadrons, consisting of A–10, B–1, B–52, F–15C/D, F–15E Strike Eagle, F–16C/D, HH–60G, and the RQ–1A Predator. It is the Air Force's largest, most diverse fighter wing.

The 57th also included the Air Force Special Weapons School, Red Flag, Air Force Aggressors, the Air Force Demonstration Squadron known as the Thunderbirds, the Air Ground Operations School, Air Warrior, 66th Rescue Squadron and the Predator Unmanned Aerial vehicle Operations.

Buzz Moseley also excelled in a variety of key staff assignments, including serving as the deputy director for the Politico-Military Affairs for Asia and Middle East on the Joint Staff; chief of the Air Force General Officer Matters Office; chief of staff of the Air Force Chair and professor of Joint and Combined Warfare at the National War College; and chief of the Tactical Fighter Branch, Tactical Forces Division, Directorate of Plans.

General Moseley also serves on the Council on Foreign Relations and has been named an Officer of the French National Order of Merit by the President of France.

During his service to the 106th and the 107th Congress, General Moseley was our liaison to the Air Force for critical readiness and modernization issues. He was a crucial voice for the Air Force in representing its many programs on the Hill, providing clear, concise and timely information. General Moseley's leadership, professionalism and expertise enabled him to foster exceptional rapport between the Air Force and the House, impressing me with his ability to work with the Congress and to address Air Force priorities.

We were all pleased when the President recently nominated General Moseley for his third star. It is exceptionally well deserved. I offer my congratulations to him; his wife, Jennie; son, Greg; and daughter, Tricia.

The Congress and country applaud the selfless commitment his entire family has made to the Nation in supporting his military career. I know I speak for all of my colleagues in expressing my heartfelt appreciation to General Moseley. He is a credit to both the Air Force and the Nation.

We wish our friend the best of luck in his assignment of commander, Ninth Air Force, Air Combat Command and commander, United States Central Command Air Forces, United States Central Command. We are confident of his continued success in his new position.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Georgia (Ms. MCKINNEY) is recognized for 5 minutes.

(Ms. MCKINNEY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

(her own MS.)

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

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

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

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

TRIBUTE TO RUSH HUDSON LIMBAUGH, III

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

Mr. PENCE. Mr. Speaker, the Bible tells us that if you owe debts, pay debts; if honor, then honor; if respect, then respect; and with a little girl at home tonight sick, I am unable to join a Special Order this evening that the gentleman from Georgia (Mr. KINGSTON) will be holding on behalf of an American who has greatly impacted my professional life, and, to the frustration of many, has greatly impacted the life of the Nation, and that would be Rush Hudson Limbaugh, III, a man born in Cape Girardeau, Missouri, on January 12, 1951.

He will be extolled on this floor tonight by many of my colleagues, as we come together during a time of great difficulty for the Limbaugh family to remember his contribution to the country. So I rise briefly tonight.

There are many of my colleagues, particularly those that were elected, Mr. Speaker, in 1994, who will look to this pioneer in talk radio and will credit him in part for their election to the Congress of the United States, and that would be true. In many ways, the Republican majority owes much of its continued success to the talk radio that Rush Limbaugh reinvented in the mid-1980s as a format for conversation among millions of Americans on a daily basis.

But it is a literal truth, Mr. Speaker, to say that I am in Congress today because of Rush Limbaugh, and not because of some tangential impact on my career or his effect on the national debate; but because in fact after my first run for Congress in 1988, it was the new national voice emerging in 1989 across the heartland of Indiana of one Rush Hudson Limbaugh, III, that captured my imagination. And while I would run for Congress again and lose, I was inspired by those dulcet tones to seek a career in radio and television.

I began my career in radio in Rushville, Indiana, in Rush County, in 1989, trying to do my level best impersonation of Rush Limbaugh in those early days; and it was, I am here to tell you, bad radio when I started.

□ 2000

By 1992, I began hosting a regular radio show in Indianapolis. It was a weekend conversation that became the most popular program on WNDE in the weekend lineup; and it was there that I became emboldened, listening oftentimes to the entrepreneurial spirit that emanated out of the Rush Limbaugh program to start my own syndicated radio program that grew over a 7-year period of time to a daily audience of over a quarter of a million people, 18 radio stations across Indiana. I was, in every sense, Rush Limbaugh's warm-up act in Indiana, airing every time from 9 a.m. to noon as his lead-in on many Hoosier stations. It was from that platform of popularity and distinction that I was able to accept the call in the year 2000 to try again, for the third time, to run to stand in this Chamber.

So I rise today in recognition of that fact. I rise today in appreciation of the

example that Rush Limbaugh has been to me, both as an entrepreneur and as an American. The truth is, he has been an inspiration to many millions of Americans. After Ronald Reagan left the national stage in 1988 and many of us conservatives were searching for a voice and for over 20 million Americans, that voice was and is Rush Limbaugh.

Now, I know something as a former radio professional about the formatics and my colleague (Mr. LEWIS) in the Chamber knows that in radio we learned pacing and how to hook the audience. We know the techniques, and no one is better in that than Rush Limbaugh, in my judgment. But it was not the formatics that drew the audience to Rush Limbaugh; it was not the gimmicks. It was information, verifiable fact and an undaunting willingness to speak the truth boldly.

Rush Limbaugh was not one of those in the media who, in effect, cowered behind that image of objectivity, hiding the fact that he had opinions, biases, beliefs, convictions; but, rather, he never feared being discovered to be an American of strong opinions. In fact, Rush Limbaugh never feared anything. I trust as he faces one of the great challenges of his life in a debilitating impact on his hearing, that that same courage, that same determination is being applied by Rush Limbaugh in the same way that his family is bathing his circumstances in prayer.

I close today, Mr. Speaker, simply by saying that Rush Limbaugh has made a difference in my life, and I say without apology that I believe he has made a difference in the life of the Nation. He has given us an example of a life that is about ideas larger than personal advancement, a life that tries to bring the reality of God's grace in each of our lives and in the history of this Nation before the citizenry every day.

My word to Rush is stay the course, encourage, tear down the strongholds, only be strong and courageous, do not be discouraged, for the Lord your God will go with you wherever you go.

TRIBUTE TO BEA GADDY: A POINT OF LIGHT, A BEACON OF HOPE

The SPEAKER pro tempore (Mr. SIMMONS). Under a previous order of the House, the gentleman from Maryland (Mr. CUMMINGS) is recognized for 5 minutes.

Mr. CUMMINGS. Mr. Speaker, I rise to honor a great American, Baltimore City Councilwoman Bea Gaddy, who a few days ago succumbed to breast cancer at the age of 68. For decades, Bea Gaddy fed and sheltered the poor and homeless in our city of Baltimore. In 1992, then President George Bush included her among Americans he honored as ''Points of Light.''

Upon learning of Bea Gaddy's death, Maryland Governor Parris Glendening observed that she ''was a beacon of hope for those who felt hopeless.'' She had a unique ability to reach out and help people. She effectively articulated that strong communities are created when we recognize that every member of the community is important.

Mr. Speaker, as the testaments of these national leaders witnessed, Bea Gaddy's vision for America transcended the divisions of race, class, and party that all too often limit our potential as a people. Her legacy was directed to those of us who have the ability to give, as well as to the thousands whom she helped to survive poverty. Every year, hundreds of volunteers and I joined Mrs. Gaddy for the Thanksgiving dinner she prepared for those who were homeless. As I watched her tireless and forever smiling generosity towards others, I realized that God had sent us an angel, that God was reminding us through her that every person has value.

Mrs. Gaddy used her own trials in life as a passport for helping others. Her love for other people, and especially for those in the greatest need, became a force for compassion and change throughout Baltimore and the rest of America. Our hearts go out to Mrs. Gaddy's family as we join them in mourning the loss of a truly remarkable human being.

Bea Gaddy challenged those who came to her caught in the grip of poverty to take control of their own destinies. She helped them to learn the skills of perseverance that would uplift their lives. Bea Gaddy also called upon those of us to whom life has been generous, asking that we share our fortunes and our lives with those who are less fortunate. Poor and rich alike, the people of Baltimore responded to her vision because of the conviction that she had gained from the trials in her life. As I stated at her funeral a few days ago, she fully understood that we are all the walking wounded, and that at some point in our lives, every single one of us will stand like the blind man on the corner of a busy highway waiting for someone to lead us across.

We knew that she herself had been born into poverty during the Great Depression. This remarkable woman had once been forced by her own childhood of poverty to scavenge for food from the garbage bins of restaurants and grocery stores. We, who knew and worked with Bea Gaddy, realized that her life had been filled with poverty and pain. We also knew, however, that she had transformed her life, completing high school, earning a college degree, and marrying a wonderful man named Mr. Lacy Gaddy, who died in 1995.

Bea Gaddy became known and beloved throughout Maryland for those wonderful annual Thanksgiving dinners that she provided to as many as 20,000 needy people. She was admired for her efforts to provide toys to the poor children at Christmastime, for distributing donated shoes and clothing in the winter months, and for the summer camp she helped to sustain. It is less well known, however, that many of the people whom Bea Gaddy fed and encouraged there at her North Collington Avenue row home in Baltimore later returned to volunteer after they had become self-reliant members of the community. Mrs. Gaddy's life teaches us that a saint does more than minister to our needs; a saint also inspires by the witness of her life.

In 1999, Bea Gaddy took her mission on behalf of those whom America had left behind to the Baltimore City Council. During the last 2 years of her life, she continued to work in the community while advocating for housing, employment, and health care programs in the halls of Baltimore local government. We will hold her family in our prayers.

Mr. Speaker, tonight, 600,000 Americans will struggle to find shelter because they have no home to call their own. Nearly one-half of them will have work at jobs this week, but not have earned enough money to afford a home. By the legacy of the life of Bea Gaddy, she offered America a clear vision of compassion and commitment that can address this national tragedy.

Mr. Speaker, a great American is gone from our midst, but we have been empowered to carry on her work.

TELECOMMUNICATIONS INDUSTRY SEEKS TO THREATEN MILITARY ACCESS TO RADIO FREQUENCIES AND THREATEN NATIONAL SECURITY

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

Mr. HANSEN. Mr. Speaker, even as I speak today, the Armed Forces of the United States are engaged in combat operations to ensure the security of our people. However, the continued viability of some of the very weapons systems being used now is threatened by a concerted effort to reallocate portions of the radio frequency spectrum from the military to the commercial sector.

This effort is being led by the telecommunications industry, which is seeking access to additional frequencies to support development of advanced wireless services. They have vigorously argued that unless the Federal Government provides access to the 1755 through 1850 megahertz frequency band, the United States will forfeit its leadership of the worldwide telecommunications market.

Now, I do not pretend to know whether this claim is true or not, but I do know that forcing the military to give up this particular part of the frequency spectrum will have a significant negative effect on national security and will put our service members at greater risk.

The importance of this frequency band to the military cannot be understated. The DOD systems that operate on these frequencies are the very core

of our war-fighting capability. They include battlefield communications, precision weapons guidance, satellite control of over 120 military satellites, air combat training, and many other vital functions. The simple truth is that military access to the 1755 through 1850 megahertz frequency band is a matter of life and death.

Now, some have argued that the military should just move to another part of the frequency spectrum to carry on its functions. But let me be clear about this. The military did not just randomly decide to use these frequencies. The military uses this part of the frequency spectrum because the physical properties of these frequencies meet their unique operational requirements which cannot be compromised for any reason, but certainly not for something as trivial as advanced cell phones.

So, it is not just a simple matter of moving to another part of the frequency spectrum. We have to find frequencies that have comparable characteristics, which is something we have thus far failed to do.

But even if alternative frequencies are identified, the cost of modifying or replacing more than $100 billion in equipment, not to mention the cost of retaining developing new tactics, is beyond comprehension. I therefore applaud the Secretary of Commerce's decision last week to no longer consider the majority of the 1755 through 1850 megahertz bands for reallocation. This was the right decision, but it could have gone further by permanently removing from consideration the entire 1755 through 1850 megahertz band. I remain very concerned that when we move beyond the current crisis the military will once again come under assault to relinquish these and other vital frequencies to the commercial sector.

So let the word go out to all concerned that we cannot and will not tolerate any attempt to restrict the military's access to the frequencies they need to carry on their missions. We have a solemn obligation to protect the people of the United States, and no argument from any special interest group will change that. So do not even think about asking for access to military frequencies. The answer is no and will stay no. Some of these huge giants should realize that.

MAINTAIN CONDITIONS OF UNITED STATES ASSISTANCE TO AZERBAIJAN IN CURRENT FORM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. PALLONE) is recognized for 5 minutes.

Mr. PALLONE. Mr. Speaker, I come to the House floor this evening to urge this Congress to maintain section 907 of the Freedom Support Act in its current form and oppose efforts to repeal this important provision of law.

Section 907 places reasonable conditions of U.S. assistance to the Government of Azerbaijan until Azerbaijan has shown that it has taken demonstrable steps to cease all blockades and other offensive uses of force against Armenia and Nagorno Karabagh.

Mr. Speaker, I am concerned that the administration is using the tragedies of September 11 and our Nation's war against terrorism as a way to convince Members of Congress of the need to waive these sanctions. Yesterday, members of the Committee on Appropriations and the Committee on International Relations in both the House and the Senate received a letter from Secretary of State Colin Powell requesting ''assistance in passing legislation that would provide a national security interest waiver from the restrictions of section 907.'' Secretary Powell continued by stating, ''Removal of these restrictions will allow the United States to provide necessary military assistance that will enable Azerbaijan to counter terrorist organizations and elements operating within its borders. This type of assistance is a critical element of the United States fight against global terrorism.''

Well, Mr. Speaker, this letter is unfortunate; and although I am not surprised, because the State Department has always opposed section 907, but it is particularly troubling to think that Secretary Powell would want to provide military assistance to Azerbaijan, a nation which has a history of aggression and blockades against Armenia and which continues to this day to make threats of renewed aggression against Nagorno Karabagh under the cover of the international war on terrorism.

Let me give some recent examples of these threats. Azerbaijani Defense Minister, Colonel General Abiev, was cited recently by Radio Free Europe/Radio Liberty Caucasus Report as an advocate of renewed aggression against Nagorno Karabagh.

Radio Free Europe has also reported that Azerbaijani Foreign Minister Quliev has said that if Azerbaijan decides to liberate Karabagh from terrorists, then the international community would have no right to condemn that move as aggression.

Azerbaijani Parliamentarian Igbal-Agazadeh said that the time has come to start hostilities on the liberation of Azeri territories occupied by Armenia, a direct reference to a new war against Nagorno Karabagh.

Clearly, Mr. Speaker, Azerbaijan does not share our understanding of this war on terrorism. The senior Azerbaijani leaders are telling us very plainly that they intend to use all of the means at their disposal, including apparently any and all military aid that we provide them in their antiterrorist war against the Armenian people.

□ 2015

Taking any steps to weaken, waive, or repeal Section 907 will give Azerbaijan the green light and the means to renew its aggression against Armenia and Nagorno-Karabagh.

In his letter, Mr. Speaker, Secretary Powell says Section 907 must be repealed so the Azerbaijani government can fight terrorist organizations in its own country. What the Secretary does not say is that there are credible reports that the Azerbaijani government invited bin Laden and his network into its country.

Given this information, the United States Government should carefully review its relationship with Azerbaijan and not reward it with repeal of Section 907. At a minimum, I believe U.S. interests are best served by insisting Azerbaijan arrest and turn over those involved in the al-Qaeda cells operating there with the government's approval since the early to mid-1990s. These cells threaten all of us in the United States, but Armenia in particular is on the front line of this battle.

To date Azerbaijan has done nothing to warrant repeal of Section 907, including continuing its war rhetoric, rejecting U.S.-European calls for cooperation with Armenia, rejecting specific proposals by Armenia for economic and regional cooperation, and backing away from the commitments made by Azerbaijani President Geidar Aliyev during peace negotiations this year in Paris and in Key West earlier in year.

Given the ongoing sensitive peace negotiations, efforts to weaken or repeal Section 907 only serve to legitimize Azerbaijan's immoral blockade and would make its position at the negotiating table even more intransigent.

Moreover, repeal of Section 907 is no way to reward Armenia's solidarity with America's campaign against international terrorism. Armenia's early response to the World Trade Center attack was to first assist American staff at our U.S. Embassy in Armenia's capital to ensure the Embassy's security.

Armenia's President, speaking on behalf of the Collective Security Treaty of the post-Soviet Commonwealth of Independent States, called for joint action against international terrorism. Armenia currently holds the rotating presidency in this six-member defense grouping. Armenia has also offered and the U.S. has already used Armenia's airspace. In addition, Armenia has offered intelligence-sharing and other unspecified offers of support.

There is no reason to repeal Section 907, and it would be a big mistake at this time, Mr. Speaker. Now more than ever the Congress has to uphold the fundamental and enduring U.S. principles of justice, democracy, and human rights.

THE RHODE ISLAND VICTIMS OF THE WORLD TRADE CENTER DISASTER

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Rhode Island (Mr. LANGEVIN) is recognized for 5 minutes.

Mr. LANGEVIN. Mr. Speaker, 1 month ago a grave injustice was perpetrated on the American people. We were deeply saddened by the loss of several thousand brave Americans who will be missed terribly by their friends and families. In a community as close-knit as Rhode Island, our stinging loss was even more personal.

I would like to take this opportunity to remember seven men and women from our great State who we lost in this tragedy.

David Angell was a native of Rhode Island who rose to prominence in the television industry and was the executive producer of the popular show ''Frazier,'' a wonderful tribute to his talent and hard work. He was traveling with his wife, Lynn, back to California after vacationing in New England with his brother, Kenneth A. Angell, former auxiliary bishop for the Roman Catholic Diocese of Providence.

Carol Bouchard lived in my hometown of Warwick, and worked as an emergency services secretary at Kent County Memorial Hospital. I spoke to her husband of 2 years, who wants everyone to know what a wonderful woman Carol was.

She was traveling with her friend, Renee Newell from the City of Cranston, who was a customer service agent for American Airlines. Renee's husband of 10 years, Paul, would like people to know that she was not only a dedicated wife and mother, but also a proud airline employee. These two friends were combining a business trip for Renee with a brief vacation in Las Vegas.

Michael Gould was an employee of Cantor Fitzgerald on the 104th floor of the World Trade Center. He grew up in Newport, Rhode Island, where his mother still resides. After graduating from Villanova University in 1994, he went to work in the financial sector, first in New York and then in San Francisco. Michael had just returned to New York in June.

Amy Jarret, of North Smithfield, worked as a dedicated flight attendant for United Airlines. She began working there after she graduated from Villanova University. She was aboard the Boston to Los Angeles Flight 175.

Sean Nassaney of Pawtucket, Rhode Island, was 25 years old and already a sales manager for American Power Conversion. He graduated cum laude from Bryant College in 1998, spent a year in Australia, and then enrolled in the MBA program at Providence College. Sean and his girlfriend, Lynn Goodchild, were on United Flight 175 en route to Hawaii.

Mr. Speaker, these men and women are only a few of the victims of the tragedy that struck America 1 month ago. They will be sadly missed. Today, I want to honor and remember and celebrate their lives. As our Nation copes with the events of September 11, we should take comfort in the knowledge that the American principles of freedom and tolerance, democracy, will not be overcome by terrorism.

I offer my sincere condolences and support to the family and friends of David and Lynn Angell, Carol Bouchard, Sean Nassaney, Amy Jarret, Renee Newell, and Michael Gould, and to all of those who have lost loved ones in the tragedy of September 11. We remain confident, though, that together we will persevere.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from New York (Mrs. MALONEY) is recognized for 5 minutes.

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

AMERICA'S SECURITY IN THE AIRLINE INDUSTRY

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

Mr. INSLEE. Mr. Speaker, this evening several of us have come to the floor to talk about what many of us believe is the most pressing responsibility of the U.S. Congress right now; that is, our security, and particularly our security in our airline industry.

We believe that Congress should act very promptly; in fact, the other Chamber has passed a bill. But to date, although we are 30 days past September 11-plus, we still have not had a vote in this Chamber to increase how we deal with safety in our airlines. That is extremely disappointing, because we have had a lot of other votes here in the House in the last month, but we still have not dealt with some very, very huge holes in our airline security provisions.

Tonight, we are going to start by talking about perhaps one of the most glaring loopholes in our airline security system, and that is the loophole that unfortunately allows bags with explosive devices to go into the luggage compartments of airplanes.

The sad fact is that Congress needs to act and act promptly and aggressively to make sure that baggage that goes into the belly of an airplane is screened for explosive devices. The reason we need to act is that the airlines themselves have not provided a comprehensive 100 percent screening by any measure, any technology, even a visual inspection of the bags that go into the luggage compartment of our airlines. It is a glaring omission, and Congress needs to act.

We believe that we ought to this week include in our airline security package a provision that, by law, requires 100 percent of the bags, not just the carry-on bags, which are currently screened, but in fact the bags that go down the conveyer belt and go into the belly of our aircraft, to be screened. Right now only a small percentage, only a small percentage of those bags are screened by x-ray or other technology for explosive devices.

Mr. Speaker, I have to tell the Members, it is clear to me that the American public has an expectation that bombs are going to be kept out of the baggage that goes on the airplanes with them. That is a reasonable expectation, it is a commonsense expectation, but it is not being met by the airline industry. So the U.S. House of Representatives this week needs to pass a bill and a statute that will require that we use the technology to in fact do that screening.

The good news is that we have excellent technology that can do this. We have several types of machines that, with a very high degree of confidence, can determine whether there is an explosive device in the baggage before it gets on the airplane. We simply need a law that will in fact require that those machines be used universally. We have 100 percent coverage in this regard.

We have introduced or the gentleman from Pennsylvania (Mr. STRICKLAND) and about 30 others of us have introduced a bill, the Baggage Screening Act, which will accomplish that. We hope that this bill, or the fundamentals of it, will be included in the airline security bill when it comes to the floor this week.

But there are a host of airline security issues, and I would like to yield to the gentleman from Rhode Island (Mr. LANGEVIN), who has been showing leadership on this issue, for his comments.

Mr. LANGEVIN. Mr. Speaker, I thank the gentleman for yielding to me.

I, too, would like to join with my colleagues, and many other colleagues, in calling for greater security at our airlines.

September 11 was a tragic day in this Nation's history. Let us take a strong lesson that we need to join together and focus attention on the problem of airline security to reinstill confidence in our travelers, in the knowledge that when they board an aircraft they do so in safety, and that they will arrive safely to their destination.

Mr. Speaker, there are a number of things that we can do to improve airline security, the most important of which, I think, as a first step, is that we federalize airline screeners.

We want people there who are totally focused on ensuring the utmost safety for those who are entering the airports and who are entering our airlines, who will be boarding our planes. We want people there that are motivated not by a company that is only motivated by profits, but are there, again, totally focused on security. Federalizing those employees is the best way to get us there.

Mr. Speaker, as my colleagues stated, we have dealt with a number of bills since September 11. We need now to take up this issue in legislation in improving our airline security.

Mr. INSLEE. Mr. Speaker, I thank the gentleman for sharing those ideas.

If people heard the gentleman from Rhode Island (Mr. LANGEVIN) talking about the tragedy and some of the folks lost September 11, it seems to me that it is incumbent on us to get ahead of the wave of terrorism to prevent this from occurring.

We are confident that in the airline security bill that the House will pass we are going to deal effectively with the manner of this horrendous attack; namely, someone getting into the cockpit.

We have already started to introduce into the industry some measures to keep people out of the cockpit. On the flight I was on from Seattle to Dulles yesterday, there was a bar, a new bar that they have put across the door that United is putting on to keep people from bashing down the door.

□ 2030

So we think we are going to be successful in preventing people from intruding in the cockpit, getting ahold of these planes and turning them into missiles, but what we are concerned about, we are concerned if the U.S. House does not act about the next type of strategy and tactic that the terrorists could use, which potentially could be to put a bomb in an airplane, and unless we have a hundred percent screening of baggage that goes into the luggage compartment, we are not going to have a degree of confidence that we need to make sure that airlines are safe.

So we need to get ahead of the terrorists, not be one step behind them. We need to be one step ahead of them, and we have certainly learned since the Lockerbie bombing that this is a necessary step.

I would like to yield to the cosponsor of the Baggage Screening Act and leader on this issue, the gentleman from Ohio (Mr. STRICKLAND).

Mr. STRICKLAND. Mr. Speaker, I want to thank my friend from Washington State for yielding.

The fact is that we believe the American traveling public has a right to be fully informed about the safety and security measures that are available to them, as well as those that are not in place, as they make decisions regarding whether they want to fly on an airplane. The fact is that today flying is somewhat safer than it was prior to September 11, but there is so much more that we need to do that we have not yet done.

Every flight should have a marshal on that flight that is trained and armed and fully prepared to protect the passengers and the pilots. That is basic.

Every flight should be a flight where the baggage that is carried on board has been thoroughly screened so that we know that knives or guns or other weapons have not been taken aboard that airplane.

Another thing that needs to be done, and quite frankly where there is great resistance, is making sure that all the luggage that is placed in the belly of that plane, in the cargo space, is thoroughly inspected before it is placed on that plane.

Last week, when we discussed this matter in this Chamber, we talked about the fact that we are currently inspecting approximately 5 percent of the luggage that is being placed in the cargo sections of airplanes. And the next day, I got a call from a young man from the State of New York; and he said, Congressman, I am outraged, because I am planning a vacation in November. And I plan to take my family on an airplane. I had no idea that the luggage that is placed on the airlines is not currently checked.

The fact is that most of it is not checked, and we will never be as safe and secure as we can be and should be until we address this gaping hole in our security system.

I would like to share with my friend from Washington State an editorial that was in today's Columbus, Ohio, Dispatch newspaper. They asked the question, ''What security?'' And I would read just a few paragraphs from this editorial.

The editorial begins: ''Last week, Americans learned about corporations engaging in what has to be the most outrageous disregard for public safety displayed by any business in years. As Americans now know, travelers who believe that baggage was routinely X-rayed were enjoying a false sense of security.''

The fact is that most Americans, I think, believe that when they go to an airport and they check their baggage they assume that before that baggage is placed on that airplane that it will be screened; and it is not. What happened over Lockerbie, Scotland, which cost so many young lives, was a suitcase bomb that had been placed in the cargo of that airplane. And last week we met with two fathers who lost sons in that terrible tragedy. One lost a 20-year-old son and one lost a 24-year-old son. These two fathers stood outside this Capitol building and shared with us the fact that they had worked for the last 13 years trying to get this changed so that other parents would not have to face the kind of sadness and tragedy that they faced.

Yet the airlines have consistently fought this commonsense procedure. We need to do this, and we need to make this a part of the airline security bill that this House passes.

Before I yield back to my friend, I would just like to say this. We have done a lot in this Chamber since September 11. We have dealt with a lot of things. We passed a $15 billion bailout for the airline industry. We have attended to some other national needs, but the American people want to feel they are safe. And people who fly on our airlines want to feel that we have done everything that we can practically do to make sure they are safe.

Yet there is great resistance in this Chamber, and I am sad to say that most of that resistance is coming from the leadership on the other side of the aisle. They do not want to federalize this security force. They do not want to pass this legislation that will guarantee that all luggage is screened.

I would just like to share one other paragraph from the Columbus Dispatch editorial before I yield my time back.

The editorial ends this way: ''Will there be no end to the revelations of how poorly the Federal Government, airport security workers, and airlines have handled the job of protecting passengers? How many other rules are not being enforced? How much evidence do House Republicans need to convince them that only a top-notch security force, paid by the taxpayers and not hired by the low-bid contractors, will make the airlines as safe as possible? A bill passed by the Senate and pending in the House would federalize airport security. The House should stop playing politics with this essential legislation and pass it.''

I say amen to what the Columbus Dispatch has written in their editorial. This is something we need to do, and we need to do it expeditiously. And lives can be saved if we act; and I believe if we fail to act, American lives will be lost.

I yield back to my friend from Washington State.

Mr. INSLEE. Mr. Speaker, I thank the gentleman from Ohio (Mr. STRICKLAND), always a good voice for common sense; and this is basically common sense. When I have talked to people about this, they say, of course they should be screened, there is absolutely no reason not to screen this; and I appreciate the gentleman's comments.

I just want to share one piece of good news on this issue.

The good news is that through American genius of developing technology, we have machines that work tremendously. They can screen somewhere between 500 and 800 bags an hour. They have an extremely high rate of success in finding explosive materials. All we have to do is make sure they are in the airports and they are turned on.

Several years ago, the Federal Government gave the airlines about $400 million worth of these machines, about 100 plus of these machines. Unfortunately, many of them sat there and have not been used. So incredibly, the Federal Government has given the airlines these machines and they have sat there in a corner and people are not using them.

The good news is that the FAA has ordered people to start using those as close to 100 percent as they can now, but we need to get more of these wonderful machines. Put American technology to work. There is good news here if we will do our jobs.

Mr. Speaker, I want to yield to the gentleman from Connecticut (Mr. LARSON). I want to note too that Connecticut is the home of our insurance industry.

There is an aspect of the economic security for the whole country in making sure we do not let bombs get into

baggage, that is, if another plane or two goes down, not only will we have insurance claims, we will have a loss of the whole airline industry. We need the airline industry to get behind this bill to say that all of us should be participating in the screening. A man from the insurance industry I know understands that.

Mr. Speaker, I yield to the gentleman from Connecticut (Mr. LARSON).

Mr. LARSON of Connecticut. Mr. Speaker, I would like to thank the gentleman from Washington (Mr. INSLEE) for his outstanding leadership on this issue. I rise to associate myself with the comments of him and the gentleman from Rhode Island (Mr. LANGEVIN) and the gentleman from Ohio (Mr. STRICKLAND), the gentlewoman from Texas (Ms. JACKSON-LEE), and the gentleman from Mississippi (Mr. SHOWS), which follow in what the gentleman has rightly put forward is a very commonsense approach.

Since September 11, clearly the world as we have known previously has changed in dramatic fashion. Thomas Friedman wrote in The New York Times that if we are to point fingers and look for blame, one of the areas we ought to look to is failure of imagination, failure to think through the potential of what could happen.

This very commonsense proposal does not require an awful lot of imagination. What it requires is the will to step forward and recognize in a very pragmatic fashion what needs to be done in the country immediately. And as we take up the issue of airport security, whether it be marshals on planes, whether it be cockpit security, whether it be the use of greater technology, this is something that the American public is insisting upon.

We cannot expect to go forward and have tourism continue at its pace previously or commerce and business to travel across this Nation if we are not willing in this body to put forward legislation that as the gentleman has put forward, would provide us with the most up-to-date technological ability of screening and also federalizing our airports in such a manner that we know we are getting the kind of scrutiny and security that the American public demands.

Why do they demand it? Because our televisions, our cable TV broadcasts are replete with what has happened since September 11. And the concerns have been put out there. They were eloquently stated by the gentleman from Ohio (Mr. STRICKLAND), and these need to be addressed in a very commonsense manner. To move away from an important security issue at a time when we are focusing on homeland defense just makes no sense whatsoever.

I conduct hearings back in my district and have met with local municipal officials. Truly this is another area of frontline defense. And if we are not taking every precaution necessary at our airports to make sure that people are safe and secure while traveling, then who but to blame then the United States Congress for not taking the appropriate action.

I commend the gentleman for his persistency in this issue. For more often than not in a legislative body it is persistency that counts. It is making sure that the public understands that this issue is not going to go away, and it is incumbent upon the public to contact their local Congressman.

So for those of you who are listening tonight and are interested in this subject matter, do not write the gentleman from Washington (Mr. INSLEE). He is a supporter of this. Write your local Congressman. Talk about this importance too with them. Send them a letter. Call them on the telephone. The pressure has to come from the bottom up in order for us to move legislation in this body.

If there is one lesson that we have learned, the silver lining in September 11, is a renewed interest on the part of the public, an understanding that we no longer can be passive participants and defer responsibility to someone else, but have to take the steps ourselves to get involved in our community, to get involved in our State, to get involved in our Nation. We can do that very easily by picking up the phone, by writing a letter, by sending an e-mail and supporting this key piece of legislation.

Again, I want to commend the gentleman from Washington (Mr. INSLEE) for his outstanding work in this area and his persistency.

Mr. INSLEE. Mr. Speaker, I thank the gentleman very much for that eloquent comment. I agree, we have no genius here. This is a commonsense idea, and we will try to be persistent.

I have got to note, I think the question if the House fails in this charge to do this, people are going to ask why are we spending millions of dollars to make sure people have the nail clippers taken away from them when they go through the passenger screening system. And then we have a big barn door that is open that allows people to put 40 pounds of C4 explosive in their bags and take down the plane. The does not make any sense whatsoever.

The reason the people need to know this sort of dirty little secret here, the reason this has not happened to date is the airlines have not wanted to spend a buck to do this. We are talking about maybe $2 a passenger to do this. That security is worth $2 a passenger. Believe me, I think I can state that I have 600,000 constituents, and I think every one of them agrees with this proposition. We need to make sure that voice is heard.

Mr. LARSON of Connecticut. Will the gentleman yield?

Mr. INSLEE. I will yield to the gentleman.

Mr. LARSON of Connecticut. It has not been missed on a number of us as well that since September 11, we have spent an awful lot of time focusing on homeland defense and first responders and appropriately so.

It was not the FBI, the CIA, the FAA, or the Armed Services that responded first in the New York, in the fields of Pennsylvania, or the Pentagon. It was our frontline individuals. I have met with them. If we talk to people back in our home district, and they will quote us. Take a look at the budget as it exists today in the Federal Government as it relates to terrorism and how we are prepared, we have appropriated about $8.9 billion, only $300 million of which gets outside of the Beltway.

To the gentleman's point about the reluctance of the airlines and the need for the Federal Government to step forward here, is that this truly is a frontline initiative that is going to need the funding. Now, if that requires, as the gentleman rightly points out, $2 or $3 more to make sure the cockpit is secure, to make sure we have the kind of technology available at our airports so the people feel safe and secure, I think the American public needs to hear that debate and that dialogue.

□ 2045

I believe they are ready to step forward and make sure we embrace safety and security. That is what September 11 has done, it has gelled us together as a Nation in patriotic fervor, yes, but also with the notion of what to do beyond this; to make sure in that time-honored tradition of the Boy Scouts that we are prepared, and the gentleman's bill prepares us for that future. And, again, I want to commend the gentleman.

Mr. INSLEE. I may note, too, that we hope, particularly for smaller airports, that there is Federal assistance in financing this thing. These machines are not inexpensive. They are extremely effective, but they are not inexpensive. And particularly for our airports that have limited revenues, we hope the Federal Government will help in the acquisition.

We are going to have a stimulus bill to help stimulate the economy. We need to stimulate some safety and create some jobs building these machines. And to those people in the airline industry that say it will take too long to build these, we built 12,000 B–24s in 3½ to 4 years during World War II. We can build a few hundred of these machines in the next several months to a year, and we ought to be doing that right away.

I want to thank the gentleman from Connecticut (Mr. LARSON), and I now want to yield to the gentlewoman from Texas (Ms. JACKSON-LEE) for her comments.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I would almost say that I am sorry I had to meet my colleague this way, this week, this time; but I am certainly pleased to join my colleagues for what I consider to be a very, very important challenge that we have to face.

There have been some different discussions and different challenges since September 11; and if my colleagues will bear with me for a moment, they will

understand the thrust of my remarks about why we have to be here today to talk about the federalization of the security systems at our airports and for our airlines.

Since September 11, we have confronted the new question of how do we secure the American people, the American people who trust us and who have confidence in us and who entrust us with the responsibilities of government. No one could have predicted, at least we are not casting any accusations on the terrible and heinous acts of September 11, but what the American people can ask us for today is that we act today with deliberateness and factualness and we act to do the right thing.

Yesterday, in my district, after hearing of the terrible incident with Senator DASCHLE, interestingly enough I was meeting with my emergency personnel, with physicians, talking about anthrax. And as we were sitting in a meeting, several incidents occurred in our own meeting. A woman got a substance in the mail; the 911 operator said go straight to the hospital. She takes the envelope and winds up shutting down the hospital and having to decontaminate the patients. So new decisions have to be made, quick decisions have to be made. And later on tonight we will be discussing this whole issue of dealing with the Afghan women and children and trying to nurture them. That means that we are looking at the world through different glasses.

I cannot understand for the life of me, as so many of us get called and interviewed, I got a news reporter calling me about what am I doing about security in my office, how are my employees handling anthrax; and I said I want them to be safe and secure, we are following the instructions, but most of all I want them not to panic, to be calm. But no one is asking about why the Senate voted 100 to one to pass a bill providing a safe pathway for the thousands and thousands and millions and millions of passengers, men, women and children, families being united with grandmothers and grandfathers, aunts and uncles, going to colleges and visiting their young people at colleges, college people coming home for holidays; and yet we cannot take this bill up in the House of Representatives. No one seems to think that that is an important enough headline to ask the question.

My good friend from Ohio mentioned something, and probably someone is out whispering why did he say that, friends on the other side of the aisle; but there comes a time when you must stand up for the American people. I believe that we have been most gracious and most committed and most patriotic working with the President, working with our colleagues on the other side, saying that we are going to face terrorism and we are going to look it in the eye and they are not going to intimidate us. But I am sorry, I am overwhelmed; and that is not a good word, because it means you are not acting.

But I think we are acting tonight, and the gentleman is acting; and we are going to get this bill heard. That we could have a vote so strong in the United States Senate, here we are talking about bicameral and working together, and yet we come to the House of Representatives, 435 Members in the people's House, who do not even get a chance to debate this issue, to be able to stand up for the American people and tell them we are going to check those airline bags, those bags going into the airplane.

I came in from Dulles, and I was looking at the Japanese airline counter; and if I am not mistaken, I saw an X-ray machine outside that counter. I did not see it outside our counters, but I saw an X-ray machine and it had Japanese language on it, so it means people getting on that plane, their bags were going through an additional X-ray machine. This is unseemly. And I believe it is time now that we get the headlines of the Nation's newspapers. I know the gentleman just read an op-ed piece from the Columbus Dispatch, but I believe it is time for our newspapers from Houston to Seattle to San Francisco to New York to begin to look at the real issues that are confronting the American public.

People are still not getting on the planes. And I am the first one to say I do not want to create panic or hysteria. I want my constituents to fly. I am getting on a plane every day. But there must be this sense of obligation and responsibility that we have.

New language on the floor of the House today. We are talking about helping the Afghan women and children and talking about the terrible Taliban and how we want to make sure they are no longer in charge. But as we do those things and talk about anthrax and safety and postal rules and regulations, I think it is important that we bring this bill to the floor of the House.

Let me just simply yield to the gentleman for a question, but first I want to make a point about this bipartisanship. I am as committed as anyone. I think we are going to have a debate on the economic stimulus package. There are some disagreements there. And I think the American people need to understand that this is in keeping with democracy and what is the right thing to do; legislation that we worked on totally different, but I am bringing in on a bipartisan point, H. Con. Res. 228, dealing with prioritizing the children who lost parents on that day, trying to get them the Federal benefits. That bill is languishing here in the House; we cannot seem to get that to the forefront and to the attention thereof.

Here we are with the bill of the gentleman from Washington (Mr. INSLEE), and I want to ask, because I think I have the right numbers correct, I know there was a bill we passed 96 to one in the Senate; but I believe the bill on security was 100 to one, and the gentleman can correct me, but what has been the response and where are we in moving this bill through the House? Will Members of the House have the opportunity to work on behalf of their constituents to answer the concerns. As we are stopped at airports all the time, the concessionaires are telling me get more people flying, and I am trying to do that; but what is the status of the legislation that we are trying to do here in the House?

Mr. INSLEE. Well, the gentlewoman is correct. It was 100 to zero, unanimous, in the Senate; yet we still have not had a chance to vote on a security bill. And that is incredible, because if this bill was brought to the floor, we are confident it would pass with overwhelming bipartisan support. This bill has bipartisan support, the gentleman from Connecticut (Mr. SHAYS), the gentlewoman from Maryland (Mrs. MORELLA), who is a leader on this subject, has supported this concept. We will pass this bill with bipartisan support. The problem is that, unfortunately, some of the leadership in this Chamber, in the majority party, does not want this bill and the potential federalization of this issue to occur, to even have a vote on it. And I think that is most unfortunate because we would pass this bill if we had a chance to do it.

I have to tell my colleagues that the people I talk to want to see the Federal Government assure the flying public that they have security. And just like we have Federal employees running the FBI, just like we have Federal employees running the FDA, we ought to have Federal assurance and Federal officers who are certified and trained and paid so that they do not have a 400 percent turnover, like the people do now running the airports, so they have a high level of security.

We have police officers work for us that work for the city, we have fire department people that work for the city, and these people ought to work for us so that we do not have this private enterprise in the mix. Now, there is nothing wrong with private enterprise; but when it comes to security, this is not a theoretical experiment. We had an experiment and it ended on September 11. It failed that model.

Mr. STRICKLAND. Would the gentleman yield for just a moment?

Mr. INSLEE. Certainly.

Mr. STRICKLAND. The fact is the American people want us to do this. The American people want to be safe when they fly. Most American citizens that I have talked to, who have flown, some of them for many years, have operated under the belief that when they took a bag and they checked it in at the airport that it was screened for explosives before it was placed aboard that airplane.

I think this is something that members of both parties want. And as the gentleman said, if we had a chance to vote, I am absolutely confident that we

would pass this bill overwhelmingly. But the fact is that a very small minority of the majority, those in positions of leadership, are preventing this legislation from coming to the floor for a thorough debate and a vote. It just simply is wrong.

I believe as the American people find out what is happening they will become enraged and they will start expressing themselves, so that eventually we will get this bill passed; but we need to do it sooner rather than later.

Ms. JACKSON-LEE of Texas. If the gentleman will yield.

Mr. INSLEE. Yes.

Ms. JACKSON-LEE of Texas. I want to follow through on the gentleman's point. We have had some success with airports opening; but I am told even today, in visiting National Airport, the Nation's jewel as it relates to air travel, and certainly the recognition that we are looking terrorists in the eye and we are not going to be intimidated, that it is practically empty. A part of the reason, of course, is it deals with rules they are trying to construct, but also the desire to fly and coming into this area. I am almost sure that with the headline banner of the new federalizing of the security, it would make a world of difference.

I do want to just note that none of us are condemning the hardworking individuals who are doing that job now. We appreciate the work they are doing, with the training they had, many of them coming from our respective communities. I want them to know I appreciate them and respect them. I would hope some of them would be put in a position to be trained, elevated, promoted, and given career opportunities. This is not an argument about those people who are acting and performing at the level of their training.

In fact, this morning, coming up here, I saw that they were putting people off the counter because they need so many people. I recognized people from the counter who were just standing trying to be security. That is not fair to them. And they are doing that because there is so much load.

So what I would simply say, this is an effort not to in any way denigrate anyone who is doing the job within the realm of their capacity and training. This is to say that we now speak a different language, we have a better way to do it, and the way to do it is to provide the federalization. And it really is shameful that we would use the issue of working people and that we do not want more Federal employees as an issue to prevent safety here in the United States.

I thank the gentleman for yielding to me.

Mr. INSLEE. I will yield to the gentleman from Mississippi (Mr. SHOWS) in a second, but that is a very important point. Basically, what we have seen is what happens when you try to do security on the cheap. And we have had this porous system, and I want to tell my colleagues how porous it is. I will read one thing, and perhaps the gentleman from Mississippi will want to comment on it.

This is from the New York Times of October 12, a month after the tragedy. It says, ''The security company that was fined $1.2 million last year and put on probation for hiring convicted felons to screen passengers at Philadelphia National Airport has continued to hire screeners without checking whether they have criminal records, the United States attorney says. Prosecutors also said the company,'' and I will leave out its name just for the moment, ''had failed to fire the felons it had already hired and lied to the government about the background checks it was supposed to be conducting.''

That is an experiment that we had when we did not have a federalized system of dealing with airline security. That has failed and we need to move forward. It is regrettable that the leadership of this Chamber has not allowed the majority will to fix this problem.

With that I wish to yield to a great leader both on this issue and others, and the star of our class in 1998, the gentleman from Mississippi (Mr. SHOWS).

□ 2100

Mr. SHOWS. Mr. Speaker, I agree with what the gentleman from Washington is talking about. Being a highway commissioner from the State of Mississippi, we used to accept the lowest bids on contract work for our highway department, the lowest bidder getting the job.

Basically what has happened in the airline industry, they are competing against each other. They know if they pay the screeners more money than others are paying, guess who is not going to get the job. We need to work out some kind of mechanism to make sure that the best qualified people get the job.

People have to feel safe to fly. It is ridiculous to think we can give billions of dollars to the airline industry, which I voted for because I want to help the airlines. I know what it means to our country and our commerce in this country, but for us to do that and not do the things that we need to do to make the people feel safe to fly, and I can tell my colleagues what we can do. We can take a lot less money and put that money into making people feel safe when they get on the plane, and we will see the airline industry come back. People will adjust to what it takes to get prepared to get on an airplane. Once they know that they have to have their bags packed a certain way, they have to get there early enough, people will adjust because they like the convenience and speed of flying. They can get to their destination in a day or half a day.

But it is like walking in a neighborhood that one does not feel safe in, people are going to go around that neighborhood. Until the people feel safe on these airlines, and it is just the bill that the gentleman from Washington (Mr. INSLEE) is talking about. And I wish the media would get onto this. The media is telling bin Laden and the Taliban more things than I want them to know. Why is the media not talking about this?

Mr. Speaker, I have asked the media to get involved and help promote, and ''promote'' may be the wrong word, but what is wrong with helping the American people feel safe on the plane? What is wrong with having Federal employees doing so many other jobs, and we are not talking about a huge number that is going to be added. We just added billions to what we are talking about. We want to improve the airlines, and we do not want to see National desolate, we do not want to see Orlando desolate, and we want to see Mississippi and Florida tourism growing, and the only way to do that is to make people feel safe. If they feel safe, they will fly.

Also what country or what state lives in the most dangerous part of the world, and that is Israel. How many planes have they lost or been hijacked in the last 10–12 years?

We are the only country that does not pay our screeners and have them as State or Federal employees. Are we so much smarter than everybody else that we do something that nobody else does. I admit that the United States of America is the best country in the world, but we do not have to reinvent the wheel. We can look at what works for Israel and Europe and see what has happened to them and what has happened to us.

In closing, I would like to say that we need to promote the well-being of our people traveling for the good of this country, for the good of airlines. I was in the airport this morning flying out of Jackson, Mississippi. An employee, this is one of the people that actually worked there, I know who he is, he said, please ask them to federalize these jobs so we can recruit. And I am not saying that the ones that are there are not good people, but they are paid the minimum wage. How much interest can they have in their job if they are being paid minimum wage.

Mr. Speaker, we have a lot of things that we need to correct, and one of them is what the gentleman is discussing, inspecting every bag. A lot of people think every bag is being screened right now, and they are not. If every bag is not screened, this is going to make travelers even more wary of getting on a plane. Let us screen every bag and put the equipment in there. Let us get the employees that screen the bags federalized and get them to where they can make a decent living and we will not have to make another bailout because people will fly again.

Mr. INSLEE. Mr. Speaker, the low pay and lack of training has resulted in 300 and 400 percent turnover in the folks that do the job. What expectation can one have when the business has 400 percent turnover of its employees.

I was talking to the gentleman from Washington (Mr. MCDERMOTT). He said when he got on the plane yesterday, he took his metallic objects, his phone and watch, and he tried to put them in a little cup while he walked through the Magnometer, but there was no cup. So he walked through holding his metallic objects. Of course the Magnometer went off like it is supposed to do. The gentleman from Washington went back to go through the Magnometer again and the person said, go ahead, I see that you are holding the metal, and that is what set it off. But the fellow who was doing the screening did not realize that he could have had a grenade and a .45 caliber Smith & Wesson, and he did not send this passenger back through the Magnometer. That is the lack of attention, precision, acuity that makes this a poor system at the front end much less at the back end.

And the gentleman mentioned that not all of the bags are screened. Almost 90 percent of the bags are not screened. This is a huge, huge failure. Right now we are paying attention to the front door where the passengers walk on, and we have a back door that is totally open in the baggage hold.

Mr. SHOWS. Mr. Speaker, I would like to say I think personally 6 months from now if we do not do something to give the flying public confidence, we are going to be looking at another bailout. I do not believe that airlines can survive under the environment that is happening now. People are still not flying.

I do not want to come back 6 to 8 months from now and have airline after airline going out of business, and we have States' revenue dropping, and us not have done our job. We ought to have the opportunity to do that.

Mr. Speaker, I thank the gentleman for organizing this special order.

Mr. INSLEE. Mr. Speaker, I yield to the gentleman from Ohio (Mr. STRICKLAND).

Mr. STRICKLAND. Mr. Speaker, I believe most Americans have thought that when they go to an airport and they check their luggage, that it is screened before it is put on that airplane. I think it is a surprise to a lot of American travelers when they find that those bags have not been screened.

I would like to share one other paragraph from this Columbus Dispatch editorial on airline safety.

This is in today's Columbus Dispatch. They say ''The U.S. Transportation Department's Inspector General reported just last Thursday that observations at seven of the Nation's 20 highest risk airports found nearly no screening of checked bags.'' Now, some time ago, $441 million in tax money was used to buy 164 high tech bomb detection machines for about 50 airports and 20 airlines. These largely have been gathering dust or sitting in warehouses. That is why we need a law. We need to make this mandatory so that when we go to the airport and get on an airplane with our families, the people we care about, for vacation or business or for whatever reason, that we can believe that our government has taken those steps that are essentially necessary for us to be as safe as possible.

Until we do this, I believe the American public needs to know and to understand that there is a possibility that when they get on that airplane, it may have an explosive device in its cargo hold. The American people deserve that information. I do not want to scare people either. I want people to feel like they can fly and fly safely; but neither do I want to deceive or keep information from the public. The public needs to know that when they get on an airplane today, that it is likely that at least 95 percent of the luggage that is in the belly of that plane has not been screened for explosives.

I go back to what I have said before. If we pass this legislation, I believe American lives will be saved. If we neglect to do this, if we play politics with this issue, if we put it off and put it off, if we argue about whether or not we are going to pass a bill or have Federal employees and this matter is continually pushed aside, I believe the lives of American citizens will be lost. What we are dealing with here is a very serious matter.

Much of what we talk about in this Chamber and what we vote about does not have life or death implications, but this matter has life and death implications. That is why we should take it seriously. That is why I feel strongly that we should keep at this and every chance we have to come to the floor and talk about this issue, that we do it until the leadership on the other side of the aisle is willing to bring this bill to this floor so that we can have a vote.

We are the representatives of the American people. We have a responsibility to do all that we can to protect them. We deserve the right to have this legislation brought to this floor for a vote. It is unconscionable that the leadership on the other side of the aisle would prevent us from bringing this vital legislation before this Chamber.

Mr. INSLEE. Mr. Speaker, that is what is disappointing about the current state of affairs. The House has been remarkably united. The Speaker has done a good job in trying to find a unified position in dealing with the international conflict.

Now we are in a situation where some of the folks in the majority leadership know we are going to pass this bill if it comes to a vote; and for that reason they will not allow a vote on it. There is no other reason to bring this for a vote. Certainly the American people's attention is focused on the issue of security. The only reason to not bring it to a vote is we are going to pass it on a bipartisan basis.

Unfortunately, folks have let ideology stand in the way of common sense. There is an ideology in some parts of this Chamber that says the Federal Government is evil and should not assume more responsibility. This is a responsibility that the Federal Government needs to assume for the benefit of its citizens. The failure of the current model, which is the airlines running the system, speaks volumes.

The other thing that I want to say is that we have to have Federal decision-making on this because if we are going to have a system that does not delay passengers, we have to have a consistent system. We cannot have one airline doing it one way, and a second airline doing it a different way. When we have connections, we have to have a consistent system. We cannot have a balkanized system.

The airlines do some things good, but they do not get together and decide things very well. They cannot even decide, after 10 years, what size of carry-on should be the maximum side. That is why the Federal Government needs to act.

Mr. Speaker, I yield to the gentleman from Ohio (Mr. STRICKLAND).

Mr. STRICKLAND. Mr. Speaker, we do not want our police officers to be privatized. We do not want our CIA or our FBI to be privatized. We do not want our firefighters to be privatized. We are talking about security here. Our airport security personnel should be professional. They should be accountable. They should be highly trained, and they should be government employees. The government should be responsible for their performance.

I think this is what the American people want. The Senate voted 100 to nothing. Every Republican and every Democrat in the Senate of this country voted to federalize this security force. Yet we are not getting an opportunity in this House Chamber even to bring the bill to the floor for a debate and vote. I do not believe that we will get that opportunity until the American people express themselves, until the American people let the leadership in this Chamber know how deeply and how strongly they feel about this issue.

Mr. INSLEE. I yield to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Speaker, I want to follow up on the languishing of these large machines that are in a number of airports around the country. What a terrible tragedy. I happen to know firsthand of these particular machines.

One of the reasons given by some of the individuals I spoke to is we do not have a physical area large enough for the machine. That is a definitive and defined need for the Federal Government to step in and to indicate you do not have one, you make one because it all plays into securing the American skies, if you will.

I think the next point that I want to make is what have we been covering and hearing about over the last couple of days? Anthrax.

□ 2115

We have not been hearing about how do we prevent tragedies with anthrax, or measures that would have prevented what is occurring now. We are hearing of the number of incidences where people are bringing to the attention of the law enforcement authorities about this kind of powder and that kind of powder.

Part of it, of course, is misinformation. Part of it is not understanding what anthrax is, what it is and what it is not. Part of it is not having the information that the American people need to have, and this is what we are facing right now with federalizing the security. The American people are not hearing what the truth is about what is happening in the United States Congress.

And though I do not expect for our media, both electronic and print, to be our advertisers, if this is not a time for civic duty, to be able to make headlines across the Nation, when are we going to vote on a bill passed by the Senate 100–0? When are we going to accept the responsibility, or the Federal Government or the Congress, to do what they are supposed to do and to help move this forward?

That is the point I think should be made tonight. I hope someone is listening. Because tomorrow we should wake up and we should see these kinds of headlines, because maybe if we had seen headlines explaining anthrax 4 weeks ago or being able to explain that you do not take an envelope and go to a hospital, what you do is you leave it contained, you call 911 or you call the authorities, you do not move this around, maybe some of the tragedies that have occurred, we might have avoided.

We want to, of course, secure all these things that are happening, but now we have a time or a chance to get in front of this issue of security for our airlines. How can we get in front of it? How can we be preventative? How can we be futuristic? We can pass this legislation, have it in place and secure the American people and secure the airways for the American people. I hope we have glaring headlines demanding a vote in the United States House of Representatives.

I thank the gentleman for yielding.

Mr. INSLEE. We should assure the American people, too, that we can give 100 percent screening to make sure bombs are not in the belly of our airplanes and not increase the time it takes to get on an airplane.

The reason I know that is when you think about this, we screen carry-on baggage already. When you go through your little arched magnometer, you put your briefcase or your purse or whatever on the machine, it goes through; and it is x-rayed. That screens, it depends on what airport you are in, maybe 400, 600 passengers an hour. We x-ray hand-carried baggage already. What we need to do is to have screening for the baggage at the same rate, the same number of passengers per hour; and if we build that capacity, we are not going to slow down people getting on planes for 5 minutes.

Americans have an expectation of security and convenience. In this case, we can have those both as long as we can compel the Federal Government to take over decision-making about these systems to assure 100 percent screening. It takes this House to act; because, unfortunately, the airline industry for one reason or another has been incapable of that.

I yield to the gentleman from Ohio.

Mr. STRICKLAND. I would like to comment on my friend from Texas and her comment regarding the media and the need for public exposure. I believe it is beginning to happen. I go back to what I have said before here. I think one of the reasons we have not heard more about this is there has been an assumption, a belief, a false belief, that bags are currently being screened. I just point to this editorial in the Columbus, Ohio Dispatch of today, calling attention to this matter.

Last evening in Columbus, Channel 10 television had a program where they discussed this need for increased security and bags being checked. So I believe people are starting to understand that what they have assumed for a long time is not necessarily what is happening. And when you consider the fact that probably no more than 5 percent of the luggage that is placed in the belly of a plane is checked, that is alarming.

I have shared with my colleagues in the past the fact that I am not even certain that the current screening that is taking place is at all meaningful, because at Dulles International Airport last week, I checked in and put my bag down, and I was informed that my luggage had been randomly selected for further screening for explosives. And then I was asked to voluntarily take my bag down the corridor, go down another hallway, turn down another corridor, and there I would find the machine. I said to the person who gave me those instructions, what makes you think that I would voluntarily if I had an explosive in that luggage, voluntarily, without being escorted, with no one observing me, walk down the corridor and around and in back of this wall here to voluntarily have my bag screened if, in fact, it had explosives in it? Why would I not just decide to leave the airport and maybe come back in the afternoon when my bag may not be chosen at random for further screening for explosives?

So what we are doing now, at least certainly at Dulles International Airport, is meaningless in my judgment. We need a law, we need procedures, we need standards, we need training, we need decent pay for these people, and they need to be Federal employees. In that way, the traveling public can have a high level of security and a sense that we have done all that we can do to make sure that they are safe when they fly.

Mr. INSLEE. I want to thank my colleagues for this safety hour. We hope that the U.S. House listens to the American people and give them what they want, which is 100 percent screening. It will be a good day for the House if we do that.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1305

Mr. SHOWS (during the special order of Mr. INSLEE). Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 1305.

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

There was no objection.

AFGHAN WOMEN

The SPEAKER pro tempore (Mr. SCHROCK). Under a previous order of the House, the gentlewoman from Maryland (Mrs. MORELLA) is recognized for 5 minutes.

Mrs. MORELLA. Mr. Speaker, the terrorist attacks of September 11 swept away our innocence and left us with grief and anger, anxiety and a resoluteness to make sure this does not happen again and to eradicate terrorism.

I just listened to part of a special order that the gentleman from Washington (Mr. INSLEE) had with regard to screening baggage. Security is critically important. We do have the technology to do it. I want to comment on my cosponsorship of that legislation and the need that we do something more about security, making sure that every bag is checked.

But also with regard to September 11, I rise before this body to recognize the women of Afghanistan. Later we are going to hear from the Women's Caucus, a special order. I want to thank the Women's Caucus and the gentlewoman from California (Ms. SOLIS) for initiating that special order, but I chose to speak at this point about the same issue.

Upon seizing power in 1996, the Taliban in Afghanistan instituted a system of gender apartheid over the women of Afghanistan. Under the Taliban, women have been stripped of their visibility, their voice, and their mobility. They are unable to participate in the workforce, attend schools or universities, and often prohibited from leaving their homes unless accompanied by a close male relative. The windows of their homes are often painted black; and they are all forced to wear a burqa, or chadari, which completely shrouds the body, leaving only a small, mesh-covered opening through which to see. Women are prohibited from being examined by male physicians while at the same time female doctors and nurses are prohibited from working.

Women have been brutally beaten, publicly flogged and killed for violating Taliban decrees. In Kabul and

other cities, a few home schools for girls operate, although they operate only in secret. Women who conduct these secret classes to educate women are risking their lives or risking a very severe beating. Many of us watched in horror these circumstances which were documented in the film, ''Beneath the Veil.''

Prior to the Taliban control, Mr. Speaker, especially in Kabul, which is the capital, women in Afghanistan were educated and they were employed. Fifty percent of the students and 60 percent of the teachers at Kabul University were women. And 70 percent of school teachers, 50 percent of civilian government workers, and 40 percent of doctors in Kabul were women. The Taliban shield their behavior behind claims of a pure, fundamentalist Islamic ideology, yet the oppression they perpetrate against women has no basis in Islam. Within Islam, women are allowed to earn and control their own money and participate in public life.

Mr. Speaker, I will be joining my colleagues who will be following this evening in recognizing the women and the girls who have been enslaved and stripped of their basic human rights under the leadership of the Taliban. I hope that we can raise the awareness of gender apartheid in Afghanistan and women around the world who are unable to escape severe poverty, who face an extreme lack of health care and education, and survive day to day with constant hunger.

In the next few weeks, I will be introducing the GAINS Act, which stands for, the acronym, Global Action and Investments for New Success for Women and Girls. I am introducing this legislation because economic globalization is leaving the world's poorest women, girls, and communities behind. Women and their children make up more than 70 percent of the 1.3 billion poorest people today.

Because we have not taken adequate steps to implement commitments made at the United Nations Fourth World Conference on Women in its foreign policy and international assistance programs, we need a template for ensuring the implementation of these important commitments. I hope that everyone in this body will join me in supporting the GAINS Act and also in taking steps to improve the lives of millions of women and girls in Afghanistan.

TRIBUTE TO RUSH LIMBAUGH

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

Mr. KINGSTON. Mr. Speaker, I am joined tonight by the distinguished whip, TOM DELAY. I want to say, kind of listening to our Democrat friends speaking before we spoke tonight, it was inspirational, Mr. Speaker. I am glad to see things are getting back to normal again in Washington. That is what the President has been calling for. And so, doing their part, the Democrats were very partisan and petty. So I appreciate that.

I am sorry to say that they are misguided. They want to create a new Federal bureaucracy in the airports, and I for one feel that we should model security the way they do it in Europe and the way they do it in Israel because they have had so much more experience with terrorism. And the way to do that is to have Federal standards for private sector security, not a new government bureaucracy.

I would ask my Democrat friends in great sincerity, would they want the Post Office to run the security system at airports? Certainly not. Because we all know that the private sector can be far more efficient and effective at doing a job than one more government agency coming out of Washington, D.C.

With this, Mr. Speaker, we are joined by the great man from Arizona, Mr. J.D. HAYWORTH. I want to begin with saying:

No. 15. If you commit a crime, you're not guilty.

No. 18. I am not arrogant.

No. 20. There is a God.

No. 23. The only way liberals win national elections is by pretending they're not liberal.

No. 3. No Nation has ever taxed itself into prosperity.

No. 4. Evidence refutes liberalism.

No. 5. There is no such thing as a New Democrat.

These, Mr. Speaker, are among the great gems of wisdom in Rush Limbaugh's 35 undeniable truths, and we want to be talking about our friend Mr. Limbaugh tonight.

I would start by yielding the floor to the majority whip, the gentleman from Texas, Mr. TOM DELAY.

Mr. DELAY. Mr. Speaker, I really appreciate the gentleman from Georgia bringing this special order on Rush Limbaugh, particularly following what we saw just right before us, in the special order right before us, the Democrats out here talking about security in airports. Rush Limbaugh, I am sure, would have a lot to say in answer to what the Democrats were saying.

It is quite amazing to me. I saw one gentleman, I believe it was the gentleman from Mississippi, talking about we should have the security that they enjoy in Israel and in Europe. Actually that is what the President is trying to do and the Democrats are trying to thwart.

□ 2130

They want to nationalize this system. They do not want to federalize the system; they want to nationalize it, something Europe tried, by the way. And after just a few years, the hijackings and the bombings and the threats that came against the airlines coming out of Europe were so bad that they threw away the nationalized system and imposed the system now that the President is trying to bring as a model from Europe and from Israel.

Israel has not had a hijacking because they have the right system, the system that the President is trying to see implemented here in the United States. What that system is basically changes the present system that we know has a lot to be desired and changes that system so that the Federal Government comes in with standards and criteria and even certification of those that screen at the airports, but that you use employees in a private entity so that you could get the best work and the best employees to do the job. Rush Limbaugh would understand that, and has understood it and talked about it a lot on his show.

But, Mr. Speaker, anyone who heard the bad news about Rush Limbaugh's ailment and thinks this is a time to hang our heads does not know Rush very well and does not understand why his audiences tune in every day.

Rush is not interested in anyone's pity. He wants our passion. He wants us to succeed. People listen because Rush celebrates the opportunity that America offers to every man and woman with a dream and the passion to achieve it.

He reminds all of us that America is the world's best place to enjoy a happy, fulfilling, and meaningful life. Rush cajoles us all to chase our visions and he tells us to never give in to doubt, fear or failure.

Rush has not let go of his dream. He arrives at work every morning with the same passion for his job that he has always had. He is not going to let a tough break define who he is or even what he does. He is going to work through the problem. He is going to adapt and overcome it. Rush practices what he preaches.

He urges his listeners to pursue their own passions, to work hard to achieve excellence, to overcome life's problems, to remember our roots, to laugh at adversity, to honor our principles, and to an insist on an American vision that expands opportunity and celebrates freedom.

What Rush does every day is simply to tell America to roll up our sleeves and go about the business of building Ronald Reagan's shining city on a hill.

Rush understands the American spirit, and he urges all of us to live up to it. He has never dwelled on the depths of the problems that confront us. He has never been susceptible to second guessing about America's role in the world.

He understands that what a person does after a setback will tell you more about them than anything else. That is why Rush's commitment to continue his program reminds us of who Americans are: we do not quit, we do not back down, and we do not let go of our dreams.

We need to keep the faith, keep the passion, and keep working to build an American society that equals all of our

hopes and our aspirations. That is Rush Limbaugh. That is the Rush Limbaugh that we will continue to enjoy on the radio. That is the Rush Limbaugh that understands what true airport security and airline security is. That is the Rush Limbaugh that understands what the conservative movement is all about. That is the Rush Limbaugh that leads us every day in understanding what is good for America.

We all applaud Rush Limbaugh for what he has done and what he is about to do. We all are sorry for his affliction; but at the same time, we all pray for him. We thank you for bringing this Special Order.

Mr. KINGSTON. I thank the distinguished whip. It is exciting to have you with us, because I remember when you were the minority party whip, and that was before the gentleman from Arizona and the gentleman from Minnesota (Mr. GUTKNECHT), who has now joined us, were Members of this Congress. They, of course, were part of that great 104th majority-maker class.

Gentlemen, I can tell you things were different, but I will also tell you what you already know: Rush Limbaugh going out, reaching out to 20 million very great Americans and getting them all excited about the political process helped get you in Washington.

I will be honored to yield to the gentleman from Arizona (Mr. HAYWORTH).

Mr. HAYWORTH. Mr. Speaker, I thank my colleague from Georgia for organizing this time and the fact that the distinguished majority whip joins us, as does the gentleman from Minnesota. In hearing the whip discuss not only our friend Rush Limbaugh, but also the power of ideas, I think it is very important to come tonight in that great tribute, because America is an idea and ideal brought into practice.

As the gentleman from Georgia outlined, as the gentleman from Minnesota and I came to this Congress at a historic time with a transition in the majority, I had the privilege during my campaign to first meet Rush Limbaugh. He came to Phoenix as I was preparing to run for Congress, and our Suns were playing the Bulls in the NBA championship. The folks from Chicago prevailed in that particular matchup, quite unlike what transpired today in baseball, as the Diamondbacks defeated the Braves two to nothing. Sorry about that to the gentleman from Georgia. But we had a great visit with Rush.

Mr. KINGSTON. If the gentleman will yield, that was just Southern hospitality, so we do not have to worry about you in the next game.

Mr. HAYWORTH. Oh, I thought it was skill. But just one point about it, because the whip talked about this, the fact that our friend Rush Limbaugh celebrates the dreams and the pursuit of excellence by individuals, that he recognizes that America is made up of seemingly ordinary individuals who have been called upon to do extraordinary things, and whether it is succeeding in business, or getting an education, or running for public office, fulfilling dreams is important. That is what makes his excellent broadcast so excellent in terms of the excellence in broadcast for which he strives; the fact that America can rise to its dreams, can discuss the difference in ideas, can succeed on the playing field, or return to the playing field to seek success, as my friend from Georgia identifies with a certain National League franchise from his home State.

But we salute our friend Rush Limbaugh. Indeed, Mr. Speaker, the highest form of praise for me personally is really two-fold: number one, to know that in the Almanac of American Politics, there are those who would compare this gentleman with my friend Rush; and the fact that yesterday on his broadcast I was mentioned, and the constituents started to call saying ''Rush was talking about you today,'' and that is a high honor indeed.

Mr. KINGSTON. If the gentleman will yield, I am wondering now if that is an economic comparison. I know he is probably the wealthiest talk show host in America. Is there an economic similarity?

Mr. HAYWORTH. Oh, would that it were the case, but apparently it has to do with vocal patterns or some such.

Mr. KINGSTON. I just wanted to be sure. Because the gentleman knows, the gentleman from Arizona (Mr. HAYWORTH) is very famous on Capitol Hill, and I am sure in the great State of Arizona as being somebody who can imitate different speakers, which Mr. Limbaugh is also good at, as is the gentleman from Minnesota, who also can imitate Ronald Reagan so well that you think he is still at the Capitol.

But I wanted to say on that subject, number nine in the 35 Undeniable Truths of Rush Limbaugh, Ronald Reagan was the greatest President of the 20th century.

I yield to the gentleman from Minnesota (Mr. GUTKNECHT).

Mr. GUTKNECHT. Well, I thank the gentleman from Georgia and my colleagues and the whip for being here tonight to take a few minutes to pay tribute to a very special American. I think he is very special for a lot of reasons.

I remember the first time we were driving through Iowa and we were listening to WHO in Des Moines, Iowa, and this voice came on the radio, and at first I sort of said to myself, is this a joke? But the more I listened, the more I said, hey, finally there is somebody out there who gets it. That was probably at least a dozen years ago.

A tremendous story has been written since then about Rush and his audience around the United States. He did not create that audience. That audience was there. They were desperately looking for somebody who got it, someone who thought the way that they did; and I think it is a tremendous tribute to him that that audience has continued to grow, and I think it is a tribute to the fact that there is an awful lot of common sense in the American people.

The gentleman from Georgia (Mr. KINGSTON) mentioned earlier about our class, the class of 1994, when after 40 years of wandering in the wilderness, finally the Republicans took control of this House, took control of the Senate, and really began to change the American agenda, and I think for the better. I think Rush Limbaugh was a big part of that.

I remember when we went down to Maryland, Baltimore; and we had some of our programs for new Members, and Rush came and spoke to us one night. It was a very special night, and we actually made him an honorary member of the class of 1994, the majority makers. I think he was touched to receive that pin.

I reminded him that night of something I have needle-pointed on my wall that my wife needle-pointed for me a number of years ago. It is an expression from Winston Churchill. It is one of my favorite quotes from Churchill. It a very simple expression; but I think it says a lot, and in many respects Rush Limbaugh embodies this expression. He said, ''Success is never permanent; failure is never fatal. The only thing that really counts is courage.''

If you look back at what happened in 1994, what Rush did for us, what Rush did for the American people, what Rush did for the conservative movement, is he gave us the courage to believe that we were, in fact, the majority. I think it was people like Rush who really psychologically gave us a huge boost in that election and I think began to change the whole tenor of the discussion.

Much of the debate we were having back in 1993 is no longer even relevant. That is how far the debate and the discourse here in this city and in this country have changed. He was a big part of that.

So I want to thank the gentleman for having this Special Order. I have a few other points I might make later.

Mr. KINGSTON. I do want to say, first of all, before we go on, number 35 in the Undeniable Truths, too many Americans cannot laugh at themselves anymore. I think that that is what Rush Limbaugh has taught us to do. It is okay to laugh while discussing politics. With that in mind, I want to point out, all three of you have extremely ugly ties tonight.

I also want to tell a story. In 1992, when I was running for office, 2 years before you guys were, I was at a house, Dr. A.J. Morris' house, a supporter of my mine in Vidalia, Georgia; and it was a good crowd. I was behind in my election. It was my first time running for Congress. I was getting beat in Vidalia, in Toombs County, Georgia, where the delicious Vidalia onions that feed the entire world and are the envy of all farming, they are all grown there.

But I said to Dr. Morris, I said have you ever heard Rush Limbaugh? He

said no. This was 1992. He said I never heard of him. I said he is great. He is this conservative talk show host, he is funny, he is entertaining, very much on the edge. He does not just talk. He has Paul Shanklin come in and do these parodies and he talks in strange words like ''dittoheads,'' or that is what his fans call him, all kinds of things, and he gives updates of different liberal groups and homeless updates and so forth.

So I actually got my little handheld recorder, and I recorded on my car the next Rush Limbaugh show, and I sent it to A.J. Morris out in Vidalia. I live in Savannah; Vidalia is about 60 miles away. He said this is great. I sure wish we could get him here.

Well, that was in 1992. Now he is on 600 radio stations; and of course, he is all over the airwaves, not just in Vidalia, Georgia, but all over.

But the reason why I think that is important is because where I think the conservative movement really turned in 1994 was that air attack led by talk show host Rush Limbaugh, which enabled the infantry, led by TOM DELAY, flying all over the country, going into your district and your district and getting the ground troops motivated, and Mr. Leader, if you can tell us about those days?

Mr. DELAY. Thank you for yielding, because as the gentleman from Minnesota was talking about his experiences in 1994, it revived some memories of my own when the leadership of this House in the minority come about in 1991 or 1992 decided for so many years the minority had acted like a minority and it was time to act like a majority.

That was inspired by Rush Limbaugh. Even though he was not on all the stations that he is on now, we knew of Rush Limbaugh. He was telling us to act like a majority, understand what you believe in, stand up for your beliefs and have passion in it, and work for it and work to get the majority; and we came together and we started strategizing to get the majority.

It came to about 1993, going into 1994, the election of 1994; and we came up with this idea called the Contract with America, which told the American people what we would do if we got the majority. I am glad to say that over 70 percent of that Contract with America is law today, and we got most of it in the first year or two that these two gentlemen gave us the majority.

But during that time, especially that election of 1994, obviously the national media, the Washington media, did not pay much attention to us. We did not try to ignore them; we just bypassed them.

We went straight to Rush Limbaugh and many other conservative radio talk show hosts all over the country. And you could be driving up into the lakes of Minnesota, driving for 3 or 4 hours to get to that ice cream social where 10 people showed up to support one of our challengers, or driving into Arizona, and you could hear the Contract with America.

□ 2145

You could hear the Contract With America. You could hear from Rush Limbaugh the evaluation of what was going on in Washington and what he dreamed of happening if, by whatever chance in 1994, we actually gained the majority. All over this country, wherever I went, I went to 85 to 100 different districts in 18 months, and everywhere we went people were talking about Rush Limbaugh, what he was talking about, what we could do if we had the majority in this country, and what we have been able to do is a tribute to Rush Limbaugh. All the wonderful things: The balanced budget, the tax cuts, the welfare reform; I could go on and on and on, all the wonderful things we have been able to do because we have had a majority, particularly in the face of a President that fought us every step of the way while he took credit for everything that we did, but we had a voice out there and that voice was sending our message loud and clear.

The best part about it was, and we sound like Rush Limbaugh was our campaign manager; Rush Limbaugh did not take his direction from us, he was the standard by which we ran. He was setting the standard for conservative thought. He understood what the American people dreamed about and could implement, and he understood that the only way that that could happen is if the Republicans took the majority in the House of Representatives and in the Senate. He played a huge part in what happened in 1994 and, thereby, played a huge part in all of the successes that we have been able to do over the last 7 years.

So again, Mr. Speaker, we owe so much to Rush Limbaugh. This country owes so much to Rush Limbaugh. We can never thank him enough.

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

We are joined also by one of the great Republican pioneers in the dark days of the minority wilderness, the gentleman from California (Mr. HUNTER). I wanted to give the gentleman undeniable truth number 32, since the gentleman is from California. The Los Angeles riots were not caused by the Rodney King verdict; the Los Angeles riots were caused by rioters.

I yield to the gentleman from California (Mr. HUNTER).

Mr. HUNTER. Mr. Speaker, that is a great lead-in. I thank my colleagues for letting me participate.

I am reminded that Rush Limbaugh taught the American people to laugh at Washington, D.C., and the self-righteousness of the liberal program was something he just delighted in shredding. He made us think and be creative.

The gentleman from Texas (Mr. DELAY) just said we came in and did a lot of things, but we did that with the support of the American people because Rush held up all of the things we were doing with the status quo system, that was architected by liberals and that was held up in a vary serious and profound manner with their media support, and people began to understand that literally the king had no clothes. They were able to look at a school system where the Federal education dollar sent to Washington, D.C. resulted in about 25 cents going back to the classroom. They were able to laugh with Rush when he pointed out when we were trying to reform welfare that the average welfare recipient was on welfare for 13 years and Rush wondered if maybe that was not quite a while for a guy to be able to go down and get the want ads in the local newspaper. Rush took all of these aspects of government and he held them up to the American people and he did it with humor. I think to get the attention of the American people, one needs to give them a little humor, and he did that so effectively.

So he entertained us, but the interesting thing is he always entertained us with fact, because his facts with respect to what he called the ''liberal welfare state'' were much funnier than any fictitious system that one might think up or any sitcom on television. So he made the American people look at Washington, D.C. and made us laugh at ourselves first.

When we saw what we built up as we advanced towards socialism and we were able to laugh at ourselves and reflect on the error of these programs, we then got creative and we came up with reform for the welfare system, and we came up with ways to reduce that education rake-off in Washington, D.C. where 75 percent of every education dollar was pulled off the top by government, by very wise people. I thought that on one of Rush's shows, he pointed out that you have the same people flying from our districts across the country, educators, and asked the question, do people gain an IQ because when they cross the Mississippi River, and the same guy that might be spending 100 cents out of that education dollar in Minnesota or Michigan or Georgia or Arizona or California, is he any smarter once his aircraft crosses the Mississippi River and he glides into Washington and now he is going to tell us how to spend that money from his perch in Washington, D.C. instead of having local government do it back in our respective States.

So Rush Limbaugh was a guy who first I think got the attention of the American people by entertaining them a little bit, and then they realized that all of his one-liners were based on facts and they realized that the facts described their government. So then we got creative and did something about it. So I thank my colleagues for letting me come down and join with these great Americans, with all of my colleagues, and talk about Rush a little bit.

Mr. KINGSTON. Mr. Speaker, I would say to the gentleman from California

(Mr. HUNTER) that we are always glad to have him with us and anybody who is a conservative from California we have to treat as an endangered species anyhow. We always have a program for the gentleman, okay?

Mr. Speaker, I yield to the gentleman from Arizona (Mr. HAYWORTH).

Mr. HAYWORTH. Mr. Speaker, I thank the gentleman from Georgia. I think back to those days in 1994 when the gentleman from California was kind enough to pay a visit to his neighboring State, and to hear the whip and to hear our friend from Minnesota talk about those days has been very interesting indeed.

As I was listening to the remarks, I am reminded that another great wartime leader who went on to become President of the United States, Dwight David Eisenhower said, always take your job, but never yourself seriously. How appropriate, how descriptive that is of our friend Rush Limbaugh. But how important that philosophy is now in another hour of national need.

We rejoice in the fact that we can bring different approaches and seek practical solutions from different philosophies and, Mr. Speaker, we would be remiss if those who follow this hour, this Special Order, would think that everything we do is rubber-stamped or met with complete approval by our friend in radio. The fact is that is not the case, nor, to borrow Mr. Jefferson's phrase, in the course of human events will it ever be the case.

So we celebrate the fact that we can have differences of opinion, not only within the conservative movement, but in this Chamber, yet in this hour of national need we unite for a common goal, celebrating legitimate differences, understanding that the exchange of ideas, whether in this Chamber or over the airwaves, is the key to our dynamism as a constitutional republic.

Indeed, the fact that our friend Rush brought and continues to bring a different way, a somewhat irreverent way, of reviewing the day's news has led to great citizen participation, both part of the conservative movement and those who might seek another way. Indeed to the point, Mr. Speaker, I remember upon our election to this Chamber, one of the leading news magazines actually ran a cover story citing the dangers of hyperdemocracy, as if Americans being involved, giving voice to their concerns, taking time to be involved in any political movement, regardless of their personal philosophy, taking the time to care, as if somehow that were wrong.

What we have seen with the rise of the new media of which our friend Mr. Limbaugh is part of the vanguard, talk radio, the Internet; the fact, Mr. Speaker, that Americans and indeed citizens of the world can see these words transmitted instantaneously, that friend and foe alike internationally understand that we believe in the power of ideas, that is the best testimony to those who willingly engage in those ideas, to those who champion the delivery of those ideas over the airwaves, on the Internet, and typify what de Tocqueville first found about America, that America is great because we are good, and that we can be of goodwill and disagree, and that yes, it is perfectly within the realm of public experience to be frustrated, to step back and take not so serious a look, but when there is a time of national need, we can rally because the people, we have this affinity for the freedom we celebrate in free and open debate.

Mr. HUNTER. Mr. Speaker, if the gentleman would yield on that, too, I think that one thing that Rush Limbaugh did, he was a great leader with respect to ideas, very creative. But I think also like a lot of other great radio talk show hosts, I think he developed a lot of his ideas by listening to people. There is a great difference in this country between the guy who is on the 20th story of a building in a newspaper office, an editor who decides what is going to be written the next day, who is separated from the people by three or four electronic doors, a set of elevators, lots of security guards, and expounds on what he thinks America should do based on his education, his background, and the people he may talk to when he goes to lunch.

A radio talk show host takes that call from Joe on a cell phone in a car and Joe, who is driving home from work, who may be a plumber or he may be a high-tech guy, may have a great idea in any given area, and he is able to transmit that idea and get some feedback from Rush Limbaugh, and I think Rush Limbaugh has resonated, not just led America, but I think he has learned a lot from Americans, as most talk show hosts do.

Mr. KINGSTON. Mr. Speaker, is the gentleman suggesting that he did not get all of his wisdom by listening to National Public Radio? I am shocked.

Mr. HUNTER. Mr. Speaker, I think it is very possible that he got his wisdom from the American people, and I think he got a lot of it just from everyday folks who, in many ways, are a lot smarter than a lot of the folks in this city.

Mr. KINGSTON. Mr. Speaker, I think there is a lot of wisdom on the street and I know one thing, that Congressmen do not become veterans without listening for that wisdom and trying to bring it to Washington instead of trying to bring Washington's wisdoms home.

One thing that Mr. Limbaugh had observed about Congress under novel truth number 25, follow the money. When someone says it is not the money, it is all about the money.

Mr. Speaker, I yield to the gentleman from Minnesota (Mr. GUTKNECHT).

Mr. GUTKNECHT. Mr. Speaker, I thank the gentleman for yielding. Of some of my favorite undeniable truths, here is one. There is a distinct single American culture, rugged individualism and self-reliance which made America great. Another is character matters; leadership descends from character. Finally, there is something wrong when critics say the problem with America is too much religion.

What Rush Limbaugh really did is he talked about the time-tested values that are America. In many respects, he just continued to refresh our memories about what Ronald Reagan talked about all of his political career. He talked about those time-tested values such as faith, family, work, thrift, and personal responsibility. Those are the cornerstones. Those are the basic building blocks upon which this great American culture is built. It really is those things that he talked about again and again and again and helped us refocus on what is important in this country. He used humor, he used facts, he used quotes; he listened to the American people, but he put into words what a lot of people were thinking. I think that is why he has such a big audience and I think it is also why some of the media elites in this city and in New York and in other big cities were so envious and so angry originally. Now they have come to accept Rush. But originally they were so angry and they were so angry because all of a sudden they did not have a monopoly anymore.

□ 2200

It used to be there were three networks on television. There were maybe four, five, six large newspapers around the country. They basically controlled what people learned about what was going on in Washington and around the world.

But then along came people like Rush, and all of a sudden he democratized the media. Everybody could participate. All of a sudden, they did not have to rely on just a couple of large newspapers and three networks. All of a sudden, there was a wealth of information coming at them, and things that they did not see on the nightly news were talked about on Rush Limbaugh. It made all the difference.

Mr. Speaker, in 1994 when I first came to Congress, Rush Limbaugh had recently published a list of 35 Undeniable Truths. A couple of my favorites are more appropriate than ever.

"There is a distinct singular American culture—rugged individualism and self-reliance—which made America great." We are still a people of individual characters who, together, make up the rich fabric of a nation. As we have united together during this time of national tragedy, we will continue to demonstrate the "can-do" attitude which has carried us each, through personal challenges. Knowing Rush, this rugged individualism will carry him through as well.

"Character matters; leadership descends from character." Thomas Paine when writing during the birth of our nation said, "These are the times that try men's souls." Our Founding Fathers tested their character and produced amazing acts of leadership. The character of our President and Congress are being tested

and we have pulled together to defeat terrorism. Rush Limbaugh's character will continue to uphold the leadership he provides every day to millions of listeners.

''There is something wrong when critics say the problem with America is too much religion.'' Clearly the past month has demonstrated that America's faith in God has been the mainstay which has supported us in our grief and in our action to secure a terror-free future. Faith will also see Rush through his personal challenge as well.

He talked about Time tested values—faith, family, work, thrift, and personal responsibility.

I have no doubt Rush Limbaugh will overcome this temporary adversity and continue to shine as a bright star in the broadcast realm. I'm looking forward to the next show.

Mr. HUNTER. Rush Limbaugh and others like him introduced into the national forum something we did not have when we had the three networks and the big newspaper chains, and that is called debate. Rush Limbaugh would debate with people who called him up. Whether they called him from a phone at work or from home or on a cellphone, he would debate with people. He was not afraid to debate.

The idea that somehow if one's ideas are better than the other guys, they should be willing to take him on, that is the American way. Yet, it did not exist in the media, as the gentleman from Minnesota has stated. We had a couple of nightly news anchors who would tell us the way it was. If we heard a President make a speech, we would see the President, but we would not hear him; we would see the image of the President making the speech, and the voiceover from the anchor would tell us what the President said and why it was right or wrong.

That was it. That was our information for the night.

I have to say, Rush Limbaugh has a lot of great colleagues out there who think a lot of him. I know Mike Reagan thinks a lot of him and does a great job; Oliver North, another guy who does a wonderful job; in San Diego, there is Mark Larson; and of course, Roger Hedgecock, friends of Rush Limbaugh.

People who like Rush are willing to have somebody call up on a cell-phone, offer a different point of view, and take them on and have a dialogue. That is how we develop ideas in America.

Mr. KINGSTON. Mr. Speaker, I appreciate the gentleman bringing that up. Ten years ago, there were something like 200 talk shows in the country. Now there are over 1,000, and the listening audience is something like 15 percent of the radio market. Rush Limbaugh and all of his friends have made it a common staple for something like 40 million to 50 million Americans on a steady basis who use it to get their news, not just entertainment.

We have all been on the Ellen Ratner show, Blanquita Cullum, Alan Nathan, Neal Boortz, Sean Hannity, Alan Colmes. As Rush said, if you do not have someone who disagrees with you, it is like playing tennis without a net. You have to have somebody who will banter with you.

He told all of us, conservatives and liberals, get off the bench, get down in the arena and engage in the debate.

I know the gentleman from Arizona (Mr. HAYWORTH) wants to speak. I would ask the gentleman to introduce our friend, the gentleman from Colorado. He has a decent-looking tie on, but I know people will not be able to notice, he is wearing some of the ugliest shoes that have been on the House floor in the history of the U.S. Congress tonight. I think he came slushing through the mountains of Colorado to join us, and we appreciate that.

Mr. HAYWORTH. Mr. Speaker, parliamentary inquiry: Does the gentleman from Georgia hope to open one night for Jerry Vale? I did not know he was going to insult comedy.

But I would seize the opportunity from the gentleman from Georgia to introduce a fellow Westerner who joined us following the 1996 elections. I would introduce him with this note. I know that every Monday in his district he goes to great pains to bring together people for a breakfast town hall.

As I was hearing the gentleman from California and the gentleman from Minnesota and the gentleman from Georgia relate, what happens on talk radio, what we celebrate with Rush Limbaugh and hosts of all different ideological backgrounds, is the notion that we in essence have a town hall of the air.

In our congressional districts we have town halls. The gentleman from Colorado (Mr. KINGSTON) has one. He makes this a staple every Monday morning on his schedule.

Mr. KINGSTON. Mr. Speaker, I yield to the gentleman from Colorado (Mr. SCHAFFER).

Mr. SCHAFFER. Mr. Speaker, I appreciate the gentleman for yielding, and also for the introduction. I thank the gentleman for the introduction, but only because it is polite.

I appreciate the gentleman mentioning my tie here. Quite literally, I had left for the evening and thought I was done for the day and changed clothes, and then I heard the gentleman talking about Rush Limbaugh, and I ran back over here, borrowed a tie from a staffer so that I could meet dress code here on the floor, and threw the coat on. So I want to apologize to my mom first, who is one of Rush's biggest fans.

Mr. HAYWORTH. Mr. Speaker, the gentleman should take responsibility for his own actions. That is something we are taught.

Mr. SCHAFFER. I first heard about Rush Limbaugh I do not know how many years ago. I was in Cincinnati, Ohio. We were there for Christmas visiting with family, and my brother-in-law asked if I had heard about this radio talk show host who was conservative. I was a State senator from the Colorado legislature. We talked about politics all the time, and had these great family arguments.

He asked about this talk show host. I said, Gee, I have never heard of him. The next day we happened to be in the car and Limbaugh was on the radio there, WLW in Cincinnati. I remember listening, and wherever we were going, the rest of the family got out of the car and went in to go shopping or whatever they were doing, and I stayed there in that car listening to Rush Limbaugh for about another hour, just fascinated, not only with Rush's treatment of important issues that we deal with, that the country deals with and all citizens do, but the way he managed to accomplish that within the context of good-natured humor. He had really done that well.

I was not even imagining at the time the impact Rush Limbaugh would have, not only on me but on my community. I live in Fort Collins, Colorado. A couple of years after that event or after that Christmas, Rush Limbaugh came to Colorado. A few stations ended up picking up Rush.

There was a young man, a college student from Colorado State University, who called the Limbaugh program who lived in Laporte, Colorado, next door to Fort Collins. His name was Dan. I remember this well because he wanted a copy of Rush Limbaugh's monthly newsletter.

Limbaugh says, Well, you have to buy it. Dan says, I am a college student. Why don't you just give it to me? And Rush gave him this lecture about working hard and earning the things that you really want to obtain in life. This newsletter was obviously an important thing, and no American citizen should go without it, so he challenged Dan to raise the money to buy the newsletter.

I remember Dan saying, I am a student. What am I supposed to do? And Rush said, I do not know; hold a bake sale. So Dan on the air says, well, if I hold a bake sale, will you show up here to Fort Collins and help me sell my cookies and bread and whatever else we sell? And Rush said, Well, I might.

Well, it was just a few weeks later this thing started gaining momentum. We scheduled Dan's bake sale in downtown Fort Collins. As we got closer and closer to the event, the law enforcement and the city started realizing we needed to plan for more than a simple bake sale. People were coming from all over America. In fact, they were coming from around the world to Fort Collins to be part of Dan's bake sale.

So I hurried up, as a young politician in the Colorado Senate, and I went and got my booth space reserved, because I figured I should be there. It was an event to behold, let me tell the Members, for those who did not have the chance to be there. People did come from all around the world.

In fact, if people are familiar with Colorado, there is only one highway that goes north and south, and that is

I–25. The traffic comes from Denver up to Fort Collins in the north part of Colorado. Traffic was backed up for 7 miles way out on the highway back to Denver trying to get off the highway to come into Fort Collins.

The amazing thing was the way the media treated this, because they tried to downplay the whole thing. In fact, the next morning the front page of the Fort Collins newspaper showed a picture of a little petunia that was in a flower planter that was bent over, and said, ''Rush Limbaugh came to town. Look at this dead flower, it got crushed.''

Meanwhile, the real story went untold in that paper, but could not be concealed from just the massive numbers of people who showed up in town. The media went through the effort of trying to downplay the numbers of people who were there.

Rush flew in on a helicopter. There were so many people that we could not drive him in. The sheriffs brought him in, escorted him in on horseback with the sheriff's posse there. He got up and gave a rousing speech. Dan not only made enough money to buy the newsletter, but paid for the rest of his college education at the bake sale.

I wrote Rush Limbaugh a letter that next day and faxed it out to him. I wrote about what an important event that was. It was all fun, it was all entertaining, but people gather around sports in America, we gather around our kids, we gather around all kinds of music, arts, culture, lots of entertainment. But to see people come from far and wide to meet and rally around politics, about civic participation, about patriotism, was something that I think really says what Rush Limbaugh is all about, and the reason so many listeners tune in to Rush Limbaugh every day: this simple notion that we are all in charge of our country.

His challenge to us as individuals and as citizens is to hold our politicians accountable and to participate on an individual level; to become knowledgeable about our history, about our philosophy, about our future, and to be optimistic about it.

I wrote all that into a letter, and talked about how the liberals were baffled. I sent that letter, and figured I would never hear anything. The next Friday evening, I will never forget, Rush Limbaugh had a TV show that came on usually late in the evening. The networks tried to bury that in the middle of the night so nobody would watch it, but it came on in Fort Collins around 11 o'clock at night.

My wife and I were sitting there. I was laying on the floor watching Rush. He read my letter on the air. Then he put it in his book, too, The Way Things Ought to Be book, as well.

As one who has driven across a pretty big State with long distances between rural towns, I have spent a lot of time in the car with Rush Limbaugh, listening to his perspective on optimism and about America. It has an awful lot to do with the attitude and values and beliefs that I have taken to the political battlefield with me and won a lot of victories.

It is a compelling message: a message for America, a message for America's future. It is a message that is one of hope. I, like all Americans, was very sad to hear about Rush's loss of hearing, but I know that the power of ideas is more important than that. Still Rush's appeal to the American people I think is going to continue to get stronger.

I appreciate all of the Members being here tonight and leading this special order, and giving America and ourselves a chance to talk a little bit about one voice out there in America that is leading toward America's greatness.

Mr. GUTKNECHT. If the gentleman will yield further, I could just close, Mr. Speaker, I want to thank all the gentlemen, and particularly our colleague, the gentleman from Colorado. I remember that story, but I did not live it the way the gentleman did. We followed it on the radio.

I would just say that Rush is going to keep going strong for many, many years to come. The power of ideas is stronger than anything. I have no doubt that Rush is going to overcome this adversity, and we will see and hear from him for many years to come.

There is an old German expression. My German is not that good. It is something like this. (Expression in German). It translates to ''That which does not kill me only makes me stronger.''

He may have lost his sense of hearing, but he has not lost his perspective, he has not lost his voice, and he has not lost his keen interest and attention to the American body politic. I think as long as he has those, he will continue to be that voice of common sense, of reason, of traditional American values.

I salute him tonight. I look forward to many years of listening to his program, and most importantly, I look forward to listening to the next show.

Mr. KINGSTON. Mr. Speaker, I thank the gentleman from Minnesota for joining us, and I yield to the gentleman from Arizona (Mr. HAYWORTH).

Mr. HAYWORTH. It has been interesting during this allotted time on the floor of the United States House of Representatives, Mr. Speaker, to reflect on an American original, and to realize that the success which our friend, Rush Limbaugh, has met with is because, like many other great Americans, he has been able to tap into the interaction and the free flow of ideas and expressions that Americans have long championed.

As we find ourselves in the midst of difficult days, indeed, what could fairly be described as a battle for our very survival as a nation, literally, we take stock of the fact that 1 month ago visited upon us was an attack so dastardly, so horrible that it eclipses the losses in our own Revolutionary War.

I ask Members to think about it. In the multiyear conflict that was the American war of independence, fatalities for the new United States of America were a little over 4,000. In 1 day, we lost an estimated 6,000 to 7,000 of our fellow citizens, not to mention workers from around the world who came to this free society.

To absorb that type of attack as a people but to stand up, roll up our sleeves, and with American resolve, whether we are Republicans, Democrats, Independents, Libertarians, vegetarians, to move forward with a commonality of purpose, I think is something that has been mirrored in a personal way for our friend, Rush.

He put it in perspective because he suborned his personal challenge to the need confronting America, and revealed to us, almost in passing, the nature of his hearing affliction; the fact that efforts are being made to restore that.

But whatever the future may hold, it paled in comparison both to the accomplishments of the past and the requirements, the necessity, to unite as a people for what we must do in the immediate future.

□ 2215

There is no way to calculate or to quantify the value of rallying together as Americans, even as we agree to disagree, perhaps on how best to achieve victory, on how best to meet the future, on how best to set our priorities.

Rush Limbaugh, in his town hall on the air, on a daily basis, with the biggest radio audience on a sustained basis we have seen in our history, gives voice to the notion that we can achieve our dreams; that we can endure our setbacks; that we can meet tomorrow confident that we can be stronger and this Nation can be better than it was in the past.

Cheerful persistence and eternal optimism, not the optimism of the cockeyed, but the optimism of the realist, that is what has always propelled America to greater times and better days.

Eisenhower said the hallmark of a leader is to be optimistic. Reagan said America's greatest day is still way ahead of it. Rush Limbaugh, like him or loathe him, agree or disagree, gives voice to the same type of vision, and at this hour, in this place, at this time of national need, we pause from our traditional debate to celebrate the achievements of one who encourages so many achievements among all of us. Not a celebration per se of political party or conservative doctrine, but an outlook on life that inspires involvement, that gives voice to the very essence of what it means to be an American.

That is the idea, that is the ideal behind EIB, Excellence in Broadcasting; and it is not a far stone's throw from the ideals that created this constitutional republic, what Catherine Drinker Bowen called the Miracle at Philadelphia, that gave us as mere mortals

and humans, despite our many imperfections, a remarkable form of government where we celebrate individual achievement and out of many form one united in purpose for national success and for the survival of free men.

Mr. KINGSTON. Mr. Speaker, reclaiming my time, I yield to the gentleman from California (Mr. HUNTER).

Mr. HUNTER. Mr. Speaker, I thank the gentleman for yielding.

I want to thank everybody for their wonderful tribute to Rush, and I would just observe that 30 years ago people used to get their news and spend a little time thinking about America and thinking about the surroundings and our democracy and reflecting on this country seated at their breakfast table or local coffee shop or at some other place. And Rush Limbaugh ushered in an age in which Americans read their newspaper, not by picking up a paper, but by turning on a radio dial, whether at their place of work or in their car, where we all spend a great deal of time now, and Americans transferred that important time in their daily lives, when you really reflect on who we are and where we are going, from the written media to radio, to the media where you actually could hear a thought propounded and then hear an answer or an argument or another idea to come back from somebody who called into that station.

So that is how we read our newspaper, largely as a result of Rush Limbaugh. To Rush Limbaugh I say, it has been a great read.

Mr. KINGSTON. Mr. Speaker, I thank the gentleman. To the gentleman from Colorado (Mr. SCHAFFER) I would say that we have got about 5 minutes.

I guess what I want to do is remind our listeners that there are four great books that they can read for further information: The Way Things Ought to Be; See, I Told You So; The Way Things Are Not, Rush Limbaugh's Reign of Error; and Sometimes You've Just Got to Laugh. Remember, that the proceeds will all go directly or indirectly to benefit an oppressed conservative in a university near you someplace, somehow.

I yield to the gentleman from Colorado (Mr. SCHAFFER).

Mr. SCHAFFER. Mr. Speaker, I appreciate the gentleman yielding once more.

I just want to remark on the impact that I think Rush has had on our constituency because if you listen closely, as I have over the years, Rush never suggests his audience pick up the phone and call their Congressman. We hear a lot of talk show hosts that will rally around the cause and say these people in Washington just do not get it, pick up the phone, call. He has never done that, but his listeners do it, and they do it because of the overall suggestion and message that, as I mentioned before, that Americans are ultimately in charge of their own country on an individual by individual basis.

When he treats issues the way he does, with passion, with humor, with sincerity and with a great degree of seriousness, too, it does inspire his listening audience to react in a very responsible way. Many of the letters we receive in our office, many of the phone calls, many of the people who show up every Monday morning at my town meeting, they come and they bring issues or perspectives, and how many times have we all heard, ''I heard this on the Limbaugh show; I heard Rush talking about this issue or that issue; Congressman, is it really the case back there in Washington.''

He has inspired so many citizens to become personally involved in this process and in this city all across the country that it is a remarkable legacy that has done more than just provide entertainment, which is clearly important, provide more than just a successful enterprise of a radio program from a business standpoint. It really has inspired the best of America and reminded Americans of what it is we stand for as a Nation and what our individual responsibilities are as citizens.

I, too, from the bottom of my heart, I want to express to the House my thanks and gratitude for what this one leader has accomplished for the country and how his inspiration has really provided encouragement. And I mean that in the ultimate sense of that word, has helped impart courage on so many people to stand up at the town meetings and challenge the old ideas that we know have failed, that have inspired so many of us to run for office and not be afraid to stand in a room full of left-leaning opponents and stand up and talk about the truth and simple observations and win these arguments and these debates on important causes at important points in time in our political battles back home.

Rush has accomplished quite a lot so while his hearing may be somewhat impaired at this time, the American people are listening and tuning in and Rush just needs to keep talking.

Mr. KINGSTON. Mr. Speaker, I am confident that he will be.

Mr. Speaker, I yield to the gentleman from Arizona.

Mr. HAYWORTH. Mr. Speaker, how fitting it is to get a time cue from the gentleman from Georgia (Mr. KINGSTON) knowing how important time is to the medium of radio and of broadcasting. But there are timeless truths to which we all subscribe and that is what we celebrate here tonight. Not the fact that our friend faces adversity. Not completely the fact that many of us have met with political triumph based on his encouragement. Not the fact that now in an hour of national need we must rise again with the eternal optimism that has been part of the American experience, but just to understand and give thanks for the three words that epitomize not only EIB and the whole dynamic of talk radio, but the essence of our constitutional republic.

Our founders had the great and good sense in that poetic and yet very practical preamble to our Constitution to start with three special words, ''We, the people.'' Not it, the government or us, the politicians, but we, the people. And so tonight we take time to celebrate a special person who encourages others to understand their special role in this special place that we call home and the rest of the world calls America.

Mr. KINGSTON. Mr. Speaker, I thank the gentleman from Arizona (Mr. HAYWORTH).

In closing on our friend, Rush Limbaugh, who is so involved leading the way on the conservative cause, we appreciate all the good work that he is doing. And the doors are always open.

If he ever wants to take advantage of his status as an honorary member of the 104th freshman Republican class and actually attend one of the gentleman's meetings, please be sure to let everybody know because I think a lot of people would like to receive him on both sides of the aisle because he has won the heart and the respect of liberals and conservatives alike.

GENERAL LEAVE

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

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

There was no objection.

Mr. TIAHRT. Mr. Speaker, I rise today to pay tribute to a man who has faithfully served this great country as a voice for democracy and freedom for the American people. Rush Limbaugh's listeners—both conservative and liberal—know him as the ''Dr. of Democracy,'' the ''Truth Detector,'' the ''Voice behind the Golden EIB Microphone.''

His daily radio broadcasts attract 20 million listeners every week, giving him rights to the claim as the most-listened-to-talk radio host in the world.

I personally want to commend this American patriot who has dedicated his life to the cause of educating the American people about the principles of democracy. Whether you agree or disagree with Rush politically, you have to admire the depth of his political articulation and analysis—packaged in three hours of radio excellence. Mr. Limbaugh's brilliant use of satire, humor and witticism to convey fundamental principle are a testimony to what he calls, ''talent on loan from God.''

Rush has been an inspiration to the American people for more than a decade on the airwaves of AM radio. His boisterous commentary reaches one of the most diverse radio audiences ever. Farmers, nurses, construction workers, mothers, military personnel, bankers, chefs, manufacturers, rich and poor, left-wing radical liberals and right-wing conspiracy theorists all tune in every afternoon to hear Rush's clever voice for three solid hours.

I know of no other person who is able to articulate his opinions and thoughts with as much passion as Rush. I am continually amazed when I listen to the Rush Limbaugh Show. Most radio hosts have a remarkable level of professional skill just to gain an audience. But Rush has achieved a standard of

professionalism that has surpassed all expectations. Every day he manages to discuss fresh and bold topics. He never tires.

With ''half his brain tied behind his back,'' Mr. Limbaugh is proving to the world that when you have a dream and are dedicated to achieving that dream, all things are possible. Rush has shown us all that when you live in America, you are able to achieve anything you set your heart to accomplish. Rush has recently encountered new challenges with the loss of his hearing. But because of his determination and spirit of adventure, he has chosen to remain seated in the throne behind that golden EIB Network microphone. In doing so he personifies the American spirit he has encouraged us all to embrace.

I commend Rush for his encouragement to me and all Americans to never settle for second best, but to strive for the higher mark. I ask my colleagues to join me today in paying a special thanks to Rush Limbaugh as a great American.

SUPPRESSION OF WOMEN IN AFGHANISTAN

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, the gentlewoman from California (Ms. SOLIS) is recognized for one-half of the time until midnight.

GENERAL LEAVE

Ms. SOLIS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks.

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

There was no objection.

Ms. SOLIS. Mr. Speaker, when the Islamic fundamentalist group, the Taliban, seized control of Afghanistan in 1996, it launched the Nation into a pit of oppressiveness and inequality. In the blink of an eye, the millions of women and girls who live in this desert nation in Central Asia were relegated to second class citizenship. The basic human rights that we in the free world take for granted were suddenly stripped away from these people.

Prior to the civil war there that propelled the Taliban to power, women in Afghanistan and especially the capital of Kabul were highly educated and employed. Women in Kabul represented 70 percent of school teachers, 50 percent of the civilian government workers and they also were members of parliament, and 40 percent of them were represented as doctors and physicians. And at Kabul University, females comprised half of the student body and 60 percent of the faculty.

In fact, the Afghani Constitution, which was ratified in 1964, had an equal rights provision for women contained within it. But today in Afghanistan, girls are no longer allowed to attend school. They are punished. Women are no longer allowed to work, forcing many to resort to begging or even prostitution to survive.

Females are not permitted to leave their home unless accompanied by a male relative. And when they do leave, they are forced to be covered in a shroud which is known as a burqa.

Mr. Speaker, I have with me this evening a sample of what the women in Afghanistan have to wear, this burqa that covers their body. If we look closely, we will see that there is a section here about 3 inches wide that is kind of a filtered material that allows these women to see through this shroud. She must wear this every time she leaves the home and goes out in public. And if it is 100 degrees or 110 outside, she must wear this and have her body fully covered. If she does not, then she is faced with perhaps a public beating and even in some cases with death.

□ 2230

This garment is hot, as you can tell. It is restrictive, and it is difficult to see. In fact, some of the women who have to wear this burqa cannot see, or do not have any peripheral vision; and countless women and girls have been known to have had traffic accidents in their cities because they simply cannot see where they are going. In fact, the Taliban regime is so wary of women that it has ordered that publicly-visible windows where these women live be painted black so that no man can see inside of those homes.

Women who dare to defy these edicts imposed by the Taliban are subjected to brutal beatings, public floggings, or even death. For example, a woman who defied the Taliban orders by running a home school for girls was killed in front of her friends and family. A woman caught trying to flee Afghanistan with a man not related to her was stoned to death for adultery. An elderly woman was brutally beaten with a metal cable until her leg was broken because her ankle was accidentally showing underneath this burqa. But it is doubtful this woman ever had the chance to see a doctor or a physician, because male doctors are not allowed to treat women and women doctors are not allowed to practice their profession.

The most heart wrenching part of this story, though, is that millions of children, young girls, are growing up in a hostile environment. Here I have, Mr. Speaker, some artwork created by little girls growing up in Afghanistan. And even though we cannot read the writing, because this is a foreign language to me, it depicts what they are suffering, what they have seen with their own eyes. Basically, in this picture here, what we see are young girls, one woman in the background with the shroud, the other two holding and grasping their hands and looking at a fellow colleague who has been slain in front of a school house. Near the school house is a Taliban soldier carrying a rifle.

These are the kinds of things that these youngsters are having to go through every single day of their lives, since 1996. Here, on this side, we see a picture depicting three women covered in their shrouds, almost held by chains up against a tower that looks like an area where praying goes on. These are some of the vicious kinds of things that these women are seeing and feeling, actual real-life incidents that are occurring in Afghanistan.

Despite these repeated condemnations of the Taliban actions by the international community, little has changed in Afghanistan; and millions of women and children, innocent people, caught in the crossfire of the Taliban's artillery have fled to the outskirts of Afghanistan to refugee caverns in Pakistan, where disease and starvation run rampant.

Despite the fact that we have airdropped more than 100,000 food rations in Afghanistan, international relief organizations are repeatedly warning us that these military food drops fall too short of fulfilling the need. Part of the problem is that we are not sending enough food. And although the administration has pledged $320 million in humanitarian relief efforts to Afghanistan, the United Nations estimates that it will take $584 million to see Afghanistan through the long cold winter.

We need more help from the international community to ensure that these innocent Afghani citizens do not starve to death. Every effort has to be made to provide these people with adequate resources to survive this upcoming harsh winter, but part of the problem is that the food that we have dropped is not reaching these people. Many of these ready-to-eat meals are not being collected by the Afghani people, and in some cases are not easily located. Other times it is because the people fear retaliation for accepting the U.S. aid. Finally, some of the meals are falling into the hands of the Taliban forces that we are working so hard to fight against.

It is important for us to provide humanitarian aid to the people of Afghanistan, but aid alone cannot be the sole means of action. It is up to the United States and the Members of this body to speak for the class of women who are too oppressed to speak for themselves. We must work with the women of Afghanistan to form a more representative government, one that recognizes their accomplishments and allows them to participate in the process of democracy. We must be vigilant in our attempts to force the Taliban government to alter its treatment of women and girls and begin to correct these transgressions. Only by bringing these offenses to light can we hope to combat them.

Mr. Speaker, I yield to the gentlewoman from California (Ms. MILLENDER-MCDONALD), who is also co-chair of the Women's Caucus.

(Ms. MILLENDER-MCDONALD asked and was given permission to revise and extend her remarks.)

Ms. MILLENDER-MCDONALD. Mr. Speaker, let me first thank my colleague, the gentlewoman from the

great State of California (Ms. SOLIS), for her leadership in bringing this very important issue to the forefront this evening.

You might recall, Mr. Speaker, that the Congressional Caucus on Women's Issues met just a couple of weeks ago with the Ambassador to Pakistan to talk about the conditions of women in the Central Asia area. In talking with her, we realized the atrocities that women are continuing to go through in Afghanistan. This is an issue that the Congressional Caucus on Women's Issues have now made as a top priority in this House; and it is a bipartisan effort, because, Mr. Speaker, years ago, as you can see by this very old paper, many of us tried to fight this issue on the atrocities, the genocide of women in Afghanistan.

Let me simply read some of the things that we talked about back in 1996. We talked to reporters to ask why they had not reported the atrocities against women. They simply said that the situation had received so little coverage because they were not sure that Americans were interested in this kind of news. Well, Mr. Speaker, the women of this House, the women around this country and across this Nation, and the women around the world are very much interested in how women are treated in Afghanistan. They are absolutely stripped of their very basic fundamental rights, a right to freedom of expression and the right to assemble. There is no way that we women in America can stand and allow women in other parts of this world to be treated so inhumanely.

A lot of us saw just a couple of weeks ago this ''Beneath the Veil'' documentary. That in itself told the story, the story of how women are treated. They are stripped of basic fundamental rights to education and training. They cannot even educate their children. We, in America cannot continue to allow these types of things to happen. These women and children are the first victims of this Taliban regime, this very rogue group of men who are allowing women to not have their basic rights.

Those of us here in the Women's Caucus have started this campaign. Tomorrow, I speak to a group of women again on the conditions of Afghani women. Next week, the Women's Caucus will be meeting with the Department of Defense to better understand the humanitarian efforts that they are putting forth and to make sure that the women and the children get the rightful benefits of this humanitarian effort that our President is putting forth. We applaud our President for the millions of dollars and for those relief efforts. But as I called the White House, I wanted to remind the President and the administration that we cannot just simply send this over and not have as a condition that women and children have their rightful share in this relief effort.

We will introduce legislation this week, Mr. Speaker, to ensure that there will be Radio Free Afghanistan. We are not going to stop. We simply cannot do that. We, as the women of this House, are destined to make sure that the wellness of women goes across the hue, goes across the waters, goes not only from this country but to Afghanistan and other countries throughout the world. We must make sure that we fight for those women.

Let me just say this, Mr. Speaker. The women, as the gentlewoman from California (Ms. SOLIS) has said, have been banned from working; the women and girls are prohibited from attending schools. But let me tell you some other things that are just absolutely inhumane. Women have been brutally beaten, publicly flogged, and killed for violating Taliban decrees, decrees that they have imposed on no one else. Let me cite some more horrific examples. A woman who defied the Taliban orders by running a home school for girls was killed in front of her families and friends. A woman caught trying to flee Afghanistan with a man not related to her was stoned to death for adultery. An elderly woman was brutally beaten with a metal cable until her leg was broken because her ankle was accidentally showing beneath that burqa that was demonstrated earlier.

We will not stop, Mr. Speaker. Our campaign is continuing. As you see this very yellow paper, where we started in 1996, we will continue to fight until justice is brought to the women of Afghanistan and to that region. We want our children to be educated. We want them educated here; we want them educated there.

And so I will simply say tonight is a night that we shed the light; we put the light on these atrocities. The documentary ''Beneath the Veil'' just reenergized us so that we can continue to fight for these women and children. I will be here throughout the rest of this hour to speak as we continue to unveil these atrocities against women and children, the suffering they endure at the hands of this Taliban regime, which absolutely has no regard for women and children. We will not tolerate the inhumane way by which they function.

So I would simply say to my dear friend and colleague that we thank her for bringing this Special Order tonight so that we can unveil these horrors and continue to fight for the women of Afghanistan.

Ms. SOLIS. Mr. Speaker, I would like to yield to the gentlewoman from New York (Mrs. MALONEY), who has also agreed to speak on this topic. I do want to go back, first, however, and thank the gentlewoman from California (Ms. MILLENDER-MCDONALD), who spoke very eloquently about the current crisis that is occurring and that we are faced with, not just in Afghanistan but also in Pakistan and other Middle Eastern countries.

We hope that tonight's discussion will lead our leaders to the direction of providing humanitarian assistance to those families that are in need, particularly those women and those young girls.

With that, Mr. Speaker, I yield to the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY of New York. I thank the gentlewoman from California (Ms. SOLIS) for organizing this Special Order and speaking out for the women in Afghanistan.

Mr. Speaker, the attacks of September 11 broke the hearts and boggled the minds of most every American. It left us all wondering just what kind of people would turn planes into bombs and slaughter thousands of people simply because they showed up for work. The answer is the Taliban, the terrorists among the Taliban, the terrorists they harbor, and the terrorists they refuse to surrender. But anyone who was familiar prior to September 11 with how the Taliban treat women should have recognized that the Taliban are capable of doing just about anything.

□ 2245

The Taliban have controlled 90 percent of Afghanistan since 1996 when they unilaterally declared an end to women's basic human rights. The restrictions on women's freedoms in Afghanistan are unfathomable to most Americans. Women are banished from working. Girls are not allowed to attend school beyond the eighth grade.

Women and girls cannot venture outside without a burqa which they are forced to wear. It is an expensive, heavy, cumbersome garment which covers the entire body, and it includes a mesh panel covering the eyes. The veil is so thick it is difficult to breathe. The mesh opening for the eyes makes it extremely difficult to even cross the road.

Women must be escorted by male relatives to be allowed to leave their homes. Women are not allowed to seek health care from male doctors, even in emergency situations. Female doctors and nurses are not permitted to work, so women and girls are dying from treatable illnesses. An Afghan woman dies in childbirth every 30 seconds.

Violate the Taliban's draconian strictures, deliberately or accidentally, and you will pay dearly, sometimes with your life. Women who trip while crossing the road and show their face or ankles risk being beaten, arrested or even executed.

A 16-year-old girl was stoned to death because she went out in public with a man who was not her family member. A woman who was teaching children in her home was also stoned to death in front of her husband, her children and her female students. An elderly woman was beaten and suffered a broken leg because she exposed her ankle in public.

These atrocities are real, and the economic consequences for women are just as severe. They cannot earn money because they are not allowed to work.

Since they have no means of supporting themselves, many Afghan widows have no income at all. Unless they have a close male family member, they have no access to society or food for families and themselves.

Mr. Speaker, let us be clear, we are at war with the Taliban strictly because they are harboring Osama bin Laden and because they are involved in terrorism against the United States. Still, this just war which we have no choice but to wage has contributed to a humanitarian tragedy of staggering proportion.

Our commitment to helping the innocent people of Afghanistan must never waiver. There are now 1.5 million Afghan refugees along the Pakistan border. More than half of them are women. 66,000 are pregnant. Winter is imminent.

I salute the Bush administration for balancing war for compassion, for dropping food as well as bombs. Even in war, we are showing a regard for human life and human rights that the Taliban will never know.

The good news is that the Taliban's days are numbered, and that some women from Afghanistan are fighting for their freedom. I am submitting for the RECORD an inspiring article by Rone Tempest of the L.A. Times. It is about the Revolutionary Association of the Women of Afghanistan, or RAWA. RAWA sends women on dangerous missions into Afghanistan to set up secret schools for girls and to use cameras to document the abuse of women.

In Pakistan, RAWA runs hospitals, schools, orphanages and refugee camps. In the face of the most repressive regime in the world, women are risking their lives to gain rights so basic that we in the United States do not even think about them.

Well, this is a night to think about them and to express solidarity with our persecuted sisters in Afghanistan. We will continue to send humanitarian aid. We will continue to battle the Taliban, and the women in Afghanistan who are fighting for freedom should know that they are not fighting in vain. The women in Congress, the women across this country are standing with them.

The article previously referred to is as follows:

TRAINING CAMP OF ANOTHER KINID

In Pakistan, defiant young Afghan women bent on reversing years of brutal oppression study and plan. To them, the conflict has no good guys.

Khaiwa Refugee Camp, Pakistan—The sprawling refugee camps on the Pakistani-Afghan border have long been breeding grounds for male militants in Afghanistan—first for the moujahedeen fighters who battled the Soviet occupation in the 1980s and, more recently, for the fundamentalist Taliban.

But here in the dusty, abused terrain of Pakistan's northwestern frontier, the Khaiwa refugee camp is a uniquely feminist outpost.

Women in the Khaiwa camp shun the head-to-toe raiment known as a burka. Girls study science and Koranic scripture in a mud-walled school and dream of attending university. The camp's male physician, Dr. Qaeeum, vows that his infant daughter will be educated ''from cradle to grave, until PhD.''

Khaiwa is a training ground for a different kind of fighter: intense young women bent on reversing the trend of female oppression that has helped hurtle Afghanistan into a new dark age.

For the female activists based here, there are no good guys among the factions battling for supremacy in their homeland—not in the notorious Taliban and not in the opposition Northern Alliance. They worry that in the international rush to bring down the Taliban, the United States and its allies will form partnerships with the Northern Alliance or with other groups that also have a history of brutally oppressing women.

''The devil is the brother of evil. The dog is the brother of the world,'' Khaiwa camp school Principal Abeda Mansoor said in her native Dari language. ''We condemn both the Taliban and the Northern Alliance.''

Mansoor, a former geography teacher in Afghanistan, is a 16-year member of the Revolutionary Assn. of the Women of Afghanistan, or RAWA, a small but influential rights group that sends women on dangerous missions into Afghanistan to set up clandestine schools for girls and to use hidden cameras to document abuse of women. Under the Taliban's harsh version of Islam, girls cannot attend school and women are prohibited from working outside the home.

Displayed on the association's Web site at www.rawa.org, secretly taken photos and videos of public executions and floggings have played a major role in building international opposition to the Taliban. The recent critically acclaimed documentary ''Beneath the Veil,'' by London-based filmmaker Saira Shah, was made with the help of RAWA workers who escorted Shah in Afghanistan.

In Pakistan, the group operates hospitals, schools and orphanages in the camps where 2 million Afghan refugees live. But even here, their activities remain mostly secret. Taliban-style fundamentalism thrives in many of the camps. A recent RAWA human rights procession in Islamabad, the Pakistani capital, was attacked by stick-wielding fundamentalist students.

But the Khaiwa camp, in the middle of a rutted quarry surrounded by smoking brick kilns, is an island of tolerance. It is small and exceptional, home to only 500 families. But it is a microcosm of what Afghanistan might resemble if it was freed of religious extremism and civil war.

Safora Wali, 30, manages the camp's small orphanage, home to 20 Afghan girls ages 6 to 19. A former student at Kabul University in the Afghan capital, Wali also teaches older women in the camp how to read.

''My oldest student is 45 years old,'' Wali said. ''She's so happy now to be able to read letters from her relatives. She told me, 'I now know the pleasures of my eyes.' ''

The Khaiwa camp was founded in the early 1980s by one of the more enlightened moujahedeen commanders, who believed in universal education. He allowed RAWA workers into the camp to teach and counsel the families. The camp eventually became known as an open-minded haven for the RAWA activists, who run the 450-student school and the orphanage.

Wali came to the camp last year from western Afghanistan after Taliban authorities found her distributing RAWA literature and she was forced to flee.

In Afghanistan, Khaiwa is known as a place to send girls who are threatened by either the religious restrictions of the Taliban or the sexual aggression of Afghan warlords.

Danish, 15, said she was sent here after her father was killed by agents of the former Communist government in Kabul. She said her mother still lives in Afghanistan but could no longer protect her.

Like the other girls in the four-room adobe orphanage, she wants to finish high school and reenter Afghanistan as a RAWA operative—teaching in underground home schools.

When asked by a reporter how many of them planned to go to work for RAWA, all but the youngest of the 20 girls raised their hands.

Women in Afghanistan have suffered a long history of repression punctuated by brief periods of progressive leadership.

Inspired by the reforms of Kemal Ataturk, the founder of modern Turkey, self-styled King Amanullah lifted the veil of subjugation for a short period in the late 1920s. But women in Afghan cities probably enjoyed their greatest freedom during the Soviet-backed Communist regime that ruled in Kabul from 1979 to 1992.

RAWA was founded in the capital in 1977. But its founder, known by the single name Meena, opposed the Soviet occupation and joined resistance forces to fight against it. Considered an enemy by both the Communist regime and the fundamentalist moujahedeen, Meena was assassinated in a Quetta, Pakistan, refugee camp in 1987.

Sahar Saba, 28, who like many of the RAWA activists uses a pseudonym for protection, grew up in one of the Quetta camps and was educated in a RAWA school. Now she works as a spokeswoman for the group in Islamabad and travels abroad seeking foreign support.

Saba came to Pakistan when she was 7 after the Soviet invasion of Afghanistan. Since the Sept. 11 terrorist attacks on the United States, she has spent much of her time working to make sure that the U.S. and its allies do not forget the cause of women's rights as they continue their campaign against the Taliban.

Besides providing a well-documented history of the Taliban's suppression of women, RAWA has recorded hundreds of cases of abuse by the Northern Alliance and non-Taliban warlords.

Saba and the other RAWA activists favor the return of Mohammad Zaher Shah, the former Afghan monarch who was deposed in 1973. Through the agency of the ex-king, she says, Afghanistan could have a new leadership tainted neither by the abuses of the warlords nor by the restrictions imposed on women by the Taliban.

When the Taliban swept into power in 1996, it capitalized on its claim to be a ''protector of women.'' Taliban leader Mullah Mohammed Omar gained fame by rescuing two girls who had been kidnapped by a warlord. According to Taliban Iore, Omar killed the man and hanged his body from the barrel of a tank.

''The parties that were in power before the Taliban were in some ways worse,'' Saba acknowledged. ''Many girls were raped. Many others committed suicide.

''When the Taliban came to power, women were safer,'' she added. ''But they set the wheel of history back hundreds of years.''

Ms. SOLIS. Mr. Speaker, I yield to the gentlewoman from California (Mrs. CAPPS).

Mrs. CAPPS. Mr. Speaker, I want to commend and thank my colleague, the gentlewoman from California (Ms. SOLIS) for organizing this special order on the plight of women in Afghanistan, and I thank also the Women's Caucus, particularly the gentlewoman from California (Ms. MILLENDER-MCDONALD)

for hosting this and gathering us together to speak in solidarity with our sisters in Afghanistan who are enduring such terrible hardship and prejudice and imprisonment in their society.

Mr. Speaker, it is an important topic which we should repeat over and over and over again in this well, even as we are able to do this in this country in stark contrast to the way of life our sisters across the world are now enduring.

For 5 years the Taliban militia have ruled Afghanistan so severely restricting and denying a woman's right to participate in social, economic, cultural and political life. We have known about this and seen news accounts. 5 years is a long time.

Prior to the Taliban control, many Afghani women held positions of great leadership, obtained higher education degrees, were engaged in professions and business interests in their community, adding to the vibrancy and strengthening of the economy. In the capital city of Kabul, 70 percent of school teachers, 50 percent of the civilian government workers, and 40 percent of the doctors were women. It is a different story today.

Women are denied access to education entirely. They are barred from the workplace, and as we have been listening this evening in the special order, they are forced to remain in their homes. Family planning is outlawed in the region, and women are forbidden to see a male doctor or surgeon. And, of course, the female doctors and nurses are prohibited from working; and, therefore, the majority of Afghani women are unable to seek medical treatment of any kind. In this century in this world.

For these reasons, I with my colleagues, 52 of my colleagues, are cosponsoring legislation condemning the destruction, the Taliban's deduction of preIslamic laws which until their rein were the law of the land. I am also cosponsoring a resolution with many of my colleagues which refuses to recognize the Taliban as the government of Afghanistan. Of course we are doing that for many reasons, but one of them surely must be the actions that they have taken against women and that they need to restore the women in Afghanistan their basic human rights.

The square of fabric that many of us are wearing, a piece of the burqa, the clothing of the Afghani women, we wear as a sign of solidarity to their suffering and torment. And I came to the podium following my colleague who wore the entire burqa. As I watched the gentlewoman from New York (Mrs. MALONEY) standing in this place, which is the symbol of freedom that all of us enjoy in this country, her voice muffled, she could barely read the words on the page. This is today, this modern world, and yet in Afghanistan, and of course a woman would not even be allowed to be here, but they are confined even within their homes to wearing this kind of garment.

Women, as we have heard this evening and will continue to hear I am sure, women who ignore the decrees are beaten, publicly flogged and even murdered for a slight infraction of the rules. Through such public beatings the Taliban has succeeded in cowing the civilian population into submission, so it is even more critical during this time of political upheaval and turmoil that this country, the United States, continue to provide humanitarian assistance to the children and also to the women who have been forced to flee from their native land and forced to live the kinds of lives that they are living.

We remain and must remain committed to bringing the Taliban into compliance with international norms of behavior on all human rights issues. I know all of us stand in awe here as we speak on this topic. We stand in awe before the women of Afghanistan who are daring, even against all of these signs of oppression, daring to speak out, daring to gather the children together to teach, the young women, the girls, to offer them classes knowing that if they are caught, their lives will be ended.

Even as we speak freely in the House, our sisters in Afghanistan are finding ways to gather together to strengthen each other, to hold on to their inner burning of freedom, and they are counting on us to give them support.

Across this land there are groups that have sprung up. In my district I was approached by several women who are part of organizations contributing money to give aid directly to these women to support them in their freedom-fighting mission that really does reach to the heart of what we stand for in this country. So we stand in awe and solidarity with the women of Afghanistan, and we must work in this place.

Mr. Speaker, that is why I say to my colleagues, I hope this is just the beginning of our speaking out. We must speak out in ways across this country to join people together, women, but everyone together, to support the efforts of women in Afghanistan, to throw off their yokes of oppression and to be able to return to a life that they know and burns within them, the passion for that way of life in their hearts.

We have to find a way to let them know that the world is watching and supporting them and encouraging them in their struggle to retain and regain their sense of dignity and regain their personal freedoms.

Ms. SOLIS. Mr. Speaker, I yield to the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. Mr. Speaker, I thank the gentlewoman from California (Ms. SOLIS) for bringing us together this evening so all of us coast to coast can express our union and solidarity with the women of Afghanistan, with those who are in country with their children, for those who have fled and are fleeing and are in refugee camps in Iran, in Pakistan, in Tajikistan, and God knows where else.

As I have read the press reports and I have been watching television and reading the newspapers and looking at the demonstrators and thinking about our role in the world and that region of the world, I keep looking for women and every picture only has men. Men fighting, men drinking tea, men demonstrating, and I keep saying, where are the women? Where are the women? Knowing that war has ravaged through that region for many, many years; and obviously there are more women than men. The demographics alone, because of war, would attest to that. So where are they?

In coming here to this chamber this evening I kept thinking about the words of the great Negro national anthem, and the words that ring in my ears tonight, ''God of our silent tears, God of our weary years,'' a song borne of the great struggle for freedom in our own land and across the world, of those who were placed in slavery and whose heroic history has been so much part of America's own struggle for liberty.

I kept thinking about the silent tears of the women of Afghanistan and so many women of the Middle East and Central Asia. I thought about their silent tears. I thought most of the world never sees those tears because we do not see them, and under that burqa you cannot see anything.

In fact, I tried to look out of it as I handled it on the floor, and one cannot really see very well out of it. It looks like you are looking through a multi-screened door where so much of the light is shut out. Truly you feel like a prisoner. It is a visible symbol of the abysmal human rights record of the Taliban regime and the fact that women have no official dignity. In fact, they are beasts of burden. They are there to cook. They are there to carry their children and to bury their children. And they have absolutely no moment, no moment, no place, no home. No place of comfort. No place to hide, no place just to be.

They are in our hearts this evening because many of us understand some of the tinges of oppression, but nothing like what they are living through.

□ 2300

Others this evening have talked about their lack of access to health care and the fact that they can receive no health services. I can remember Congresswoman Pat Schroeder on this floor one evening talking about the fact that during World War I, more women died in childbirth than people were killed in the war. This is before health services were available to people. Can you imagine the struggle of bearing a child in Afghanistan?

God of our silent tears; God of our weary years. We think of them especially tonight. I learned from the world food program last week that, of course, the United States has provided some of the meager food sustenance that has kept that population alive over the last several years. Over 257 bakeries have

been started inside Afghanistan just to make use of the raw wheat, and the diet basically is a piece of wheat bread that looks like pita and tea, that is about what the average person eats every day. But the Taliban had ruled that because women, the mothers, the widows, were feeding the people and working in those bakeries, that they would shut those bakeries down because, in fact, women were doing the work and women were not allowed to be seen in public.

And there was such civil unrest across that country that the Taliban reversed its own ruling because the people were fighting for their own survival in a country that is now prefamine and the world community is desperately trying to find ways to move donkey trains in there with wheat bags and trying to move product in any way that we can in order to help the civilian populations. We know the majority of people trying to feed the desperate are women and many of them are widows.

Tonight, I know that every single woman here thinks about the future, and every man and woman in our country wants to help those who are in dire need. I know that in the weeks ahead, this Women's Caucus through the leadership of the gentlewoman from California (Ms. MILLENDER-MCDONALD), who has just been fantastic in her leadership on this issue, and so many others is going to make sure that our Women's Caucus keeps in sight, in fact right in the bull's-eye of U.S. policy in that region of the world humanitarian assistance and food programs, in fact, linking our food programs to education wherever we can possibly do it and that America's true greatness and the generosity of its people will be seen extending a hand across the ocean and a hand across a forgotten part of the world. We want every life that can be saved to be saved, and we know that our first partners in this effort will be the women of Afghanistan who know the price of life and the price of death.

This evening, we rise in their honor. Those of us who are wearing these little squibs of cloth cut from the burqa, we will not forget them. We ask the God of silent tears and God of weary years to be with them, to protect them and to know that we are in sisterhood and brotherhood with them.

Ms. SOLIS. Mr. Speaker, I yield to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. I thank the distinguished Congresswoman from California, and I thank her very much for creating this opportunity for the women of this House to come together and to embrace, though distant, our sisters far away. You notice that the tone of our voice is somewhat somber and solemn. Tears are in our voices and tears are in our hearts and minds. We as women, however, are strengthened by the unity that we are showing tonight because we believe we are linked with our sisters in Afghanistan and those who have escaped Afghanistan and are on the perimeters around in the different countries fighting from the outside for their sisters who are now contained.

I want to thank the distinguished gentlewoman from California because I believe that we should be on this floor day after day and night after night, create a movement, create an engine, create a movement that cannot be turned around. In fact, I would suggest, in following your lead and that of the Women's Caucus and my friend and colleague the gentlewoman from California (Ms. MILLENDER-MCDONALD), who has given such comfort to women around the world, but also to the leadership of the women in the caucus.

We are known to have marched a day or two. I believe this may be the time to march for the women of Afghanistan, whether we take all the women of this House, or whether we ask women from the community to join us. I am reminded of the phrase, when women pray, things happen. When women march, when women speak, things happen. And the tragedy of the women in Afghanistan is so enormous, so frightening, so vicious, so violent that I think this day tonight is setting the tone; and I thank you very much for your leadership.

I do not know if people are aware, and I know that many of my colleagues might have already cited these numbers and statistics, but for me they loom very large. Journalist Jan Goodwin, before the Taliban banned female employment, gave us a bird's-eye view what women were doing before the Taliban banned women working. Seventy percent of the teachers in Kabul were women, 50 percent were civil servants and university students, and 40 percent were doctors. Today, lawyers and doctors who happen to be female cannot practice. They cannot practice medicine. They cannot practice law. Women are totally deprived of the right to education, of the right to work, of the right to travel, of the right to good health care, of the right to legal recourse, of the right to recreation, of the right to being a human being.

Those who are listening, men and women, know how much we pride our freedom in the United States even after the heinous acts, the horrific acts of September 11. Our lives changed after that day, but we still understand the first amendment, freedom of access, freedom of speech. We demand good health care, good education. We are always looking to improve the lot of others. And when that does not happen, we speak out against it and try to improve it.

But in this country, there are no rights for women. They cannot move about. They cannot be educated. They cannot go into a courtroom and protest how they are treated. They cannot laugh. They cannot be full of joy. They cannot skip rope. They cannot play tennis. They cannot go swimming. They cannot recreate. They cannot go into the mountains and hills to look at the beauty of the sunrise or the sunset. They cannot be mountain climbers. They cannot be bicycle riders. They cannot enjoy life.

Although we respect the Islamic faith, this is not a denigration and a disrespect because our faiths are different, because we love the diversity of our faiths in this country, the diversity of our ethnic backgrounds, our racial backgrounds. We love the fact that America applauds the differences, but we acknowledge that the fundamentalism of Islamic faith treats women as subhumans, and it fits them in a category that can only be described as slavery and only as a source of procreation.

And so I think that it is extremely important to note that the life and plight of women in Afghanistan has gone to its lowest level.

□ 2310

Female education, from kindergarten to graduate school, is banned, and employment for women is banned. The beating of women for disciplinary action is accepted and routine. Women must be covered with the material that is on my suit top. They must be covered from head to toe. The burqa. You can hardly breathe. It is so hot. You can hardly see. You cannot enjoy, you cannot live.

The whipping of women in public for having non-covered ankles is acceptable. A ban on women laughing loudly is acceptable. A ban on women wearing brightly covered clothing is acceptable. Women are prohibited from going outside except for government-sanctioned purposes.

Finally, I would say that we love to wake up in the morning, hear the birds sing, smell the beautiful fragrances, go outside, travel as we desire to do. We desire to express freedom. But here in Afghanistan these women are not allowed to enjoy freedom, to enjoy the simple pleasures of life. And out of that tragedy comes more tragedy, such that a 20-year-old educated woman burned herself with gasoline as a way out of all of her misery that had poisoned her life for years. Her young life, she sought to extinguish it because she could see no future for someone who desired to be a bright and shining star.

So I hope that as we speak tonight some way, somehow, the women of Afghanistan are listening to us, and that they will know that we are united with them in sisterhood, and as they see that we are united, I would hope that we would move to the next step, which is to march for the freedom of the women in Afghanistan and on behalf of their survival and their life in the future.

Ms. SOLIS. Mr. Speaker, I yield to the gentlewoman from California (Ms. Millender-MCDONALD).

Ms. MILLENDER-MCDONALD. Mr. Speaker, I would just merely say the collective voices you have heard tonight simply is a determination to ensure that the women of Afghanistan be

given their rightful spot of freedom and democracy, and we will not stop until that is done. We will do an international strategy to ensure that the type of human rights that they deserve will be given to them.

We thank again this outstanding young freshwoman, freshman, freshperson, for tonight's special order, and for that, I am not sure if she wants to say a few words, but I thank her so much.

Ms. SOLIS. Mr. Speaker, in closing I just want to reiterate the importance of our discussion here tonight. Let us not forget the shroud, the burqa, that may veil and provide coverage in a foreign land that we do not know, but let us remember here as women, as Members of the House of Representatives, and our male colleagues, that we shall not go unheard; that our voices will be heard throughout the country and throughout the world; and that we are not just pleading for those woman who are suffering, those children in Afghanistan, but throughout the Middle East. There are many women who are treated very differently in other parts of the Middle Eastern countries. They do not have to wear this shroud. They walk in honor, they walk in dignity. They have education, they have jobs. We want that for women of Afghanistan, and we will not stop until our voices are heard.

I want to thank the Women's Caucus and the Members that shared the dais with me this evening, and for the artwork that was provided for us tonight, so that Members might see what young girls in Afghanistan are seeing through their eyes.

Mr. FARR of California. Mr. Speaker, our lives are marked by noises and silences. We wake each morning to an alarm clock, we return to bed quietly each night to sleep. We hear the scream of our children being born, the cheers at their graduation ceremonies, and the hush at the funerals of our parents. To these, we have recently added the low rumble of buildings collapsing, the tones of thousands of Americans singing before our baseball games and on the steps of the U.S. Capitol building, and the silence of moments of private reflection.

The lives of the millions of women in Afghanistan are also marked by the noises and silences around them. They hear the sound of their front doors closing as their husbands leave for jobs, something these women are no longer allowed to hold. As they walk by schools, always accompanied by a male relative, they hear lessons being taught, but only to their sons. These women hear the sound of beatings and public executions of women suspected of adultery, or who have cut their hair short, worn colorful clothes, nail polish, or white socks.

The lives of women in Afghanistan often depend on silence. They must not walk loudly. They must not talk loudly. They must not laugh in public. They must wear burqas, allowing only some sight, covering their ears and mouths entirely.

The women of Afghanistan recognize that their lives also depend on breaking silences. Through international aid organizations and their own resistance organizations, the experiences they have quietly whispered to each other have been passed along to the outside world. What was once a few, sporadic reports has become a chorus pleading for recognition and compassion.

We must reassure these women that their pleas have echoed across mountains and oceans and reached our ears, and that we will answer them. The compassion we extend to our mothers, sisters, wives, and daughters must now be extended to the mothers, sisters, wives, and daughters in Afghanistan. Just as we have overcome our fear in the past few weeks, we must help these women overcome their fear by working to end the conditions which cause it.

We must use our voices and all of our abilities to ensure that the quiet voices of the women in Afghanistan are heard loudly and freely not just here in the United States, but in all countries, and especially, their own.

Ms. MORAN of Virginia. Mr. Speaker, I rise today to shed light on atrocities occurring halfway around the world. Long before the horrific events of September 11, the Taliban regime has been perpetrating egregious human rights violations against Afghan women and girls.

When the fanatically religious Taliban militia seized control of Kabul in September 1996, Afghanistan was transformed into a brutal state of gender apartheid. Under the extremist Taliban rule, women and girls are denied the most basic human rights.

The Taliban religious police, known as the ''Ministry for the Promotion of Virtue and Prevention of Vice,'' monitor strict conformity to Taliban edicts. Women are forbidden to work, go to school, leave their homes unless accompanied by a male relative, or speak above a whisper in public.

Many women are widowed due to their husbands being killed by the Taliban militia. They are routinely raped by militia men and forced to beg for scraps of food to feed their children. Other mothers hopelessly turn to prostitution, knowing that if they are caught, they will be publicly executed.

Women are ordered to wear a burqa—a large, heavy cloth which covers the body from head to toe—with only a small mesh-covered opening through which to see and breathe.

Women and girls are also denied access to basic health care services. They are denied admittance to most hospitals and from being examined by male physicians while prohibiting most female doctors and nurses from working.

A violation of any of these Taliban decrees results in women being brutally beaten, publicly flogged, and killed.

This regime is so heinous and oppressive that it executes little girls for the crime of attending school. Girls ages 8 and older caught attending underground schools are subject to being taken to the Kabul soccer stadium and made to kneel on the ground while an executioner puts a machine gun to the back of their heads and pulls the trigger. Spectators in the stands are instructed to cheer.

An elderly woman was brutally beaten with a metal cable until her leg was broken because her ankle was accidentally showing from underneath her burqa.

In a village outside of Kabul, three young girls were made to watch as the Taliban militia shot their mother in front of their eyes and then stayed in their home for two days while the mother's body lay in the courtyard.

The despair among women and children is so extreme, Physicians for Human Rights reports that 76 percent of women living in Taliban-controlled areas are suffering from severe depression and 16 percent of women committing suicide.

The United States and the international community cannot turn its back on the plight of Afghan women and children. I was pleased by the President's recent announcement to increase humanitarian assistance to Afghan refugees, 75 percent of which are women and children.

The United States must demonstrate that while we strongly oppose the Taliban regime, we support the people of Afghanistan. We must remain committed to improving the status of women and children in Afghanistan.

Ms. SCHAKOWSKY. Mr. Speaker, women in Afghanistan have been suffering incredible human rights abuses since the extremist Taliban regime seized control of Afghanistan in 1996. Today, I rise in solidarity with Afghan women against this misogynist, fundamentalist regime and for women's rights.

The treatment and condition of women in Afghanistan under the Taliban rule is deplorable. Women have been beaten and stoned in public for not being completely covered, even if this means simply not having mesh covering in front of their eyes. One woman was beaten to death by an angry mob of fundamentalists for accidentally exposing her arm while she was driving. Another victim was stoned to death for trying to leave the country with a man that was not her relative. Husbands have the power of life and death over their female relatives, especially their wives, but an angry mob has just as much right to stone or beat a woman, often to death, for exposing an inch of flesh. Women live in fear of their lives for the slightest ''misbehavior.''

Women have been forced into poverty and destitution because they are not allowed to work or even go out in public without a male relative. Professional women such as professors, translators, doctors, lawyers, artists and writers have been forced from their jobs and restricted to their homes. Because they cannot work, those without male relatives or husbands are either starving to death or begging in the street.

There is a public health epidemic growing among women in Afghanistan. Depression is becoming so widespread it has reached emergency levels. There is no way in such a society to know the suicide rate with certainty, but relief workers are estimating that the suicide rate among women is extraordinarily high. Health care has suffered on many other levels. Men are not allowed to examine women patients without a chaperone. And even then, women are only allowed to be examined through their clothes. Even in life saving situations, surgery is unavailable for women in this country, if they have money, they might travel to Pakistan for needed operations. More than 1 in every 100 women dies in childbirth. The infant mortality rate is at an alarming number of 165 deaths per 1,000 births. Women give birth to their children on hospital floors and then watch them die due to minor complications. The Taliban regime is killing its own people.

As we move forward with out mission to eradicate terrorism, we must look for natural allies in this process. I would like to draw attention to the work of an organization that has fought the injustices committed against Afghani women and society by the Taliban,

the Revolutionary Association of the Women of Afghanistan (RAWA). RAWA strives to provide the basics of life, like education and health care, to women and girls in Afghanistan. The women of RAWA work underground, fighting for a true democracy and struggling to create a better life for the people of Afghanistan. These women fight at their own peril to create a better society. They are our allies. I urge this body and this government to recognize the voices of RAWA and provide support to their difficult, dangerous, and heroic work. We need to increase our efforts to help the women of Afghanistan live without their fundamental human rights violated. I hope this will be a policy that all of my colleagues can embrace.

PROVIDING SAFETY IN THE SKIES

The SPEAKER pro tempore (Mr. SIMMONS). Under the Speaker's announced policy of January 3, 2001, the gentleman from Colorado (Mr. MCINNIS) is recognized until midnight.

Mr. MCINNIS. Mr. Speaker, I have been fascinated by the previous remarks. I think it was excellent, and I commend the gentlewoman from California. I think it highlights the issue overall, and that is not just the abuse that the Taliban throws upon women in their society, but the abuse they throw upon their society as a whole.

For them to represent that they somehow speak for the religion of Islam, that they somehow speak for the Muslims of the world, is an insult. Obviously the Muslim world does not believe in the kind of abuses that the Taliban throws upon its women, nor does the religion of Islam. In fact the religion of Islam respects women, and that certainly is not something that you see in any kind of fashion whatsoever. In no fashion whatsoever do you see women given respect that they are entitled to or to the privileges, the equal rights or the access that they should have. Obviously that is not given when you talk about Afghanistan.

There are a couple issues, Mr. Speaker, I want to visit about that I think are very important. First of all, I listened to some of the previous speakers on the airport security bill. Obviously the airport security we have in this country has to be tightened dramatically. It has been tightened dramatically right now with the temporary use of the military. We have taken some very dramatic steps.

As you know, it was a pretty incredible event on September 11, that the Department of Transportation, upon order of the President of the United States, was able to take 2,600 or 3,000 commercial aircraft and bring every one of those aircraft down to a safe landing within about a 2 hour period of time. There were a lot of things that went wrong on September 11, but there were a lot of things in response to that horrible tragedy of September 11 that went right.

For example, the military alert, the high alert that went out to our military throughout the world. Just picture yourself as a skipper of a carrier group out in the Pacific somewhere, or out in the Persian Gulf, and you are scrambled a message that the United States of America has just been attacked, that structures have been taken down in New York City, that the Pentagon itself has been struck.

Our military was immediately upon order of the President taken to probably the highest alert that they have been in in decades, and we did not have one misfire. Not one misfire. Not one officer who acted out of what the rule book says they should act. It was a good, solid response and it shows you that in time of emergency, there are a lot of things that can be done right.

We saw it, as I said, with the Department of Transportation, the Federal Aviation Administration, NORAD, which was contacted within minutes of the hijack knowledge and was able to try and track some of these commercial aircraft that were being used as weapons by the hijackers.

There were a lot of things in our system that worked. But one of the things that failed us was airport security across this country, and I do not know any of my colleagues that do not think that we do not need to increase airport security. Obviously we have got to improve the airport security in every airport in this country. Whether it is in Grand Junction, Colorado, or whether it is at LaGuardia, or whether it is at National Airport or Denver International Airport, we have got to improve security.

But the question is, how do you get the biggest bang for your buck for security? What kind of approach should we use to enhance that security, that we can be ensured that a year from now or 2 years from now or 3 years from now that the system is working?

Now, some have suggested that the only way to do it is to quickly act and for the Federal Government to create a new bureaucracy and hire tens of thousands of people, tens of thousands of people, as Federal employees, and put them in these positions of airport security.

To me, that makes about as much sense as the Federal Aviation Administration hiring all the pilots. Clearly and absolutely there is a role for the Federal Government to oversee security at these airports. They have to put down very tough and stringent guidelines as to what will be allowed and what will not be allowed; what training is required for the people that work in that security, what people will be allowed there, what kind of clearances they have, et cetera, et cetera, et cetera.

But before any of my colleagues, and some have, obviously, but before you sign on that the only way to answer this is to create a new Federal bureaucracy, think of the problems that we have.

Some inherently disagree with me. Some out here like a bigger Federal Government. Some think that the only people that can get things done correctly is the government. I am saying, I do not think so. I think the government should oversee it.

But take a look at what happens if you hire these people. Take a look under our Civil Service regulations, where you cannot hardly fire a Federal employee if we have misbehavior. You cannot hardly move a Federal employee. To take an example, look at what happened in Denver and some of the other areas when we required Federal Aviation Administration personnel to move 50 miles or something like that. Take a look at what a racket that ended up being.

□ 2320

We lose lots of flexibility when, in a very short period of time, we put tens and tens and tens of thousands of people in the Federal payroll and create them permanently as Federal employees. It is not going to work. That is not the efficient way to provide the maximum amount of security that we want for our airports in this country.

Now, President Bush recognized this. President Bush's approach to this, which I think, by the way, is the correct approach, is number one, we all agree we need tougher airport security, we all agree that the status quo is not working, but as the President says, there should be Federal oversight, but it does not have to mean a new huge Federal bureaucracy for airport security any more than as I said earlier the Federal Aviation Administration should all of a sudden be required to hire all of the pilots in this country.

Clearly, the Federal Aviation Administration has a strong role in pilot qualifications, in how many hours the pilots fly, in the type of training that they need for particular aircraft and the type of training that they need for approached airports, et cetera, et cetera, et cetera. So the Federal Government has a strong role to play, it is just we should not take it across that line and, in a few weeks, end up hiring tens and tens and tens of thousands of people to become full-time, permanent, Federal employees.

So I am asking my colleagues to take a careful look at that. We do not need to have that many more new employees. What we need to do is review these procedures and make our airports safer. I look with disgust upon any of my colleagues that suggest that because some of us say we do not need a new Federal bureaucracy, that they make the suggestion that we do not care about airport security. I do not know one Member in this House, I do not know one Member in this House that does not want improved airport security. Not one. Not from the left, way over on the left to clear over on the right. We do not see it. Everybody in these Chambers wants better airport security. But the question is, how do we most effectively get there? Take a look at the track record. Frankly, the

track record of the Federal Government on previous attempts at things like this has not been very good. I want the best airport security that we can get out there.

I want to move on to another subject, and I want to talk a little bit about what I sense in the national media. I do want to visit this evening about the different types of weapons of mass destruction and our kind of a threefold strategy that I think we have to utilize which would also include a missile defense, information defense, and defense against domestic terrorism; for example, a truck bomb or things like that.

But I noted with interest, and let me say it this way. I am kind of a fan of 60 Minutes. I have watched 60 Minutes, as many of my colleagues have here, for a long time, for decades, in fact. I think 60 Minutes overall has done a very good job. But I have to tell my colleagues that I was very, very disappointed when I saw 60 Minutes last weekend. Do we know what they did? They spent the first 25 minutes or so of their show pointing out to the world, pointing out to the world the weaknesses of our nuclear generating facilities in this country and how various types of attacks on these may very well be successful and the catastrophe that they could create.

Now, I think it is great that 60 Minutes went out and uncovered this weakness, although I would not give them that much credit. Other people have complained about the lack of security. But my question is I think that the media has a responsibility to play post-September 11 disaster as well, and that responsibility would have been much better exercised by 60 Minutes by simply taking their information over to the Pentagon or over to the Nuclear Regulatory Administration or over to the White House or to the Congress and say, look what we have discovered out there. We have some weaknesses in these nuclear facilities, and we need to be aware of it.

Mr. Speaker, 60 Minutes chose not to do that. 60 Minutes instead thought it was much better to broadcast to the world the weaknesses that currently exist in our nuclear reactors. I mean some of these terrorists must just be sitting back in their caves or in their places of abode just smiling and saying, what a great society these people are in America. They provide us with our next target and they give us all kinds of information. We get good ideas by reading the American media.

I think all of us have a responsibility here and it includes the media, and that responsibility is, hey, maybe we ought to figure out that what is being read by what we publish out there, what is being seen by what we televise, or what is being heard by what we put over the radio, maybe we should screen a little of that information. Now, some of the media, frankly, has been pretty darn responsible. Bob Woodward not too long ago, 2 or 3 weeks ago, unfortunately, on the Senate side, there was a leak of information, as my colleagues know. The President got very upset about it.

It is my understanding from a source in the media that Bob Woodward did the responsible thing. He got ahold of some information that he himself questioned whether it should be published, and he contacted the appropriate government officials, which I would guess would be the White House and said, should I be putting this kind of information out? They asked him not to, and Bob Woodward respected that. That is responsible journalism.

I do not think it is responsible journalism to go out and spend 20 minutes televising to the world where the weaknesses are in America's nuclear generation facilities and how a strike against these nuclear facilities, and they even describe on 60 Minutes about how if the plane hit it at this angle or this happened or that happened, what the consequences of that would be. That is like going down and saying, guys, let me tell you where the weakness is in the local bank alarm system.

I will bet my colleagues that 60 Minutes, Dan Rather, the whole crew there at 60 Minutes, I bet they never televised the weakness in their home alarm system: if you come to my house at this time, that is the weakness in my home alarm system, or I do not have this window taped so you could get access there and you could cause a lot of harm to my house because I keep a lot of material in there.

The point being to me it is incumbent upon all of us to talk to our friends in the media and say, look, we all have to be more responsible. The world changed on September 11. The days of being absolutely politically correct, the days of Harvard not allowing the U.S. military, the ROTC on their campus, those days are gone. Our society has to adapt to some realities out there and the realities are that there is a cancer out there, there is a horrible cancer out there. Bin Laden happens to be a key cell in that cancer, but he is not the only cell of cancer we have out there. If we do not act aggressively to eradicate that cancer, it will kill us. It will eat us alive.

I noted with interest tonight, going back to Harvard University, I noticed with interest tonight that at Fox News Network, they claim that one of the people, one of their guests, it was not Fox News, but it was one of their guests said that Harvard actually accepts money from the bin Laden family, takes money from the bin Laden family, either in the form of scholarships or grants, but refuses to take any money from the United States military to pay for or allow an ROTC recruiting officer on Harvard University or ROTC training. Give me a break. Come on. After September 11, we all have to put more weight on our shoulders; we all have to accept more responsibility of being an American. Being an American is not too bad a deal. It is the greatest country in the history of the world. Do not let people start to apologize for America.

I think I am beginning to sense some sympathy towards this bin Laden. I noticed today, all they talked about today is the fact that we have collateral damage hitting a Red Cross warehouse. I am sorry. I feel badly about that. We do not intend to target innocent civilians, but the fact is, we are engaged in a war. We have very sophisticated weapons, but we do not have weapons that can go out and paint a red laser cross across bin Laden so that we go in and we take out bin Laden and nobody else gets impacted. Obviously we have to be careful. I am not suggesting intentional civilian deaths. But I am saying that there is a point in our society where we have to accept the fact that we are going to suffer some casualties.

□ 2330

There are going to be civilian casualties. But let me tell the Members, when the news media starts talking all day long about the fact that one of our bombs hit a Red Cross facility by mistake, I might add, do not forget, that score starts at 6,000 to nothing. Six thousand innocent citizens lost their lives in New York City, and that is a statistic that ought to come in over and over and over and over again.

That does not justify going and taking 6,000 Aghan citizens, but do not come down on the United States military in such a way that we think we are going to be able to go in and find and eradicate this cancer without taking or hitting a few healthy cells on the way in. I do not know how else we can do it.

We have gotten through several decades of being able to engage in military actions without a lot of U.S. casualties. Our weapons have become much more precise, and thank goodness they have, because if we take a look at conflict after conflict, our collateral damage is being lowered and lowered and lowered; in other words, there is less and less and less collateral damage because our weapons are becoming more and more and more sophisticated.

But this is not the time to start to sympathize with bin Laden, to start to criticize the United States military, because I think they are doing a pretty darned good job out there. When we get into or when we are engaged in a war, we are going to have mistakes.

It is just like the State patrol of a State. Over a period of time, some State patrolman is going to have a car accident. We regret the fact that that happens, we try and avoid that from happening; but that does not mean we sympathize with the crooks more because a State patrolman may goof up and have an accident.

I think these points are very important, because I would not want us, as we get further and further away from September 11, I do not want our memories to begin to fade about what a horrible thing that cancer did to us. Do

Members know what? That cancer still exists out there. It will take a very dedicated effort.

Thank goodness we have the President that we do. Thank goodness we have the team that we do, whether it is Vice President CHENEY, whether it is Condoleezza Rice, who, by the way, did an excellent job on ''60 Minutes'' the other night, or whether it is Don Rumsfeld, we have the right kind of team dedicated to go in and do the surgical procedure that is necessary to eradicate most of that cancer.

But we have to give them a break and give them our support. So far this country has been very solid behind our President. I think the average mainstream American out there does not want people like ''60 Minutes'' talking about the weaknesses of our nuclear generating facilities. Instead, I think the average American out there wants this President and this Government to do what is necessary to make the security of this Nation safe for all future generations.

That requires some pretty nasty stuff. War is nasty. But as Winston Churchill said, ''The only thing worse than war is losing the war.'' It is the same thing here. The only thing worse than eradicating terrorism, and I assure the Members, there will be collateral damage, the only thing worse than that is losing to bin Laden; losing to the fact that America would have to live under the threat of fear from this point on; that America would have to live and tolerate what the Taliban does to its own people, as reflected in the earlier comments by the gentlewoman from California regarding the rights of women in Afghanistan, and what bin Laden and the Taliban have done, what they have done to the women in Afghanistan.

So I think it is very important for us to understand that there is nothing wrong with being patriotic, that there is nothing wrong for the United States of America to do what it is doing. I think sometimes when we find out that there has been a mistake, a regrettable mistake, that a bomb is dropped on a Red Cross warehouse, that we tend to forget what has gone right.

Take a look at the military targets that day after day, night after night, our military has successfully hit without collateral damage. Take a look at how well executed this military mission has been. There is a lot to be proud of here. Our military has an incredible machine. Our military has very sophisticated command centers. Our military has the most sophisticated weapons ever known in the history of man. These are weapons that try and minimize collateral damage.

So I am a little concerned when I start to see sympathy actually heading to the Taliban, when I start to see some kind of justification for what the Taliban has done. We do not see it directly yet, but we are headed that way.

Kudos, by the way, to the Mayor of New York City, who had a $10 million check in his hand but gave it back because he said nothing can justify the horrible actions of these evil people. What they have done is evil. They are evil. There is only one answer with evil, we have to eradicate it. We cannot love it away, we cannot hope it away, we cannot go and hold the hands of the Taliban and say, We would like you to adapt yourself more to Western behavior. We would like you to commit to us that you are going to give women rights in your country.

That is not going to happen. These Taliban leaders and bin Laden and his outfit, they are cancerous. It is a deadly, horrible cancer. We have tasted some of it. It hit us hard in New York City, and it is going to hit us again if we do not pursue the eradication of it in a relentless fashion. That is our obligation as Congressmen. That is an inherent requirement of the Government, that is, to provide homeland security for the people of America and for our allies.

One of the things that I think we need to improve on, I talked to airport security. Clearly, we have to improve immediately airport security, and we have. Obviously, the Federal Aviation Administration and others, the security has been stepped up significantly.

But on a long-term basis we have to make dramatic changes in our airport security. As I said earlier, I think we can do that without creating a Federal bureaucracy of tens of thousands of new Federal employees. So we need to have airport security.

We also need to do a couple of other things. We need to tighten up our borders. I know that is not politically correct, to say that, look, if you are a guest in the United States, we are going to check into your background. If you are coming to visit the United States, if you want to immigrate to the United States, we have some certain rights as the United States to see who we are letting into this country.

We were getting to a point in our society where it seemed to be politically incorrect, where it would be wrong for Members to go to a student whose visa expired, and by the way, of the terrorists, the Wall Street Journal today had an excellent article. Three or four of those terrorists were on expired student visas.

The student visa program in this country has gone awry. It is out of control. We have, I think, 2.5 million people, and I can look that up, but I think there are 2½ million people in this country today that are on expired student visas; and we are not doing much to get them out of here.

When people come to visit the United States, that is a privilege. This country has to start to enforce our borders. That is not to say at all, not in any way, that this great country should shut its borders. I do not believe in that. Unless one is truly Native American, we all have been the beneficiary of America's policy on immigration. It has built a great country.

But having open borders does not mean we have to have uncontrolled borders. We should be having open borders that are controlled and managed and worked to the benefit of everybody. It works for the protection of the people even coming into this country. So our borders have to be tightened.

I will tell Members something else we have to deploy at our borders. We have to put in those face-scanning computers that are able to determine if one is wanted or if one is a terrorist anywhere in the world, or find out just exactly who it is that is coming across, are they using false IDs, et cetera. We have to use other high-tech equipment at these borders.

Some people, they jump up, and I have already heard this as a result of our antiterrorism bill, and say, Invasion of privacy. Do not invade privacy. Let me tell the Members something, I have not seen a proposal yet that has been on this floor that is unconstitutional, an unconstitutional invasion of privacy.

It is not the intent of anybody in this House to invade or violate the Constitution. After all, we take oaths to stand up and protect the Constitution. We do not take some kind of assigned mission to violate the Constitution.

So it is not that we are violating the Constitution with, for example, face-scanning computers and other technical equipment. The fact is, life is going to be a little more inconvenient. When we go to the airport, we are going to have to open our suitcases two or three times. They are going to have a right to look through our loose clothes, to look through our purse or wallet, which we may consider private.

But the fact is in our society we have to take some affirmative steps to provide homeland security for our Nation. What is wrong at the borders with having computer-scanning equipment and data like that that can give us the kind of information we need?

A lot of this is a game of quick information. We cannot sit there and detain or stop the borders while we spend 3 or 4 hours questioning everybody who wants to come across. We have to depend on quick information. We have to depend on an informational system that could quickly give us that kind of information. That is the computer-technical equipment.

In Britain, take a look at Britain, the United Kingdom, who have been wonderful allies. Boy, have they stood with us through this from day one. From hour one, from the moment that Tony Blair and his government found out that the United States had been attacked, they stood tall, as did many of our other colleagues. But I want to talk about Great Britain right now.

They have suffered terror for years. They have had terrorists blow up bombs in London and places like that. They have put pretty good security equipment in London and throughout their country. They have those face-scanning cameras. They do not come

out and stick a camera in your face. They are on light poles, or they are on the sides of buildings.

□ 2340

They have lots of security cameras almost on every city block in London figuring out exactly what is going on. They scan the city. It has not brought down a violation of privacy in the United Kingdom. In fact, it has made the United Kingdom a lot safer. It is kind of like putting a guard in the bank.

I can remember as a young man, when I used to go into the bank, there were never police officers standing in the lobby of a bank; and well, then bank robberies kept happening and happening. Guess what happened when we put a police officer in the lobby of the bank? It did not violate anybody's privacy on banking laws. What it did was lower the crime in that bank, made it safer for everybody.

That is exactly what we need to do at our borders and athletic events that what we need to do, where it is otherwise feasible, is provide the kind of security, the TV cameras and things like that we can do without intrusion into the Constitution. So I have not seen any, any movement that violates the Constitution of the United States.

Clearly, the point I am making here, we have to, and I would like to point out on this border, is that we have got to do something very quickly. Just as important as our airport security is our border security. We have got to tighten up the border between, for example, the United States and Canada. For the most part, that border seems to be unsecured. We have cooperation from our neighbors to the north. Canada is a wonderful country. They are great allies. I do not think one could ask for two better neighbors than we have. Mexico on one side on the south and Canada on the north.

In fact, just for my colleagues' information, we have had recruiters that have told us that down in the South they have gotten calls from Mexican citizens who want to come up and join the United States military because they want to fight for the United States against this terrible cancer that we suffered on September 11 and we are now trying to eradicate.

So we have got cooperation to tighten those borders, but let me give you some statistics, and this is off of Senator FEINSTEIN. She put out a press release. She identified weaknesses of the U.S. visa system. I think this is an excellent piece of work. I want to just give a few statistics.

An unregulated visa waiver program in which 23 million people arrived in this country in fiscal year 2000 from 29 different countries, almost no scrutiny. An unmonitored nonimmigrant visa system in which 7.1 million tourists, business visitors, foreign students, and temporary workers arrived. To date, the INS does not have a reliable tracking system to determine how many of these visitors left when they were supposed to leave. The INS cannot track it.

Among those 7.1 million nonimmigrants, 500,000 foreign nationals entered on foreign student visas. The foreign student visa system is one of the most underregulated systems we have today.

So there are a couple of things that I want to bring up, just review very quickly. One, we have got to increase airport security, but we do not need to create a new Federal bureaucracy to do it. We clearly have no Federal oversight on it.

Two, we have to tighten our borders, and let me just talk about the third thing I think whose time has come.

This is the third thing I wanted to visit with, and that is the new strategic setting. This is a three-pronged threat as I have got on this poster. I will go in reverse.

Information warfare. Clearly what does the United States have to do to protect, as we know, everything in our lives today is focused very, very heavily on computer and information. How do we protect that information? How do we protect homeland security to our information warfare?

Terrorist threat. Clearly it was demonstrated to the United States that we had some huge gaps in our security system, our homeland security to provide protection from terrorist attacks. Now, remember, that gap was a horrible gap; and the results were horribly, horribly tragic. But the fact is we have had a lot of terrorist threats, including the one on the millennium that tried to come across the border that was stopped. We can protect against that. We can enhance that.

The one I really want to focus on is the missile-delivered weapons of mass destruction attack. Keep in mind when we talk about missile defense, which I think absolutely has to be imminent for the defense of this country, and I think it is an inherent obligation of all of us sitting on this floor to provide a missile defensive system for this country. Keep in mind that a lot of people out there assume we already have missile defense; that if somebody fires a missile against the United States of America, that we have the capability to defend against it. We do not. We do not have that capability today. And that ought to be our highest priority as far as national security from an outside source. I think it is really, really critical. Let me mention a couple of other things.

Most people, when we have talk about missiles coming against the United States, think of a nuclear missile. Of course, that is a worst case scenario; and we know that there are countries, there has been proliferation around the world of countries capable of delivering nuclear missiles. But when we also talk about nuclear missiles, a lot of people think about an intentional launch against the United States. I want to say, think about this for a moment, I believe that the possibility of an accidental launch against the United States of America is very possible with a nuclear warhead or a missile with a chemical type of weapon on top of it.

So a missile defensive system protects us not only against an intentional launch against the United States but an accidental launch. A lot of people, including some of our colleagues, have pooh-poohed the idea that I say this could happen by accident. They do not give it too much credibility. Guess what happened 2 weeks ago. Out in the Black Sea, the Ukrainian Navy fired, by accident, a missile. What did it hit? It hit a civilian Russian airliner. It shot it right out of the sky. It killed everybody on board. That was accidental. If it can happen in a military exercise out in the Black Sea, let me assure my colleagues, it can happen with a missile aimed at the United States of America.

I am not trying to create any kind of panic because I think the United States of America has some time, not a long period of time, but some time and we have the technological capability to do it to provide a missile defensive system for this country.

There was a treaty signed not too many years ago and I intend to go into that in much more depth later on this week, but it was the Anti-ballistic Missile Treaty. The President of the United States has justifiably and very accurately called that treaty obsolete. The treaty is obsolete with the exception of one provision within that treaty, contained within the four corners. The authors of that treaty, the first people that drew it up, realized that times on would change. They must have realized that the United States and Russia in the 1970's were the only two countries capable of delivering missiles, either intentionally or accidentally with nuclear warheads. They must have realized if it is possible that in the future it could expand and there could be proliferation of nuclear weapons in other countries. If that occurred and if that became a threat to the national sovereignty of either Russia or the United States, then under this treaty, the Anti-Ballistic Missile Treaty, there would be a clause that is contained in the treaty, that would allow either country to withdraw from that treaty upon a 6-month notice.

That is the first step that has to take place from an administrative point of view. This administration is preparing to do exactly that. They ought to do that. That is what leadership calls for.

From the technical point of view, this government and this Congress and, fortunately, our colleagues down the hallway have dedicated resources to continue the research to perfect that technology that we have. We are very close. We are very close to providing the necessary information to build a missile defensive system in this country. We have got to get closer and we have got to close that gap and we have

to put that defensive system into place.

□ 2350

Let me point out that the threat is real. Rogue states and weapons of mass destruction. Among the 20 Third World Countries that have or are in the process of developing weapons of mass destruction are:

Iran. Iran has nuclear weapons, they have chemical weapons, they have biological weapons and they have advanced missile technology.

Iraq. Iraq, same thing: Nuclear, chemical, biological, advanced missile technology.

Libya. Well, almost the same thing, nuclear weapons, chemical weapons, advanced technical information.

North Korea has all four of them. Syria has all except the biological weapons.

This chart tells us a lot. This chart tells us that there are people out there in the world that are not friends of the United States. In fact, they are foes of the United States. And while we sit without a missile defensive system, they continue to build a missile offensive system.

How can we, as Members of Congress, continue to sit idle or even advocate the idea of sitting idle, not building a defensive system, when we know there are countries like these countries out there that are aggressively building an offensive system? These systems are not defensive. These countries are designing these weapons to go after somebody, to fire at somebody, to destroy somebody. And let me ask my colleagues, who do you think that target is? After September 11, I think it is easy to conclude. It is not just an asset of the United States located somewhere in the world. It could very well be within the borders of the United States of America.

That is why I am urging my colleagues to join the President, to join the administration and come together as a team to build a missile defensive system that protects the security of this Nation. We can do it. And do not let people tell you we are walking away from the treaty. The treaty allows us to do it. It is contained within the rights of the treaty. So it is absolutely necessary for this country to move forward with the development of a missile defensive system.

Let me conclude my remarks this evening by just quickly going over or repeating some of the key points. Key point number one: the airport security in this country must immediately be improved for a long-term basis. Mr. Ridge, the new head of the Homeland Security Agency understands this. I think he has a good grasp on it. But the key element here is that we can dramatically and must dramatically improve that security.

I think it is a mistake to rapidly go out and hire as Federal employees tens of thousands of people and put them on the Federal payroll. I think the Federal Government has a very important role in the tightening of airport security by issuing and overseeing the regulations, but I think it would be a big mistake creating a brand-new bureaucracy. These bureaucracies are very, very difficult to manage, very, very inflexible, and usually not very productive. We cannot afford to have an agency, an agency-bungling, so to speak, of airport security. It has to be improved and improved in a dramatic fashion. Point number one.

Then point number two. The borders. It is now, in my opinion, absolutely correct, not politically incorrect but absolutely correct, to talk about what we have to do to tighten the borders of this country and who we ought to have in this country as guests and who we should not have as guests. And when the guest stays too long, we, this country, ought to be there to say it is time to go home; it is time to go back across the border from which you came because your invitation has expired. You have been around just a little too long.

Right now, as I demonstrated with some of the numbers and statistics that I gave in earlier comments, this is not controlled at all in our country. We have tens of thousands, tens of thousands of people who are in this country on expired student visas. And do not let the university system and the college system come to the defense of these expired visas. And do not let the college or university system come and say, well, these student visas are absolutely essential for this purpose or that purpose. We need a balance.

Now, a lot of these schools and universities get money, a high tuition charge for those people; but the fact is we have to bring it back in tune. I am not saying stop student visas, but I am saying we have to control them and enforce them; otherwise they are meaningless, and they provide a threat to the security of this Nation.

Finally, the third point that I covered this evening, and I will reiterate it as long as I am a Congressman in the United States Congress, is that this Nation must proceed, as the administration has urged us to do, as President Bush has told us to do, this Congress and this Government must proceed with a missile defensive system for the borders of this country and for the borders of our allies. Failure to do so would be, in my opinion, the most horrible dereliction of duty in the history of the United States Congress. That is how strongly I feel about that.

We have an absolute obligation, a responsibility to protect the security of this Nation by providing a defensive missile system. Keep in mind how many countries throughout this world are building offensive, offensive, attack systems. We know now after September 11 that the United States will very likely be at the top of the target list for many, many years to come. So we, colleagues, have an obligation to understand that reality and to defend against that reality.

A missile defensive system should be the first and the highest priority on that list in regards to the missile offensive system of these other countries. We need to defend against it. We have fair warning and we have a little period of time to do it and we ought to do it.

MAKING IN ORDER ON WEDNESDAY, OCTOBER 17, 2001, MOTION TO SUSPEND THE RULES AND PASS THE BILL H.R. 3004, FINANCIAL ANTI-TERRORISM ACT OF 2001, WITH AMENDMENT

Mr. OXLEY (during the Special Order of Mr. MCINNIS). Mr. Speaker, I ask unanimous consent that it be in order at any time on the legislative day of Wednesday, October 17, 2001, for the Speaker to entertain a motion that the House suspend the rules and pass the bill H.R. 3004 with the amendment that I have placed at the desk and that the amendment I have placed at the desk be considered as read.

AMENDMENT OFFERED BY MR. OXLEY

The SPEAKER pro tempore (Mr. SIMMONS). The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. OXLEY:

H.R. 3004

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Financial Anti-Terrorism Act of 2001''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—STRENGTHENING LAW ENFORCEMENT

Sec. 101. Bulk cash smuggling into or out of the United States.
Sec. 102. Forfeiture in currency reporting cases.
Sec. 103. Illegal money transmitting businesses.
Sec. 104. Long-arm jurisdiction over foreign money launderers.
Sec. 105. Laundering money through a foreign bank.
Sec. 106. Specified unlawful activity for money laundering.
Sec. 107. Laundering the proceeds of terrorism.
Sec. 108. Proceeds of foreign crimes.
Sec. 109. Penalties for violations of geographic targeting orders and certain record keeping requirements.
Sec. 110. Exclusion of aliens involved in money laundering.
Sec. 111. Standing to contest forfeiture of funds deposited into foreign bank that has a correspondent account in the United States.
Sec. 112. Subpoenas for records regarding funds in correspondent bank accounts.
Sec. 113. Authority to order convicted criminal to return property located abroad.
Sec. 114. Corporation represented by a fugitive.
Sec. 115. Enforcement of foreign judgments.
Sec. 116. Reporting provisions and anti-terrorist activities of United States intelligence agencies.

Sec. 117. Financial Crimes Enforcement Network.
Sec. 118. Prohibition on false statements to financial institutions concerning the identity of a customer.
Sec. 119. Verification of identification.
Sec. 120. Consideration of anti-money laundering record.
Sec. 121. Reporting of suspicious activities by informal underground banking systems, such as hawalas.
Sec. 122. Uniform protection authority for Federal reserve facilities.
Sec. 123. Reports relating to coins and currency received in nonfinancial trade or business.

TITLE II—PUBLIC-PRIVATE COOPERATION

Sec. 201. Establishment of highly secure network.
Sec. 202. Report on improvements in data access and other issues.
Sec. 203. Reports to the financial services industry on suspicious financial activities.
Sec. 204. Efficient use of currency transaction report system.
Sec. 205. Public-private task force on terrorist financing issues.
Sec. 206. Suspicious activity reporting requirements.
Sec. 207. Amendments relating to reporting of suspicious activities.
Sec. 208. Authorization to include suspicions of illegal activity in written employment references.
Sec. 209. International cooperation on identification of originators of wire transfers.
Sec. 210. Check truncation study.

TITLE III—COMBATTING INTERNATIONAL MONEY LAUNDERING

Sec. 301. Special measures for jurisdictions, financial institutions, or international transactions of primary money laundering concern.
Sec. 302. Special due diligence for correspondent accounts and private banking accounts.
Sec. 303. Prohibition on United States correspondent accounts with foreign shell banks.
Sec. 304. Anti-money laundering programs.
Sec. 305. Concentration accounts at financial institutions.
Sec. 306. International cooperation in investigations of money laundering, financial crimes, and the finances of terrorist groups.

TITLE IV—CURRENCY PROTECTION

Sec. 401. Counterfeiting domestic currency and obligations.
Sec. 402. Counterfeiting foreign currency and obligations.
Sec. 403. Production of documents.
Sec. 404. Reimbursement.

TITLE I—STRENGTHENING LAW ENFORCEMENT

SEC. 101. BULK CASH SMUGGLING INTO OR OUT OF THE UNITED STATES.

(a) FINDINGS.—The Congress finds the following:

(1) Effective enforcement of the currency reporting requirements of subchapter II of chapter 53 of title 31, United States Code, and the regulations prescribed under such subchapter, has forced drug dealers and other criminals engaged in cash-based businesses to avoid using traditional financial institutions.

(2) In their effort to avoid using traditional financial institutions, drug dealers and other criminals are forced to move large quantities of currency in bulk form to and through the airports, border crossings, and other ports of entry where the currency can be smuggled out of the United States and placed in a foreign financial institution or sold on the black market.

(3) The transportation and smuggling of cash in bulk form may now be the most common form of money laundering, and the movement of large sums of cash is one of the most reliable warning signs of drug trafficking, terrorism, money laundering, racketeering, tax evasion and similar crimes.

(4) The intentional transportation into or out of the United States of large amounts of currency or monetary instruments, in a manner designed to circumvent the mandatory reporting provisions of subchapter II of chapter 53 of title 31, United States Code,, is the equivalent of, and creates the same harm as, the smuggling of goods.

(5) The arrest and prosecution of bulk cash smugglers are important parts of law enforcement's effort to stop the laundering of criminal proceeds, but the couriers who attempt to smuggle the cash out of the United States are typically low-level employees of large criminal organizations, and thus are easily replaced. Accordingly, only the confiscation of the smuggled bulk cash can effectively break the cycle of criminal activity of which the laundering of the bulk cash is a critical part.

(6) The current penalties for violations of the currency reporting requirements are insufficient to provide a deterrent to the laundering of criminal proceeds. In particular, in cases where the only criminal violation under current law is a reporting offense, the law does not adequately provide for the confiscation of smuggled currency. In contrast, if the smuggling of bulk cash were itself an offense, the cash could be confiscated as the corpus delicti of the smuggling offense.

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

(1) to make the act of smuggling bulk cash itself a criminal offense;

(2) to authorize forfeiture of any cash or instruments of the smuggling offense;

(3) to emphasize the seriousness of the act of bulk cash smuggling; and

(4) to prescribe guidelines for determining the amount of property subject to such forfeiture in various situations.

(c) ENACTMENT OF BULK CASH SMUGGLING OFFENSE.—Subchapter II of chapter 53 of title 31, United States Code, is amended by adding at the end the following:

"§ 5331. Bulk cash smuggling into or out of the United States

"(a) CRIMINAL OFFENSE.—

"(1) IN GENERAL.—Whoever, with the intent to evade a currency reporting requirement under section 5316, knowingly conceals more than $10,000 in currency or other monetary instruments on the person of such individual or in any conveyance, article of luggage, merchandise, or other container, and transports or transfers or attempts to transport or transfer such currency or monetary instruments from a place within the United States to a place outside of the United States, or from a place outside the United States to a place within the United States, shall be guilty of a currency smuggling offense and subject to punishment pursuant to subsection (b).

"(2) CONCEALMENT ON PERSON.—For purposes of this section, the concealment of currency on the person of any individual includes concealment in any article of clothing worn by the individual or in any luggage, backpack, or other container worn or carried by such individual.

"(b) PENALTY.—

"(1) TERM OF IMPRISONMENT.—A person convicted of a currency smuggling offense under subsection (a), or a conspiracy to commit such offense, shall be imprisoned for not more than 5 years.

"(2) FORFEITURE.—In addition, the court, in imposing sentence under paragraph (1), shall order that the defendant forfeit to the United States, any property, real or personal, involved in the offense, and any property traceable to such property, subject to subsection (d) of this section.

"(3) PROCEDURE.—The seizure, restraint, and forfeiture of property under this section shall be governed by section 413 of the Controlled Substances Act.

"(4) PERSONAL MONEY JUDGMENT.—If the property subject to forfeiture under paragraph (2) is unavailable, and the defendant has insufficient substitute property that may be forfeited pursuant to section 413(p) of the Controlled Substances Act, the court shall enter a personal money judgment against the defendant for the amount that would be subject to forfeiture.

"(c) CIVIL FORFEITURE.—

"(1) IN GENERAL.—Any property involved in a violation of subsection (a), or a conspiracy to commit such violation, and any property traceable to such violation or conspiracy, may be seized and, subject to subsection (d) of this section, forfeited to the United States.

"(2) PROCEDURE.—The seizure and forfeiture shall be governed by the procedures governing civil forfeitures in money laundering cases pursuant to section 981(a)(1)(A) of title 18, United States Code.

"(3) TREATMENT OF CERTAIN PROPERTY AS INVOLVED IN THE OFFENSE.—For purposes of this subsection and subsection (b), any currency or other monetary instrument that is concealed or intended to be concealed in violation of subsection (a) or a conspiracy to commit such violation, any article, container, or conveyance used, or intended to be used, to conceal or transport the currency or other monetary instrument, and any other property used, or intended to be used, to facilitate the offense, shall be considered property involved in the offense.".

(c) CLERICAL AMENDMENT.—The table of sections for subchapter II of chapter 53 of title 31, United States Code, is amended by inserting after the item relating to section 5330, the following new item:

"5331. Bulk cash smuggling into or out of the United States.".

SEC. 102. FORFEITURE IN CURRENCY REPORTING CASES.

(a) IN GENERAL.—Subsection (c) of section 5317 of title 31, United States Code, is amended to read as follows:

"(c) FORFEITURE.—

"(1) IN GENERAL.—The court in imposing sentence for any violation of section 5313, 5316, or 5324 of this title, or any conspiracy to commit such violation, shall order the defendant to forfeit all property, real or personal, involved in the offense and any property traceable thereto.

"(2) PROCEDURE.—Forfeitures under this subsection shall be governed by the procedures established in section 413 of the Controlled Substances Act and the guidelines established in paragraph (4).

"(3) CIVIL FORFEITURE.—Any property involved in a violation of section 5313, 5316, or 5324 of this title, or any conspiracy to commit any such violation, and any property traceable to any such violation or conspiracy, may be seized and, subject to paragraph (4), forfeited to the United States in accordance with the procedures governing civil forfeitures in money laundering cases pursuant to section 981(a)(1)(A) of title 18, United States Code.".

(b) CONFORMING AMENDMENTS.—

(1) Section 981(a)(1)(A) of title 18, United States Code, is amended by striking ''of section 5313(a) or 5324(a) of title 31, or''.

(2) Section 982(a)(1) of title 18, United States Code, is amended by striking ''of section 5313(a), 5316, or 5324 of title 31, or''.

SEC. 103. ILLEGAL MONEY TRANSMITTING BUSINESSES.

(a) SCIENTER REQUIREMENT FOR SECTION 1960 VIOLATION.—Section 1960 of title 18, United States Code, is amended to read as follows:

''§ 1960. Prohibition of unlicensed money transmitting businesses

''(a) Whoever knowingly conducts, controls, manages, supervises, directs, or owns all or part of an unlicensed money transmitting business, shall be fined in accordance with this title or imprisoned not more than 5 years, or both.

''(b) As used in this section—

''(1) the term 'unlicensed money transmitting business' means a money transmitting business which affects interstate or foreign commerce in any manner or degree and—

''(A) is operated without an appropriate money transmitting license in a State where such operation is punishable as a misdemeanor or a felony under State law, whether or not the defendant knew that the operation was required to be licensed or that the operation was so punishable;

''(B) fails to comply with the money transmitting business registration requirements under section 5330 of title 31, United States Code, or regulations prescribed under such section; or

''(C) otherwise involves the transportation or transmission of funds that are known to the defendant to have been derived from a criminal offense or are intended to be used to be used to promote or support unlawful activity;

''(2) the term 'money transmitting' includes transferring funds on behalf of the public by any and all means including but not limited to transfers within this country or to locations abroad by wire, check, draft, facsimile, or courier; and

''(3) the term 'State' means any State of the United States, the District of Columbia, the Northern Mariana Islands, and any commonwealth, territory, or possession of the United States.''.

(b) SEIZURE OF ILLEGALLY TRANSMITTED FUNDS.—Section 981(a)(1)(A) of title 18, United States Code, is amended by striking ''or 1957'' and inserting '', 1957 or 1960''.

(c) CLERICAL AMENDMENT.—The table of sections for chapter 95 of title 18, United States Code, is amended in the item relating to section 1960 by striking ''illegal'' and inserting ''unlicensed''.

SEC. 104. LONG-ARM JURISDICTION OVER FOREIGN MONEY LAUNDERERS.

Section 1956(b) of title 18, United States Code, is amended—

(1) by striking ''(b) Whoever'' and inserting ''(b)(1) Whoever'';

(2) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively;

(3) by striking ''subsection (a)(1) or (a)(3),'' and inserting ''subsection (a)(1) or (a)(2) or section 1957,''; and

(4) by adding at the end the following new paragraphs:

''(2) For purposes of adjudicating an action filed or enforcing a penalty ordered under this section, the district courts shall have jurisdiction over any foreign person, including any financial institution authorized under the laws of a foreign country, against whom the action is brought, if—

''(A) service of process upon such foreign person is made under the Federal Rules of Civil Procedure or the laws of the country where the foreign person is found; and

''(B) the foreign person—

''(i) commits an offense under subsection (a) involving a financial transaction that occurs in whole or in part in the United States;

''(ii) converts to such person's own use property in which the United States has an ownership interest by virtue of the entry of an order of forfeiture by a court of the United States; or

''(iii) is a financial institution that maintains a correspondent bank account at a financial institution in the United States.

''(3) The court may issue a pretrial restraining order or take any other action necessary to ensure that any bank account or other property held by the defendant in the United States is available to satisfy a judgment under this section.''.

SEC. 105. LAUNDERING MONEY THROUGH A FOREIGN BANK.

Section 1956(c)(6) of title 18, United States Code, is amended to read as follows:

''(6) the term 'financial institution' includes any financial institution described in section 5312(a)(2) of title 31, United States Code, or the regulations promulgated thereunder, as well as any foreign bank, as defined in paragraph (7) of section 1(b) of the International Banking Act of 1978 (12 U.S.C. 3101(7));''.

SEC. 106. SPECIFIED UNLAWFUL ACTIVITY FOR MONEY LAUNDERING.

(a) IN GENERAL.—Section 1956(c)(7) of title 18, United States Code, is amended—

(1) in subparagraph (B)—

(A) by striking clause (ii) and inserting the following new clause:

''(ii) any act or acts constituting a crime of violence, as defined in section 16 of this title;''; and

(B) by inserting after clause (iii) the following new clauses:

''(iv) bribery of a public official, or the misappropriation, theft, or embezzlement of public funds by or for the benefit of a public official;

''(v) smuggling or export control violations involving munitions listed in the United States Munitions List or technologies with military applications as defined in the Commerce Control List of the Export Administration Regulations; or

''(vi) an offense with respect to which the United States would be obligated by a bilateral treaty either to extradite the alleged offender or to submit the case for prosecution, if the offender were found within the territory of the United States;''; and

(2) in subparagraph (D)—

(A) by inserting ''section 541 (relating to goods falsely classified),'' before ''section 542'';

(B) by inserting ''section 922(1) (relating to the unlawful importation of firearms), section 924(n) (relating to firearms trafficking),'' before ''section 956'';

(C) by inserting ''section 1030 (relating to computer fraud and abuse),'' before ''1032''; and

(D) by inserting ''any felony violation of the Foreign Agents Registration Act of 1938, as amended,'' before ''or any felony violation of the Foreign Corrupt Practices Act''.

(b) RULE OF CONSTRUCTION.—None of the changes or amendments made by the Financial Anti-Terrorism Act of 2001 shall expand the jurisdiction of any Federal or State court over any civil action or claim for monetary damages for the nonpayment of taxes or duties under the revenue laws of a foreign state, or any political subdivision thereof, except as such actions or claims are authorized by United States treaty that provides the United States and its political subdivisions with reciprocal rights to pursue such actions or claims in the courts of the foreign state and its political subdivisions.

SEC. 107. LAUNDERING THE PROCEEDS OF TERRORISM.

Section 1956(c)(7)(D) of title 18, United States Code, is amended by inserting ''or 2339B'' after ''2339A''.

SEC. 108. PROCEEDS OF FOREIGN CRIMES.

Section 981(a)(1)(B) of title 18, United States Code, is amended to read as follows:

''(B) Any property, real or personal, within the jurisdiction of the United States, constituting, derived from, or traceable to, any proceeds obtained directly or indirectly from an offense against a foreign nation, or any property used to facilitate such offense, if—

''(i) the offense involves the manufacture, importation, sale, or distribution of a controlled substance (as such term is defined for the purposes of the Controlled Substances Act), or any other conduct described in section 1956(c)(7)(B),

''(ii) the offense would be punishable within the jurisdiction of the foreign nation by death or imprisonment for a term exceeding one year, and

''(iii) the offense would be punishable under the laws of the United States by imprisonment for a term exceeding one year if the act or activity constituting the offense had occurred within the jurisdiction of the United States.''.

SEC. 109. PENALTIES FOR VIOLATIONS OF GEOGRAPHIC TARGETING ORDERS AND CERTAIN RECORD KEEPING REQUIREMENTS.

(a) CIVIL PENALTY FOR VIOLATION OF TARGETING ORDER.—Section 5321(a)(1) of title 31, United States Code, is amended—

(1) by inserting ''or order issued'' after ''subchapter or a regulation prescribed''; and

(2) by inserting '', or willfully violating a regulation prescribed under section 21 of the Federal Deposit Insurance Act or section 123 of Public Law 91–508,'' after ''sections 5314 and 5315)''.

(b) CRIMINAL PENALTIES FOR VIOLATION OF TARGETING ORDER.—

Section 5322 of title 31, United States Code, is amended—

(1) in subsection (a)—

(A) by inserting ''or order issued'' after ''willfully violating this subchapter or a regulation prescribed''; and

(B) by inserting '', or willfully violating a regulation prescribed under section 21 of the Federal Deposit Insurance Act or section 123 of Public Law 91–508,'' after ''under section 5315 or 5324)'';

(2) in subsection (b)—

(A) by inserting ''or order issued'' after ''willfully violating this subchapter or a regulation prescribed''; and

(B) by inserting ''or willfully violating a regulation prescribed under section 21 of the Federal Deposit Insurance Act or section 123 of Public Law 91–508,'' after ''under section 5315 or 5324),'';

(c) STRUCTURING TRANSACTIONS TO EVADE TARGETING ORDER OR CERTAIN RECORD KEEPING REQUIREMENTS.—Section 5324(a) of title 31, United States Code, is amended—

(1) by inserting a comma after ''shall'';

(2) by striking ''section—'' and inserting ''section, the reporting requirements imposed by any order issued under section 5326, or the record keeping requirements imposed by any regulation prescribed under section 21 of the Federal Deposit Insurance Act or section 123 of Public Law 91–508—''; and

(3) in paragraphs (1) and (2), by inserting '', to file a report required by any order issued under section 5326, or to maintain a record required pursuant to any regulation prescribed under section 21 of the Federal Deposit Insurance Act or section 123 of Public Law 91–508'' after ''regulation prescribed under any such section'' each place that term appears.

(d) INCREASE IN CIVIL PENALTIES FOR VIOLATION OF CERTAIN RECORD KEEPING REQUIREMENTS.—

(1) FEDERAL DEPOSIT INSURANCE ACT.—Section 21(j)(1) of the Federal Deposit Insurance Act (12 U.S.C. 1829b(j)(1)) is amended by striking ''$10,000'' and inserting ''the greater of—

''(A) the amount (not to exceed $100,000) involved in the transaction (if any) with respect to which the violation occurred; or

''(B) $25,000''.

(2) PUBLIC LAW 91–508.—Section 125(a) of Public Law 91–508 (12 U.S.C. 1955(a)) is amended by striking ''$10,000'' and inserting ''the greater of—

''(1) the amount (not to exceed $100,000) involved in the transaction (if any) with respect to which the violation occurred; or

''(2) $25,000''.

(e) CRIMINAL PENALTIES FOR VIOLATION OF CERTAIN RECORD KEEPING REQUIREMENTS.—

(1) SECTION 126.—Section 126 of Public Law 91–508 (12 U.S.C. 1956) is amended to read as follows:

''SEC. 126. CRIMINAL PENALTY.

''A person that willfully violates this chapter, section 21 of the Federal Deposit Insurance Act, or a regulation prescribed under this chapter or that section 21, shall be fined not more than $250,000, or imprisoned for not more than 5 years, or both.''.

(2) SECTION 127.—Section 127 of Public Law 91–508 (12 U.S.C. 1957) is amended to read as follows:

''SEC. 127. ADDITIONAL CRIMINAL PENALTY IN CERTAIN CASES.

''A person that willfully violates this chapter, section 21 of the Federal Deposit Insurance Act, or a regulation prescribed under this chapter or that section 21, while violating another law of the United States or as part of a pattern of any illegal activity involving more than $100,000 in a 12-month period, shall be fined not more than $500,000, imprisoned for not more than 10 years, or both.''.

SEC. 110. EXCLUSION OF ALIENS INVOLVED IN MONEY LAUNDERING.

(a) IN GENERAL.—Section 212 of the Immigration and Nationality Act, as amended (8 U.S.C. 1182), is amended in subsection (a)(2)—

(1) by redesignating subparagraphs (D), (E), (F), (G), and (H) as subparagraphs (E), (F), (G), (H), and (I), respectively; and

(2) by inserting after subparagraph (C) the following new subparagraph (D):

''(D) MONEY LAUNDERING ACTIVITIES.—

''(i) IN GENERAL.—Any alien who the consular officer or the Attorney General knows or has reason to believe is or has been engaged in activities which if engaged in within the United States would constitute a violation of the money laundering provisions section 1956, 1957, or 1960 of title 18, United States Code, or has knowingly assisted, abetted, or conspired or colluded with others in any such illicit activity is inadmissible.

''(ii) RELATED INDIVIDUALS.—Any alien who the consular officer or the Attorney General knows or has reason to believe is the spouse, son, or daughter of an alien inadmissible under clause (i), has, within the previous 5 years, obtained any financial or other benefit from such illicit activity of that alien, and knew or reasonably should have known that the financial or other benefit was the product of such illicit activity, is inadmissible, except that the Attorney General may, in the full discretion of the Attorney General, waive the exclusion of the spouse, son, or daughter of an alien under this clause if the Attorney General determines that exceptional circumstances exist that justify such waiver.''.

(b) CONFORMING AMENDMENT.—Section 212(h)(1)(A)(i) of the Immigration and Nationality Act, as amended (8 U.S.C. 1182), is amended by striking ''(D)(i) or (D)(ii)'' and inserting ''(E)(i) or (E)(ii)''.

SEC. 111. STANDING TO CONTEST FORFEITURE OF FUNDS DEPOSITED INTO FOREIGN BANK THAT HAS A CORRESPONDENT ACCOUNT IN THE UNITED STATES.

Section 981 of title 18, United States Code, is amended by adding at the end the following new subsection:

''(k) CORRESPONDENT BANK ACCOUNTS.—

''(1) TREATMENT OF ACCOUNTS OF CORRESPONDENT BANK IN DOMESTIC FINANCIAL INSTITUTIONS.—

''(A) IN GENERAL.—For the purpose of a forfeiture under this section or under the Controlled Substances Act, if funds are deposited into a dollar-denominated bank account in a foreign financial institution, and that foreign financial institution has a correspondent account with a financial institution in the United States, the funds deposited into the foreign financial institution (the respondent bank) shall be deemed to have been deposited into the correspondent account in the United States, and any restraining order, seizure warrant, or arrest warrant in rem regarding such funds may be served on the correspondent bank, and funds in the correspondent account up to the value of the funds deposited into the dollar-denominated account in the foreign financial institution may be seized, arrested or restrained.

''(B) AUTHORITY TO SUSPEND.—The Attorney General, in consultation with the Secretary, may suspend or terminate a forfeiture under this section if the Attorney General determines that a conflict of law exists between the laws of the jurisdiction in which the foreign bank is located and the laws of the United States with respect to liabilities arising from the restraint, seizure, or arrest of such funds, and that such suspension or termination would be in the interest of justice and would not harm the national interests of the United States.

''(2) NO REQUIREMENT FOR GOVERNMENT TO TRACE FUNDS.—If a forfeiture action is brought against funds that are restrained, seized, or arrested under paragraph (1), the Government shall not be required to establish that such funds are directly traceable to the funds that were deposited into the respondent bank, nor shall it be necessary for the Government to rely on the application of Section 984 of this title.

''(3) CLAIMS BROUGHT BY OWNER OF THE FUNDS.—If a forfeiture action is instituted against funds seized, arrested, or restrained under paragraph (1), the owner of the funds may contest the forfeiture by filing a claim pursuant to section 983.

''(4) DEFINITIONS.—For purposes of this subsection, the following definitions shall apply:

''(A) CORRESPONDENT ACCOUNT.—The term 'correspondent account' has the meaning given to the term 'interbank account' in section 984(c)(2)(B).

''(B) OWNER.—

''(i) IN GENERAL.—Except as provided in clause (ii), the term 'owner'—

''(I) means the person who was the owner, as that term is defined in section 983(d)(6), of the funds that were deposited into the foreign bank at the time such funds were deposited; and

''(II) does not include either the foreign bank or any financial institution acting as an intermediary in the transfer of the funds into the interbank account.

''(ii) EXCEPTION.—The foreign bank may be considered the 'owner' of the funds (and no other person shall qualify as the owner of such funds) only if—

''(I) the basis for the forfeiture action is wrongdoing committed by the foreign bank; or

''(II) the foreign bank establishes, by a preponderance of the evidence, that prior to the restraint, seizure, or arrest of the funds, the foreign bank had discharged all or part of its obligation to the prior owner of the funds, in which case the foreign bank shall be deemed the owner of the funds to the extent of such discharged obligation.''.

SEC. 112. SUBPOENAS FOR RECORDS REGARDING FUNDS IN CORRESPONDENT BANK ACCOUNTS.

(a) IN GENERAL.—Subchapter II of chapter 53 of title 31, United States Code, is amended by inserting after section 5331 (as added by section 101) the following new section:

''§ 5332. Subpoenas for records

''(a) DESIGNATION BY FOREIGN FINANCIAL INSTITUTION OF AGENT.—Any foreign financial institution that has a correspondent bank account at a financial institution in the United States shall designate a person residing in the United States as a person authorized to accept a subpoena for bank records or other legal process served on the foreign financial institution.

''(b) MAINTENANCE OF RECORDS BY DOMESTIC FINANCIAL INSTITUTION.—

''(1) IN GENERAL.—Any domestic financial institution that maintains a correspondent bank account for a foreign financial institution shall maintain records regarding the names and addresses of the owners of the foreign financial institution, and the name and address of the person who may be served with a subpoena for records regarding any funds transferred to or from the correspondent account.

''(2) PROVISION TO LAW ENFORCEMENT AGENCY.—A domestic financial institution shall provide names and addresses maintained under paragraph (1) to a Government authority (as defined in section 1101(3) of the Right to Financial Privacy Act of 1978) within 7 days of the receipt of a request, in writing, for such records.

''(c) ADMINISTRATIVE SUBPOENA.—

''(1) IN GENERAL.—The Attorney General and the Secretary of the Treasury may each issue an administrative subpoena for records relating to the deposit of any funds into a dollar-denominated account in a foreign financial institution that maintains a correspondent account at a domestic financial institution.

''(2) MANNER OF ISSUANCE.—Any subpoena issued by the Attorney General or the Secretary of the Treasury under paragraph (1) shall be issued in the manner described in section 3486 of title 18, and may be served on the representative designated by the foreign financial institution pursuant to subsection (a) to accept legal process in the United States, or in a foreign country pursuant to any mutual legal assistance treaty, multilateral agreement, or other request for international law enforcement assistance.

''(d) CORRESPONDENT ACCOUNT DEFINED.—For purposes of this section, the term 'correspondent account' has the same meaning as the term 'interbank account' as such term is defined in section 984(c)(2)(B) of title 18, United States Code.''.

(b) CLERICAL AMENDMENTS.—The table of sections for subchapter II of chapter 53 of title 31, United States Code, is amended by inserting after the item relating to section 5331 (as added by section 101) the following new item:

''5332. Subpoenas for records.''.

(c) EFFECTIVE DATE.—Section 5332(a) of title 31, United States Code, (as added by subsection (a) of this section shall apply after the end of the 30-day period beginning on the date of the enactment of this Act.

(d) REQUESTS FOR RECORDS.—Section 3486(a)(1)(A)(i) of title 18, United States Code, is amended by striking ''; or (II) a Federal offense involving the sexual exploitation or abuse of children,'' and inserting '', (II) a Federal offense involving the sexual exploitation or abuse of children, or (III) a money laundering offense in violation of section 1956, 1957 or 1960 of this title,''.

SEC. 113. AUTHORITY TO ORDER CONVICTED CRIMINAL TO RETURN PROPERTY LOCATED ABROAD.

(a) FORFEITURE OF SUBSTITUTE PROPERTY.—Section 413(p) of the Controlled Substances Act (21 U.S.C. 853) is amended to read as follows:

''(p) FORFEITURE OF SUBSTITUTE PROPERTY.—

''(1) IN GENERAL.—Paragraph (2) of this subsection shall apply, if any property described in subsection (a), as a result of any act or omission of the defendant—

''(A) cannot be located upon the exercise of due diligence;

''(B) has been transferred or sold to, or deposited with, a third party;

''(C) has been placed beyond the jurisdiction of the court;

''(D) has been substantially diminished in value; or

''(E) has been commingled with other property which cannot be divided without difficulty.

''(2) SUBSTITUTE PROPERTY.—In any case described in any of subparagraphs (A) through (E) of paragraph (1), the court shall order the forfeiture of any other property of the defendant, up to the value of any property described in subparagraphs (A) through (E) of paragraph (1), as applicable.

''(3) RETURN OF PROPERTY TO JURISDICTION.—In the case of property described in paragraph (1)(C), the court may, in addition to any other action authorized by this subsection, order the defendant to return the property to the jurisdiction of the court so that the property may be seized and forfeited.''.

(b) PROTECTIVE ORDERS.—Section 413(e) of the Controlled Substances Act (21 U.S.C. 853(e)) is amended by adding at the end the following:

''(4) ORDER TO REPATRIATE AND DEPOSIT.—

''(A) IN GENERAL.—Pursuant to its authority to enter a pretrial restraining order under this section, the court may order a defendant to repatriate any property that may be seized and forfeited, and to deposit that property pending trial in the registry of the court, or with the United States Marshals Service or the Secretary of the Treasury, in an interest-bearing account, if appropriate.

''(B) FAILURE TO COMPLY.—Failure to comply with an order under this subsection, or an order to repatriate property under subsection (p), shall be punishable as a civil or criminal contempt of court, and may also result in an enhancement of the sentence of the defendant under the obstruction of justice provision of the Federal Sentencing Guidelines.''.

SEC. 114. CORPORATION REPRESENTED BY A FUGITIVE.

Section 2466 of title 28, United States Code, is amended by designating the present matter as subsection (a), and adding at the end the following:

''(b) Subsection (a) may be applied to a claim filed by a corporation if any majority shareholder, or individual filing the claim on behalf of the corporation is a person to whom subsection (a) applies.''.

SEC. 115. ENFORCEMENT OF FOREIGN JUDGMENTS.

Section 2467 of title 28, United States Code, is amended—

(1) in subsection (d), by inserting after paragraph (2) the following new paragraph:

''(3) PRESERVATION OF PROPERTY.—To preserve the availability of property subject to a foreign forfeiture or confiscation judgment, the Government may apply for, and the court may issue, a restraining order pursuant to section 983(j) of title 18, United States Code, at any time before or after an application is filed pursuant to subsection (c)(1). The court, in issuing the restraining order—

''(A) may rely on information set forth in an affidavit describing the nature of the proceeding or investigation underway in the foreign country, and setting forth a reasonable basis to believe that the property to be restrained will be named in a judgment of forfeiture at the conclusion of such proceeding; or

''(B) may register and enforce a restraining order that has been issued by a court of competent jurisdiction in the foreign country and certified by the Attorney General pursuant to subsection (b)(2).

No person may object to the restraining order on any ground that is the subject of parallel litigation involving the same property that is pending in a foreign court.'';

(2) in subsection (b)(1)(C), by striking ''establishing that the defendant received notice of the proceedings in sufficient time to enable the defendant'' and inserting ''establishing that the foreign nation took steps, in accordance with the principles of due process, to give notice of the proceedings to all persons with an interest in the property in sufficient time to enable such persons'';

(3) in subsection (d)(1)(D), by striking ''the defendant in the proceedings in the foreign court did not receive notice'' and inserting ''the foreign nation did not take steps, in accordance with the principles of due process, to give notice of the proceedings to a person with an interest in the property''; and

(4) in subsection (a)(2)(A), by inserting '', any violation of foreign law that would constitute a violation of an offense for which property could be forfeited under Federal law if the offense were committed in the United States'' after ''United Nations Convention''.

SEC. 116. REPORTING PROVISIONS AND ANTI-TERRORIST ACTIVITIES OF UNITED STATES INTELLIGENCE AGENCIES.

(a) AMENDMENT RELATING TO THE PURPOSES OF CHAPTER 53 OF TITLE 31, UNITED STATES CODE.—Section 5311 of title 31, United States Code, is amended by inserting before the period at the end the following: '', or in the conduct of intelligence or counterintelligence activities, including analysis, to protect against international terrorism''.

(b) AMENDMENT RELATING TO REPORTING OF SUSPICIOUS ACTIVITIES.—Section 5318(g)(4)(B) of title 31, United States Code, is amended by striking ''or supervisory agency'' and inserting '', supervisory agency, or United States intelligence agency for use in the conduct of intelligence or counterintelligence activities, including analysis, to protect against international terrorism''.

(c) AMENDMENT RELATING TO AVAILABILITY OF REPORTS.—Section 5319 of title 31, United States Code, is amended to read as follows:

''§ 5319. Availability of reports

''The Secretary of the Treasury shall make information in a report filed under this subchapter available to an agency, including any State financial institutions supervisory agency, United States intelligence agency or self-regulatory organization registered with the Securities and Exchange Commission or the Commodity Futures Trading Commission, upon request of the head of the agency or organization. The report shall be available for a purpose that is consistent with this subchapter. The Secretary may only require reports on the use of such information by any State financial institutions supervisory agency for other than supervisory purposes or by United States intelligence agencies. However, a report and records of reports are exempt from disclosure under section 552 of title 5.''.

(d) AMENDMENT RELATING TO THE RETENTION OF RECORDS BY INSURED DEPOSITORY INSTITUTIONS.—Section 21(a) of the Federal Deposit Insurance Act (12 U.S.C. 1829b(a)) is amended—

(1) in paragraph (1), by inserting '', or in the conduct of intelligence or counterintelligence activities, including analysis, to protect against international terrorism'' after ''proceedings''; and

(2) in paragraph (2), by inserting '', or in the conduct of intelligence or counterintelligence activities, including analysis, to protect against international terrorism'' before the period at the end.

(e) AMENDMENT RELATING TO THE RETENTION OF RECORDS BY UNINSURED INSTITUTIONS.—Section 123(a) of Public Law 91–508 (12 U.S.C. 1953(a)) is amended by inserting '', or in the conduct of intelligence or counterintelligence activities, including analysis, to protect against international terrorism'' after ''proceedings''.

(f) AMENDMENTS TO THE RIGHT TO FINANCIAL PRIVACY ACT.—The Right to Financial Privacy Act of 1978 is amended—

(1) in section 1112(a) (12 U.S.C. 3412(a)), by inserting '', or intelligence or counterintelligence activity, investigation or analysis related to international terrorism'' after ''legitimate law enforcement inquiry'';

(2) in section 1114(a)(1) (12 U.S.C. 3414(a)(1))—

(A) in subparagraph (A), by striking ''or'' at the end;

(B) in subparagraph (B), by striking the period at the end and inserting ''; or''; and

(C) by adding at the end the following:

''(C) a Government authority authorized to conduct investigations of, or intelligence or counterintelligence analyses related to, international terrorism for the purpose of conducting such investigations or analyses.''; and

(3) in section 1120(a)(2) (12 U.S.C. 3420(a)(2)), by inserting '', or for a purpose authorized by section 1112(a)'' before the semicolon at the end.

(g) AMENDMENT TO THE FAIR CREDIT REPORTING ACT.—

(1) IN GENERAL.—The Fair Credit Reporting Act (15 U.S.C. 1681 et seq.) is amended—

(A) by redesignating the second of the 2 sections designated as section 624 (15 U.S.C. 1681u) (relating to disclosure to FBI for counterintelligence purposes) as section 625; and

(B) by adding at the end the following new section:

''§ 626. Disclosures to governmental agencies for counterterrorism purposes

''(a) DISCLOSURE.—Notwithstanding section 604 or any other provision of this title, a consumer reporting agency shall furnish a consumer report of a consumer and all other information in a consumer's file to a government agency authorized to conduct investigations of, or intelligence or counterintelligence activities or analysis related to, international terrorism when presented with a written certification by such government agency that such information is necessary for the agency's conduct or such investigation, activity or analysis.

''(b) FORM OF CERTIFICATION.—The certification described in subsection (a) shall be signed by a supervisory official designated by the head of a Federal agency or an officer of a Federal agency whose appointment to office is required to be made by the President, by and with the advice and consent of the Senate.

''(c) CONFIDENTIALITY.—No consumer reporting agency, or officer, employee, or agent of such consumer reporting agency, shall disclose to any person, or specify in any consumer report, that a government agency has sought or obtained access to information under subsection (a).

''(d) RULE OF CONSTRUCTION.—Nothing in section 625 shall be construed to limit the authority of the Director of the Federal Bureau of Investigation under this section.

''(e) SAFE HARBOR.—Notwithstanding any other provision of this subchapter, any consumer reporting agency or agent or employee thereof making disclosure of consumer reports or other information pursuant to this section in good-faith reliance upon a certification of a governmental agency pursuant to the provisions of this section shall not be liable to any person for such disclosure under this subchapter, the constitution of any State, or any law or regulation of any State or any political subdivision of any State.''.

(2) CLERICAL AMENDMENTS.—The table of sections for the Fair Credit Reporting Act (15 U.S.C. 1681 et seq.) is amended—

(A) by redesignating the second of the 2 items designated as section 624 as section 625; and

(B) by inserting after the item relating to section 625 (as so redesignated) the following new item:

''626. Disclosures to governmental agencies for counterterrorism purposes.''.

(h) APPLICATION OF AMENDMENTS.—The amendments made by this section shall apply with respect to reports filed or records maintained on, before, or after the date of the enactment of this Act.

SEC. 117. FINANCIAL CRIMES ENFORCEMENT NETWORK.

(a) IN GENERAL.—Subchapter I of chapter 3 of title 31, United States Code, is amended—

(1) by redesignating section 310 as section 311; and

(2) by inserting after section 309 the following new section:

''§ 310. Financial Crimes Enforcement Network

''(a) IN GENERAL.—The Financial Crimes Enforcement Network established by order of the Secretary of the Treasury (Treasury Order Numbered 105-08) on April 25, 1990, shall be a bureau in the Department of the Treasury.

''(b) DIRECTOR.—

''(1) APPOINTMENT.—The head of the Financial Crimes Enforcement Network shall be the Director who shall be appointed by the Secretary of the Treasury.

''(2) DUTIES AND POWERS.—The duties and powers of the Director are as follows:

''(A) Advise and make recommendations on matters relating to financial intelligence, financial criminal activities, and other financial activities to the Under Secretary for Enforcement.

''(B) Maintain a government-wide data access service, with access, in accordance with applicable legal requirements, to the following:

''(i) Information collected by the Department of the Treasury, including report information filed under subchapters II and III of chapter 53 of this title (such as reports on cash transactions, foreign financial agency transactions and relationships, foreign currency transactions, exporting and importing monetary instruments, and suspicious activities), chapter 2 of title I of Public Law 91–508, and section 21 of the Federal Deposit Insurance Act.

''(ii) Information regarding national and international currency flows.

''(iii) Other records and data maintained by other Federal, State, local, and foreign agencies, including financial and other records developed in specific cases.

''(iv) Other privately and publicly available information.

''(C) Analyze and disseminate the available data in accordance with applicable legal requirements and policies and guidelines established by the Secretary of the Treasury and the Under Secretary for Enforcement to—

''(i) identify possible criminal activity to appropriate Federal, State, local, and foreign law enforcement agencies;

''(ii) support ongoing criminal financial investigations and prosecutions and related proceedings, including civil and criminal tax and forfeiture proceedings;

''(iii) identify possible instances of noncompliance with subchapters II and III of chapter 53 of this title, chapter 2 of title I of Public Law 91–508, and section 21 of the Federal Deposit Insurance Act to Federal agencies with statutory responsibility for enforcing compliance with such provisions and other appropriate Federal regulatory agencies;

''(iv) evaluate and recommend possible uses of special currency reporting requirements under section 5326;

''(v) determine emerging trends and methods in money laundering and other financial crimes;

''(vi) support the conduct of intelligence or counterintelligence activities, including analysis, to protect against international terrorism; and

''(vii) support government initiatives against money laundering.

''(D) Establish and maintain a financial crimes communications center to furnish law enforcement authorities with intelligence information related to emerging or ongoing investigations and undercover operations.

''(E) Furnish research, analytical, and informational services to financial institutions, appropriate Federal regulatory agencies with regard to financial institutions, and appropriate Federal, State, local, and foreign law enforcement authorities, in accordance with policies and guidelines established by the Secretary of the Treasury or the Under Secretary of the Treasury for Enforcement, in the interest of detection, prevention, and prosecution of terrorism, organized crime, money laundering, and other financial crimes.

''(F) Establish and maintain a special unit dedicated to assisting Federal, State, local, and foreign law enforcement and regulatory authorities in combatting the use of informal, nonbank networks and payment and barter system mechanisms that permit the transfer of funds or the equivalent of funds without records and without compliance with criminal and tax laws.

''(G) Provide computer and data support and data analysis to the Secretary of the Treasury for tracking and controlling foreign assets.

''(H) Coordinate with financial intelligence units in other countries on anti-terrorism and anti-money laundering initiatives, and similar efforts.

''(I) Administer the requirements of subchapters II and III of chapter 53 of this title, chapter 2 of title I of Public Law 91–508, and section 21 of the Federal Deposit Insurance Act, to the extent delegated such authority by the Secretary of the Treasury.

''(J) Such other duties and powers as the Secretary of the Treasury may delegate or prescribe.

''(c) REQUIREMENTS RELATING TO MAINTENANCE AND USE OF DATA BANKS.—The Secretary of the Treasury shall establish and maintain operating procedures with respect to the government-wide data access service and the financial crimes communications center maintained by the Financial Crimes Enforcement Network which provide—

''(1) for the coordinated and efficient transmittal of information to, entry of information into, and withdrawal of information from, the data maintenance system maintained by the Network, including—

''(A) the submission of reports through the Internet or other secure network, whenever possible;

''(B) the cataloguing of information in a manner that facilitates rapid retrieval by law enforcement personnel of meaningful data; and

''(C) a procedure that provides for a prompt initial review of suspicious activity reports and other reports, or such other means as the Secretary may provide, to identify information that warrants immediate action; and

''(2) in accordance with section 552a of title 5 and the Right to Financial Privacy Act of 1978, appropriate standards and guidelines for determining—

''(A) who is to be given access to the information maintained by the Network;

''(B) what limits are to be imposed on the use of such information; and

''(C) how information about activities or relationships which involve or are closely associated with the exercise of constitutional rights is to be screened out of the data maintenance system.

''(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for the Financial Crimes Enforcement Network such sums as may be necessary for fiscal years 2002, 2003, 2004, and 2005.''.

(b) COMPLIANCE WITH EXISTING REPORTS COMPLIANCE.—The Secretary of the Treasury shall study methods for improving compliance with the reporting requirements established in section 5314 of title 31, United States Code, and shall submit a report on such study to the Congress by the end of the 6-month period beginning on the date of the enactment of this Act and each 1-year period thereafter. The initial report shall include historical data on compliance with such reporting requirements.

(c) CLERICAL AMENDMENT.—The table of sections for subchapter I of chapter 3 of title 31, United States Code, is amended—

(1) by redesignating the item relating to section 310 as section 311; and

(2) by inserting after the item relating to section 309 the following new item:

''310. Financial Crimes Enforcement Network''.

SEC. 118. PROHIBITION ON FALSE STATEMENTS TO FINANCIAL INSTITUTIONS CONCERNING THE IDENTITY OF A CUSTOMER.

(a) IN GENERAL.—Chapter 47 of title 18, United States Code, is amended by inserting after section 1007 the following:

''§ 1008. False statements concerning the identity of customers of financial institutions

''(a) IN GENERAL.—Whoever, in connection with information submitted to or requested by a financial institution, knowingly in any manner—

''(1) falsifies, conceals, or covers up, or attempts to falsify, conceal, or cover up, the identity of any person in connection with any transaction with a financial institution;

''(2) makes, or attempts to make, any materially false, fraudulent, or fictitious statement or representation of the identity of any person in connection with a transaction with a financial institution;

''(3) makes or uses, or attempts to make or use, any false writing or document knowing the same to contain any materially false, fictitious, or fraudulent statement or entry concerning the identity of any person in connection with a transaction with a financial institution; or

''(4) uses or presents, or attempts to use or present, in connection with a transaction with a financial institution, an identification document or means of identification the possession of which is a violation of section 1028;

shall be fined under this title, imprisoned not more than 5 years, or both.

''(b) DEFINITIONS.—In this section, the following definitions shall apply:

''(1) FINANCIAL INSTITUTION.—The term 'financial institution'—

''(A) has the same meaning as in section 20; and

''(B) in addition, has the same meaning as in section 5312(a)(2) of title 31, United States Code.

''(2) IDENTIFICATION DOCUMENT.—The term 'identification document' has the same meaning as in section 1028(d).

''(3) MEANS OF IDENTIFICATION.—The term 'means of identification' has the same meaning as in section 1028(d).''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) TITLE 18, UNITED STATES CODE.—Section 1956(c)(7)(D) of title 18, United States Code, is amended by striking ''1014 (relating to fraudulent loan'' and inserting ''section 1008 (relating to false statements concerning the identity of customers of financial institutions), section 1014 (relating to fraudulent loan''.

(2) TABLE OF SECTIONS.—The table of sections for chapter 47 of title 18, United States Code, is amended by inserting after the item relating to section 1007 the following:

''1008. False statements concerning the identity of customers of financial institutions.''.

SEC. 119. VERIFICATION OF IDENTIFICATION.

(a) IN GENERAL.—Section 5318 of title 31, United States Code, is amended by adding at the end the following new subsection:

''(i) IDENTIFICATION AND VERIFICATION OF ACCOUNTHOLDERS.—

''(1) IN GENERAL.—Subject to the requirements of this subsection, the Secretary of the Treasury shall prescribe regulations setting forth the minimum standards regarding customer identification that shall apply in connection with the opening of an account at a financial institution.

''(2) MINIMUM REQUIREMENTS.—The regulations shall, at a minimum, require financial institutions to implement procedures for—

''(A) verifying the identity of any person seeking to open an account to the extent reasonable and practicable;

''(B) maintaining records of the information used to verify a person's identity, including name, address, and other identifying information;

''(C) consulting lists of known or suspected terrorists or terrorist organizations provided to the financial institution by any government agency to determine whether a person seeking to open an account appears on any such list.

''(3) FACTORS TO BE CONSIDERED.—In prescribing regulations under this subsection, the Secretary shall take into consideration the various types of accounts maintained by various types of financial institutions, the various methods of opening accounts, and the various types of identifying information available.

''(4) CERTAIN FINANCIAL INSTITUTIONS.—In the case of any financial institution the business of which is engaging in financial activities described in section 4(k) of the Bank Holding Company Act of 1956 (including financial activities subject to the jurisdiction of the Commodity Futures Trading Commission), the regulations prescribed by the Secretary under paragraph (1) shall be prescribed jointly with each Federal functional regulator (as defined in section 509 of the Gramm-Leach-Bliley Act, including the Commodity Futures Trading Commission) appropriate for such financial institution.

''(5) EXEMPTIONS.—The Secretary of the Treasury (and, in the case of any financial institution described in paragraph (4), any Federal agency described in such paragraph) may, by regulation or order, exempt any financial institution or type of account from the requirements of any regulation prescribed under this subsection in accordance with such standards and procedures as the Secretary may prescribe.

''(6) EFFECTIVE DATE.—Final regulations prescribed under this subsection shall take effect before the end of the 1-year period beginning on the date of the enactment of the Financial Anti-Terrorism Act of 2001.''.

(b) STUDY AND REPORT REQUIRED.—Within 6 months after the date of the enactment of this Act, the Secretary of the Treasury, in consultation with the Federal functional regulators (as defined in section 509 of the Gramm-Leach-Bliley Act) and other appropriate Government agencies, shall submit a report to the Congress containing recommendations for—

(1) determining the most timely and effective way to require foreign nationals to provide domestic financial institutions and agencies with appropriate and accurate information, comparable to that which is required of United States nationals, concerning their identity, address, and other related information necessary to enable such institutions and agencies to comply with the requirements of this section;

(2) requiring foreign nationals to apply for and obtain, before opening an account with a domestic financial institution, an identification number which would function similarly to a Social Security number or tax identification number; and

(3) establishing a system for domestic financial institutions and agencies to review information maintained by relevant Government agencies for purposes of verifying the identities of foreign nationals seeking to open accounts at those institutions and agencies.

SEC. 120. CONSIDERATION OF ANTI-MONEY LAUNDERING RECORD.

(a) BANK HOLDING COMPANY ACT OF 1956.—

(1) IN GENERAL.—Section 3(c) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(c)) is amended by adding at the end the following new paragraph:

''(6) MONEY LAUNDERING.—In every case the Board shall take into consideration the effectiveness of the company or companies in combatting and preventing money laundering activities, including in overseas branches.''.

(2) SCOPE OF APPLICATION.—The amendment made by paragraph (1) shall apply with respect to any application submitted to the Board of Governors of the Federal Reserve System under section 3 of the Bank Holding Company Act of 1956 after December 31, 2000, which has not been approved by the Board before the date of the enactment of this Act.

(b) MERGERS SUBJECT TO REVIEW UNDER FEDERAL DEPOSIT INSURANCE ACT.—

(1) IN GENERAL.—Section 18(c) of the Federal Deposit Insurance Act (12 U.S.C. 1828(c)) is amended—

(A) by redesignating paragraph (11) as paragraph (12); and

(B) by inserting after paragraph (10), the following new paragraph:

''(11) MONEY LAUNDERING.—In every case, the responsible agency shall take into consideration the effectiveness of any insured depository institution involved in the proposed merger transaction in combatting and preventing money laundering activities, including in overseas branches.''.

(2) SCOPE OF APPLICATION.—The amendment made by paragraph (1) shall apply with respect to any application submitted to the responsible agency under section 18(c) of the Federal Deposit Insurance Act after December 31, 2000, which has not been approved by all appropriate responsible agencies before the date of the enactment of this Act.

SEC. 121. REPORTING OF SUSPICIOUS ACTIVITIES BY INFORMAL UNDERGROUND BANKING SYSTEMS, SUCH AS HAWALAS.

(a) DEFINITION FOR SUBCHAPTER.—Subparagraph (R) of section 5312(a)(2) of title 31, United States Code, is amended to read as follows:

''(R) a licensed sender of money or any other person who engages as a business in the transmission of funds, including through an informal value transfer banking system or network of people facilitating the transfer of value domestically or internationally outside of the conventional financial institutions system;''.

(b) MONEY TRANSMITTING BUSINESS.—Section 5330(d)(1)(A) of title 31, United States Code, is amended by inserting before the semicolon the following: ''or any other person who engages as a business in the transmission of funds, including through an informal value transfer banking system or network of people facilitating the transfer of value domestically or internationally outside of the conventional financial institutions system''.

(c) APPLICABILITY OF RULES.—Section 5318 of title 31, United States Code, as amended by this Act, is amended by adding at the end the following:

''(l) APPLICABILITY OF RULES.—Any rules prescribed pursuant to the authority contained in section 21 of the Federal Deposit Insurance Act shall apply, in addition to any other financial institution to which such rules apply, to any person that engages as a business in the transmission of funds, including through an informal value transfer banking system or network of people facilitating the transfer of value domestically or internationally outside of the conventional financial institutions system.''.

(d) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary of the Treasury shall report to Congress on the need for any additional legislation relating to—

(1) informal value transfer banking systems or networks of people facilitating the transfer of value domestically or internationally outside of the conventional financial institutions system;

(2) anti-money laundering controls; and

(3) regulatory controls relating to underground money movement and banking systems, such as the system referred to as ''hawala'', including whether the threshold for the filing of suspicious activity reports under section 5318(g) of title 31, United States Code should be lowered in the case of such systems.

SEC. 122. UNIFORM PROTECTION AUTHORITY FOR FEDERAL RESERVE FACILITIES.

Section 11 of the Federal Reserve Act (12 U.S.C. 248) is amended by adding at the end the following:

''(q) UNIFORM PROTECTION AUTHORITY FOR FEDERAL RESERVE FACILITIES.—

''(1) Notwithstanding any other provision of law, to authorize personnel to act as law enforcement officers to protect and safeguard the premises, grounds, property, personnel, including members of the Board, of the Board, or any Federal reserve bank, and operations conducted by or on behalf of the Board or a reserve bank.

''(2) The Board may, subject to the regulations prescribed under paragraph (5), delegate authority to a Federal reserve bank to

authorize personnel to act as law enforcement officers to protect and safeguard the bank's premises, grounds, property, personnel, and operations conducted by or on behalf of the bank.

''(3) Law enforcement officers designated or authorized by the Board or a reserve bank under paragraph (1) or (2) are authorized while on duty to carry firearms and make arrests without warrants for any offense against the United States committed in their presence, or for any felony cognizable under the laws of the United States committed or being committed within the buildings and grounds of the Board or a reserve bank if they have reasonable grounds to believe that the person to be arrested has committed or is committing such a felony. Such officers shall have access to law enforcement information that may be necessary for the protection of the property or personnel of the Board or a reserve bank.

''(4) For purposes of this subsection, the term 'law enforcement officers' means personnel who have successfully completed law enforcement training and are authorized to carry firearms and make arrests pursuant to this subsection.

''(5) The law enforcement authorities provided for in this subsection may be exercised only pursuant to regulations prescribed by the Board and approved by the Attorney General.''.

SEC. 123. REPORTS RELATING TO COINS AND CURRENCY RECEIVED IN NONFINANCIAL TRADE OR BUSINESS.

(a) REPORTS REQUIRED.—Subchapter II of chapter 53 of title 31, United States Code, is amended by inserting after section 5332 (as added by section 112 of this title) the following new section:

''SEC. 5333. REPORTS RELATING TO COINS AND CURRENCY RECEIVED IN NONFINANCIAL TRADE OR BUSINESS.

''(a) COIN AND CURRENCY RECEIPTS OF MORE THAN $10,000.—Any person—

''(1) who is engaged in a trade or business; and

''(2) who, in the course of such trade or business, receives more than $10,000 in coins or currency in 1 transaction (or 2 or more related transactions),

shall file a report described in subsection (b) with respect to such transaction (or related transactions) with the Financial Crimes Enforcement Network at such time and in such manner as the Secretary may, by regulation, prescribe.

''(b) FORM AND MANNER OF REPORTS.—A report is described in this subsection if such report—

''(1) is in such form as the Secretary may prescribe;

''(2) contains—

''(A) the name and address, and such other identification information as the Secretary may require, of the person from whom the coins or currency was received;

''(B) the amount of coins or currency received;

''(C) the date and nature of the transaction; and

''(D) such other information, including the identification of the person filing the report, as the Secretary may prescribe.

''(c) EXCEPTIONS.—

''(1) AMOUNTS RECEIVED BY FINANCIAL INSTITUTIONS.—Subsection (a) shall not apply to amounts received in a transaction reported under section 5313 and regulations prescribed under such section.

''(2) TRANSACTIONS OCCURRING OUTSIDE THE UNITED STATES.—Except to the extent provided in regulations prescribed by the Secretary, subsection (a) shall not apply to any transaction if the entire transaction occurs outside the United States.

''(d) CURRENCY INCLUDES FOREIGN CURRENCY AND CERTAIN MONETARY INSTRUMENTS.—

''(1) IN GENERAL.—For purposes of this section, the term 'currency' includes—

''(A) foreign currency; and

''(B) to the extent provided in regulations prescribed by the Secretary, any monetary instrument (whether or not in bearer form) with a face amount of not more than $10,000.

''(2) SCOPE OF APPLICATION.—Paragraph (1)(B) shall not apply to any check drawn on the account of the writer in a financial institution referred to in subparagraph (A), (B), (C), (D), (E), (F), (G), (J), (K), (R), or (S) of section 5312(a)(2).''.

(b) PROHIBITION ON STRUCTURING TRANSACTIONS.—

(1) IN GENERAL.—Section 5324 of title 31, United States Code, is amended—

(A) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(B) by inserting after subsection (a) the following new subsection:

''(b) DOMESTIC COIN AND CURRENCY TRANSACTIONS INVOLVING NONFINANCIAL TRADES OR BUSINESSES.—No person shall for the purpose of evading the report requirements of section 5333 or any regulation prescribed under such section—

''(1) cause or attempt to cause a nonfinancial trade or business to fail to file a report required under section 5333 or any regulation prescribed under such section;

''(2) cause or attempt to cause a nonfinancial trade or business to file a report required under section 5333 or any regulation prescribed under such section that contains a material omission or misstatement of fact; or

''(3) structure or assist in structuring, or attempt to structure or assist in structuring, any transaction with 1 or more nonfinancial trades or businesses.'.

(2) TECHNICAL AND CONFORMING AMENDMENTS.—

(A) The heading for subsection (a) of section 5324 of title 31, United States Code, is amended by inserting ''INVOLVING FINANCIAL INSTITUTIONS'' after ''TRANSACTIONS'.

(B) Section 5317(c) of title 31, United States Code, is amended by striking ''5324(b)'' and inserting ''5324(c)''.

(c) DEFINITION OF NONFINANCIAL TRADE OR BUSINESS.—

(1) IN GENERAL.—Section 5312(a) of title 31, United States Code, is amended—

(A) by redesignating paragraphs (4) and (5) as paragraphs (5) and (6), respectively; and

(B) by inserting after paragraph (3) the following new paragraph:

''(4) NONFINANCIAL TRADE OR BUSINESS.—The term 'nonfinancial trade or business' means any trade or business other than a financial institution that is subject to the reporting requirements of section 5313 and regulations prescribed under such section.''.

(2) TECHNICAL AND CONFORMING AMENDMENTS.—

(A) Section 5312(a)(3)(C) of title 31, United States Code, is amended by striking ''section 5316,'' and inserting ''sections 5333 and 5316,''.

(B) Subsections (a) through (f) of section 5318 of title 31, United States Code, and sections 5321, 5326, and 5328 of such title are each amended—

(i) by inserting ''or nonfinancial trade or business'' after ''financial institution'' each place such term appears; and

(ii) by inserting ''or nonfinancial trades or businesses'' after ''financial institutions'' each place such term appears.

(C) Section 981(a)(1)(A) of title 18, United States Code, is amended by striking ''5313(a) or 5324(a) of title 31,'' and inserting ''5313(a) or 5333 of title 31, or subsection (a) or (b) of section 5324 of such title,''.

(D) Section 982(a)(1) of title 18, United States Code, is amended by inserting ''5333,'' after ''5313(a),''.

(c) CLERICAL AMENDMENT.—The tables of sections for chapter 53 of title 31, United States Code, is amended by inserting after the item relating to section 5332 (as added by section 112 of this title) the following new item:

''5333. Reports relating to coins and currency received in nonfinancial trade or business.''.

(f) REGULATIONS.—Regulations which the Secretary of the Treasury determines are necessary to implement this section shall be published in final form before the end of the 6-month period beginning on the date of the enactment of this Act.

TITLE II—PUBLIC-PRIVATE COOPERATION

SEC. 201. ESTABLISHMENT OF HIGHLY SECURE NETWORK.

(a) IN GENERAL.—The Secretary of the Treasury shall establish a highly secure network in the Financial Crimes Enforcement Network that—

(1) allows financial institutions to file reports required under subchapter II or III of chapter 53 of title 31, United States Code, chapter 2 of title I of Public Law 91–508, or section 21 of the Federal Deposit Insurance Act through the network; and

(2) provides financial institutions with alerts and other information regarding suspicious activities that warrant immediate and enhanced scrutiny.

(b) EXPEDITED DEVELOPMENT.—The Secretary of the Treasury shall take such action as may be necessary to ensure that the website required under subsection (a) is fully operational before the end of the 9-month period beginning on the date of the enactment of this Act.

SEC. 202. REPORT ON IMPROVEMENTS IN DATA ACCESS AND OTHER ISSUES.

Before the end of the 6-month period beginning on the date of the enactment of this Act, the Secretary of the Treasury, after consulting with appropriate Federal functional regulators (as defined in section 509 of the Gramm-Leach-Bliley Act), shall report to the Congress on the following issues:

(1) DATA COLLECTION AND ANALYSIS.—Progress made since such date of enactment in meeting the requirements of section 310(c) of title 31, United States Code (as added by this Act).

(2) BARRIERS TO EXCHANGE OF FINANCIAL CRIME INFORMATION.—Technical, legal, and other barriers to the exchange of financial crime prevention and detection information among and between Federal law enforcement agencies, including an identification of all Federal law enforcement data systems between which or among which data cannot be shared for whatever reason.

(3) PRIVATE BANKING.—Private banking activities in the United States, including information on the following:

(A) The nature and extent of private banking activities in the United States.

(B) Regulatory efforts to monitor private banking activities and ensure that such activities are conducted in compliance with subchapter II of chapter 53 of title 31, United States Code, and section 21 of the Federal Deposit Insurance Act.

(C) With regard to financial institutions that offer private banking services, the policies and procedures of such institutions that are designed to ensure compliance with the requirements of subchapter II of chapter 53 of title 31, United States Code, and section 21 of the Federal Deposit Insurance Act with respect to private banking activity.

SEC. 203. REPORTS TO THE FINANCIAL SERVICES INDUSTRY ON SUSPICIOUS FINANCIAL ACTIVITIES.

At least once each calendar quarter, the Secretary of the Treasury shall—

(1) publish a report containing a detailed analysis identifying patterns of suspicious activity and other investigative insights derived from suspicious activity reports and investigations conducted by Federal, State, and local law enforcement agencies to the extent appropriate; and

(2) distribute such report to financial institutions (as defined in section 5312 of title 31, United States Code).

SEC. 204. EFFICIENT USE OF CURRENCY TRANSACTION REPORT SYSTEM.

(a) FINDINGS.—The Congress finds the following:

(1) The Congress established the currency transaction reporting requirements in 1970 because the Congress found then that such reports have a high degree of usefulness in criminal, tax, and regulatory investigations and proceedings and the usefulness of such reports has only increased in the years since the requirements were established.

(2) In 1994, in response to reports and testimony that excess amounts of currency transaction reports were interfering with effective law enforcement, the Congress reformed the currency transaction report exemption requirements to provide—

(A) mandatory exemptions for certain reports that had little usefulness for law enforcement, such as cash transfers between depository institutions and cash deposits from government agencies; and

(B) discretionary authority for the Secretary of the Treasury to provide exemptions, subject to criteria and guidelines established by the Secretary, for financial institutions with regard to regular business customers that maintain accounts at an institution into which frequent cash deposits are made.

(3) Today there is evidence that some financial institutions are not utilizing the exemption system, or are filing reports even if there is an exemption in effect, with the result that the volume of currency transaction reports is once again interfering with effective law enforcement.

(b) STUDY AND REPORT.—

(1) STUDY REQUIRED.—The Secretary of the Treasury shall conduct a study of—

(A) the possible expansion of the statutory exemption system in effect under 5313 of title 31, United States Code; and

(B) methods for improving financial institution utilization of the statutory exemption provisions as a way of reducing the submission of currency transaction reports that have little or no value for law enforcement purposes, including improvements in the systems in effect at financial institutions for regular review of the exemption procedures used at the institution and the training of personnel in its effective use.

(2) REPORT REQUIRED.—The Secretary of the Treasury shall submit a report to the Congress before the end of the 90-day period beginning on the date of the enactment of this Act containing the findings and conclusions of the Secretary with regard to the study required under subsection (a) and such recommendations for legislative or administrative action as the Secretary determines to be appropriate.

SEC. 205. PUBLIC-PRIVATE TASK FORCE ON TERRORIST FINANCING ISSUES.

Section 1564 of the Annunzio—Wylie Anti-Money Laundering Act (31 U.S.C. 5311 note) is amended by adding at the end the following new subsection:

''(d) TERRORIST FINANCING ISSUES.—

''(1) IN GENERAL.—The Secretary of the Treasury shall provide, either within the Bank Secrecy Act Advisory Group, or as a subcommittee or other adjunct of the Advisory Group, for a task force of representatives from agencies and officers represented on the Advisory Group, a representative of the Director of the Office of Homeland Security, and representatives of financial institutions, private organizations that represent the financial services industry, and other interested parties to focus on—

''(A) issues specifically related to the finances of terrorist groups, the means terrorist groups use to transfer funds around the world and within the United States, including through the use of charitable organizations, nonprofit organizations, and nongovernmental organizations, and the extent to which financial institutions in the United States are unwittingly involved in such finances and the extent to which such institutions are at risk as a result;

''(B) the relationship, particularly the financial relationship, between international narcotics traffickers and foreign terrorist organizations, the extent to which their memberships overlap and engage in joint activities, and the extent to which they cooperate with each other in raising and transferring funds for their respective purposes; and

''(C) means of facilitating the identification of accounts and transactions involving terrorist groups and facilitating the exchange of information concerning such accounts and transactions between financial institutions and law enforcement organizations.

''(2) APPLICABILITY OF OTHER PROVISIONS.—Sections 552, 552a, and 552b of title 5, United States Code, and the Federal Advisory Committee Act shall not apply to the task force established pursuant to paragraph (1).''.

SEC. 206. SUSPICIOUS ACTIVITY REPORTING REQUIREMENTS.

(a) DEADLINE FOR SUSPICIOUS ACTIVITY REPORTING REQUIREMENTS FOR REGISTERED BROKERS AND DEALERS.—The Secretary of the Treasury, in consultation with the Securities and Exchange Commission, shall publish proposed regulations in the Federal Register before January 1, 2002, requiring brokers and dealers registered with the Securities and Exchange Commission under the Securities Exchange Act of 1934 to submit suspicious activity reports under section 5318(g) of title 31, United States Code. Such regulations shall be published in final form no later than June 1, 2002.

(b) SUSPICIOUS ACTIVITY REPORTING REQUIREMENTS FOR FUTURES COMMISSION MERCHANTS, COMMODITY TRADING ADVISORS, AND COMMODITY POOL OPERATORS.—The Secretary of the Treasury, in consultation with the Commodity Futures Trading Commission, may prescribe regulations requiring futures commission merchants, commodity trading advisors, and commodity pool operators registered under the Commodity Exchange Act to submit suspicious activity reports under section 5318(g) of title 31, United States Code.

SEC. 207. AMENDMENTS RELATING TO REPORTING OF SUSPICIOUS ACTIVITIES.

(a) AMENDMENT RELATING TO CIVIL LIABILITY IMMUNITY FOR DISCLOSURES.—Section 5318(g)(3) of title 31, United States Code, is amended to read as follows:

''(3) LIABILITY FOR DISCLOSURES.—

''(A) IN GENERAL.—Any financial institution that makes a voluntary disclosure of any possible violation of law or regulation to a government agency or makes a disclosure pursuant to this subsection or any other authority, and any director, officer, employee, or agent of such institution who makes, or requires another to make any such disclosure, shall not be liable to any person under any law or regulation of the United States, any constitution, law, or regulation of any State or political subdivision of any State, or under any contract or other legally enforceable agreement (including any arbitration agreement), for such disclosure or for any failure to provide notice of such disclosure to any person.

''(B) RULE OF CONSTRUCTION.—Subparagraph (A) shall not be construed as creating—

''(i) any inference that the term 'person', as used in such subparagraph, may be construed more broadly than its ordinary usage so to include any government or agency of government; or

''(ii) any immunity against, or otherwise affecting, any civil or criminal action brought by any government or agency of government to enforce any constitution, law, or regulation of such government or agency.''.

(b) PROHIBITION ON NOTIFICATION OF DISCLOSURES.—Section 5318(g)(2) of title 31, United States Code, is amended to read as follows:

''(2) NOTIFICATION PROHIBITED.—

''(A) IN GENERAL.—If a financial institution or any director, officer, employee, or agent of any financial institution, voluntarily or pursuant to this section or any other authority, reports a suspicious transaction to a government agency—

''(i) the financial institution, director, officer, employee, or agent may not notify any person involved in the transaction that the transaction has been reported; and

''(ii) no officer or employee of the Federal Government or of any State, local, tribal, or territorial government within the United States, who has any knowledge that such report was made may disclose to any person involved in the transaction that the transaction has been reported other than as necessary to fulfill the official duties of such officer or employee.

''(B) DISCLOSURES IN CERTAIN EMPLOYMENT REFERENCES.—Notwithstanding the application of subparagraph (A) in any other context, subparagraph (A) shall not be construed as prohibiting any financial institution, or any director, officer, employee, or agent of such institution, from including, in a written employment reference that is provided in accordance with section 18(v) of the Federal Deposit Insurance Act in response to a request from another financial institution or a written termination notice or employment reference that is provided in accordance with the rules of the self-regulatory organizations registered with the Securities and Exchange Commission or the Commodity Futures Trading Commission, information that was included in a report to which subparagraph (A) applies, but such written employment reference may not disclose that such information was also included in any such report or that such report was made.''.

SEC. 208. AUTHORIZATION TO INCLUDE SUSPICIONS OF ILLEGAL ACTIVITY IN WRITTEN EMPLOYMENT REFERENCES.

Section 18 of the Federal Deposit Insurance Act (12 U.S.C. 1828) is amended by adding at the end the following new subsection:

''(w) WRITTEN EMPLOYMENT REFERENCES MAY CONTAIN SUSPICIONS OF INVOLVEMENT IN ILLEGAL ACTIVITY.—

''(1) IN GENERAL.—Notwithstanding any other provision of law, any insured depository institution, and any director, officer, employee, or agent of such institution, may disclose in any written employment reference relating to a current or former institution-affiliated party of such institution which is provided to another insured depository institution in response to a request from such other institution, information concerning the possible involvement of such

institution-affiliated party in potentially unlawful activity, to the extent—

''(A) the disclosure does not contain information which the institution, director, officer, employee, or agent knows to be false; and

''(B) the institution, director, officer, employee, or agent has not acted with malice or with reckless disregard for the truth in making the disclosure.

''(2) DEFINITION.—For purposes of this subsection, the term 'insured depository institution' includes any uninsured branch or agency of a foreign bank.''.

SEC. 209. INTERNATIONAL COOPERATION ON IDENTIFICATION OF ORIGINATORS OF WIRE TRANSFERS.

The Secretary of the Treasury shall—

(1) in consultation with the Attorney General and the Secretary of State, take all reasonable steps to encourage foreign governments to require the inclusion of the name of the originator in wire transfer instructions sent to the United States and other countries, with the information to remain with the transfer from its origination until the point of disbursement; and

(2) report annually to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate on—

(A) progress toward the goal enumerated in paragraph (1), as well as impediments to implementation and an estimated compliance rate; and

(B) impediments to instituting a regime in which all appropriate identification, as defined by the Secretary, about wire transfer recipients shall be included with wire transfers from their point of origination until disbursement.

SEC. 210. CHECK TRUNCATION STUDY.

Before the end of the 180-day period beginning on the date of the enactment of this Act, the Secretary of the Treasury, in consultation with the Attorney General and the Board of Governors of the Federal Reserve System, shall conduct a study of the impact on—

(1) crime prevention (including money laundering and terrorism);

(2) law enforcement;

(3) the financial services industry (including the technical, operational, and economic impact on the industry) and customers of such industry;

(4) the payment system (including the liquidity, stability, and efficiency of the payment system and the ability to monitor and access the flow of funds); and

(5) the consumer protection laws,

of any policy of the Board of Governors of the Federal Reserve System relating to the promotion of check electronification, through truncation or other means, or migration away from paper checks. The study shall also include an analysis of the benefits and burdens of promoting check electronification on the foregoing entities.

TITLE III—COMBATTING INTERNATIONAL MONEY LAUNDERING

SEC. 301. SPECIAL MEASURES FOR JURISDICTIONS, FINANCIAL INSTITUTIONS, OR INTERNATIONAL TRANSACTIONS OF PRIMARY MONEY LAUNDERING CONCERN.

(a) IN GENERAL.—Subchapter II of chapter 53 of title 31, United States Code, is amended by inserting after section 5318 the following new section:

''§ 5318A. Special measures for jurisdictions, financial institutions, or international transactions of primary money laundering concern

''(a) INTERNATIONAL COUNTER-MONEY LAUNDERING REQUIREMENTS.—

''(1) IN GENERAL.—The Secretary may require domestic financial institutions and domestic financial agencies to take 1 or more of the special measures described in subsection (b) if the Secretary finds that reasonable grounds exist for concluding that a jurisdiction outside of the United States, 1 or more financial institutions operating outside of the United States, 1 or more classes of transactions within, or involving, a jurisdiction outside of the United States, or 1 or more types of accounts is of primary money laundering concern, in accordance with subsection (c).

''(2) FORM OF REQUIREMENT.—The special measures described in—

''(A) subsection (b) may be imposed in such sequence or combination as the Secretary shall determine;

''(B) paragraphs (1) through (4) of subsection (b) may be imposed by regulation, order, or otherwise as permitted by law; and

''(C) subsection (b)(5) may be imposed only by regulation.

''(3) DURATION OF ORDERS; RULEMAKING.—Any order by which a special measure described in paragraphs (1) through (4) of subsection (b) is imposed (other than an order described in section 5326)—

''(A) shall be issued together with a notice of proposed rulemaking relating to the imposition of such special measure; and

''(B) may not remain in effect for more than 120 days, except pursuant to a regulation prescribed on or before the end of the 120-day period beginning on the date of issuance of such order.

''(4) PROCESS FOR SELECTING SPECIAL MEASURES.—In selecting which special measure or measures to take under this subsection, the Secretary—

''(A) shall consult with the Chairman of the Board of Governors of the Federal Reserve System, any other appropriate Federal banking agency (as defined in section 3 of the Federal Deposit Insurance Act), the Secretary of State, the Securities and Exchange Commission, the Commodity Futures Trading Commission, the National Credit Union Administration Board, and in the sole discretion of the Secretary such other agencies and interested parties as the Secretary may find to be appropriate; and

''(B) shall consider—

''(i) whether similar action has been or is being taken by other nations or multilateral groups;

''(ii) whether the imposition of any particular special measure would create a significant competitive disadvantage, including any undue cost or burden associated with compliance, for financial institutions organized or licensed in the United States;

''(iii) the extent to which the action or the timing of the action would have a significant adverse systemic impact on the international payment, clearance, and settlement system, or on legitimate business activities involving the particular jurisdiction, institution, or class of transactions; and

''(iv) the effect on national security and foreign policy.

''(5) NO LIMITATION ON OTHER AUTHORITY.—This section shall not be construed as superseding or otherwise restricting any other authority granted to the Secretary, or to any other agency, by this subchapter or otherwise.

''(b) SPECIAL MEASURES.—The special measures referred to in subsection (a), with respect to a jurisdiction outside of the United States, financial institution operating outside of the United States, class of transaction within, or involving, a jurisdiction outside of the United States, or 1 or more types of accounts are as follows:

''(1) RECORDKEEPING AND REPORTING OF CERTAIN FINANCIAL TRANSACTIONS.—

''(A) IN GENERAL.—The Secretary may require any domestic financial institution or domestic financial agency to maintain records, file reports, or both, concerning the aggregate amount of transactions, or concerning each transaction, with respect to a jurisdiction outside of the United States, 1 or more financial institutions operating outside of the United States, 1 or more classes of transactions within, or involving, a jurisdiction outside of the United States, or 1 or more types of accounts if the Secretary finds any such jurisdiction, institution, or class of transactions to be of primary money laundering concern.

''(B) FORM OF RECORDS AND REPORTS.—Such records and reports shall be made and retained at such time, in such manner, and for such period of time, as the Secretary shall determine, and shall include such information as the Secretary may determine, including—

''(i) the identity and address of the participants in a transaction or relationship, including the identity of the originator of any funds transfer;

''(ii) the legal capacity in which a participant in any transaction is acting;

''(iii) the identity of the beneficial owner of the funds involved in any transaction, in accordance with such procedures as the Secretary determines to be reasonable and practicable to obtain and retain the information; and

''(iv) a description of any transaction.

''(2) INFORMATION RELATING TO BENEFICIAL OWNERSHIP.—In addition to any other requirement under any other provision of law, the Secretary may require any domestic financial institution or domestic financial agency to take such steps as the Secretary may determine to be reasonable and practicable to obtain and retain information concerning the beneficial ownership of any account opened or maintained in the United States by a foreign person (other than a foreign entity whose shares are subject to public reporting requirements or are listed and traded on a regulated exchange or trading market), or a representative of such a foreign person, that involves a jurisdiction outside of the United States, 1 or more financial institutions operating outside of the United States, 1 or more classes of transactions within, or involving, a jurisdiction outside of the United States, or 1 or more types of accounts if the Secretary finds any such jurisdiction, institution, transaction, or account to be of primary money laundering concern.

''(3) INFORMATION RELATING TO CERTAIN PAYABLE-THROUGH ACCOUNTS.—If the Secretary finds a jurisdiction outside of the United States, 1 or more financial institutions operating outside of the United States, or 1 or more classes of transactions within, or involving, a jurisdiction outside of the United States to be of primary money laundering concern, the Secretary may require any domestic financial institution or domestic financial agency that opens or maintains a payable-through account in the United States for a foreign financial institution involving any such jurisdiction or any such financial institution operating outside of the United States, or a payable through account through which any such transaction may be conducted, as a condition of opening or maintaining such account—

''(A) to identify each customer (and representative of such customer) of such financial institution who is permitted to use, or whose transactions are routed through, such payable-through account; and

''(B) to obtain, with respect to each such customer (and each such representative), information that is substantially comparable to that which the depository institution obtains in the ordinary course of business with

respect to its customers residing in the United States.

''(4) INFORMATION RELATING TO CERTAIN CORRESPONDENT ACCOUNTS.—If the Secretary finds a jurisdiction outside of the United States, 1 or more financial institutions operating outside of the United States, or 1 or more classes of transactions within, or involving, a jurisdiction outside of the United States to be of primary money laundering concern, the Secretary may require any domestic financial institution or domestic financial agency that opens or maintains a correspondent account in the United States for a foreign financial institution involving any such jurisdiction or any such financial institution operating outside of the United States, or a correspondent account through which any such transaction may be conducted, as a condition of opening or maintaining such account—

''(A) to identify each customer (and representative of such customer) of any such financial institution who is permitted to use, or whose transactions are routed through, such correspondent account; and

''(B) to obtain, with respect to each such customer (and each such representative), information that is substantially comparable to that which the depository institution obtains in the ordinary course of business with respect to its customers residing in the United States.

''(5) PROHIBITIONS OR CONDITIONS ON OPENING OR MAINTAINING CERTAIN CORRESPONDENT OR PAYABLE-THROUGH ACCOUNTS.—If the Secretary finds a jurisdiction outside of the United States, 1 or more financial institutions operating outside of the United States, or 1 or more classes of transactions within, or involving, a jurisdiction outside of the United States to be of primary money laundering concern, the Secretary, in consultation with the Secretary of State, the Attorney General, and the Chairman of the Board of Governors of the Federal Reserve System, may prohibit, or impose conditions upon, the opening or maintaining in the United States of a correspondent account or payable-through account by any domestic financial institution or domestic financial agency for or on behalf of a foreign banking institution, if such correspondent account or payable-through account involves any such jurisdiction or institution, or if any such transaction may be conducted through such correspondent account or payable-through account.

''(c) CONSULTATIONS AND INFORMATION TO BE CONSIDERED IN FINDING JURISDICTIONS, INSTITUTIONS, TYPES OF ACCOUNTS, OR TRANSACTIONS TO BE OF PRIMARY MONEY LAUNDERING CONCERN.—

''(1) IN GENERAL.—In making a finding that reasonable grounds exist for concluding that a jurisdiction outside of the United States, 1 or more financial institutions operating outside of the United States, 1 or more classes of transactions within, or involving, a jurisdiction outside of the United States, or 1 or more types of accounts is of primary money laundering concern so as to authorize the Secretary to take 1 or more of the special measures described in subsection (b), the Secretary shall consult with the Secretary of State, and the Attorney General.

''(2) ADDITIONAL CONSIDERATIONS.—In making a finding described in paragraph (1), the Secretary shall consider in addition such information as the Secretary determines to be relevant, including the following potentially relevant factors:

''(A) JURISDICTIONAL FACTORS.—In the case of a particular jurisdiction—

''(i) evidence that organized criminal groups, international terrorists, or both, have transacted business in that jurisdiction;

''(ii) the extent to which that jurisdiction or financial institutions operating in that jurisdiction offer bank secrecy or special regulatory advantages to nonresidents or nondomiciliaries of that jurisdiction;

''(iii) the substance and quality of administration of the bank supervisory and countermoney laundering laws of that jurisdiction;

''(iv) the relationship between the volume of financial transactions occurring in that jurisdiction and the size of the economy of the jurisdiction;

''(v) the extent to which that jurisdiction is characterized as an offshore banking or secrecy haven by credible international organizations or multilateral expert groups;

''(vi) whether the United States has a mutual legal assistance treaty with that jurisdiction, and the experience of United States law enforcement officials, and regulatory officials in obtaining information about transactions originating in or routed through or to such jurisdiction; and

''(vii) the extent to which that jurisdiction is characterized by high levels of official or institutional corruption.

''(B) INSTITUTIONAL FACTORS.—In the case of a decision to apply 1 or more of the special measures described in subsection (b) only to a financial institution or institutions, or to a transaction or class of transactions, or to a type of account, or to all 3, within or involving a particular jurisdiction—

''(i) the extent to which such financial institutions, transactions, or types of accounts are used to facilitate or promote money laundering in or through the jurisdiction;

''(ii) the extent to which such institutions, transactions, or types of accounts are used for legitimate business purposes in the jurisdiction; and

''(iii) the extent to which such action is sufficient to ensure, with respect to transactions involving the jurisdiction and institutions operating in the jurisdiction, that the purposes of this subchapter continue to be fulfilled, and to guard against international money laundering and other financial crimes.

''(d) NOTIFICATION OF SPECIAL MEASURES INVOKED BY THE SECRETARY.—Not later than 10 days after the date of any action taken by the Secretary under subsection (a)(1), the Secretary shall notify, in writing, the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate of any such action.

''(e) DEFINITIONS.—Notwithstanding any other provision of this subchapter, for purposes of this section, the following definitions shall apply:

''(1) BANK DEFINITIONS.—The following definitions shall apply with respect to a bank:

''(A) ACCOUNT.—The term 'account'—

''(i) means a formal banking or business relationship established to provide regular services, dealings, and other financial transactions; and

''(ii) includes a demand deposit, savings deposit, or other transaction or asset account and a credit account or other extension of credit.

''(B) CORRESPONDENT ACCOUNT.—The term 'correspondent account' means an account established to receive deposits from, make payments on behalf of a foreign financial institution, or handle other financial transactions related to such institution.

''(C) PAYABLE-THROUGH ACCOUNT.—The term 'payable-through account' means an account, including a transaction account (as defined in section 19(b)(1)(C) of the Federal Reserve Act), opened at a depository institution by a foreign financial institution by means of which the foreign financial institution permits its customers to engage, either directly or through a subaccount, in banking activities usual in connection with the business of banking in the United States.

''(D) SECRETARY.—The term 'Secretary' means the Secretary of the Treasury.

''(2) DEFINITIONS APPLICABLE TO INSTITUTIONS OTHER THAN BANKS.—With respect to any financial institution other than a bank, the Secretary shall, after consultation with the appropriate Federal functional regulators (as defined in section 509 of the Gramm-Leach-Bliley Act), define by regulation the term 'account', and shall include within the meaning of that term, to the extent, if any, that the Secretary deems appropriate, arrangements similar to payable-through and correspondent accounts.

''(3) REGULATORY DEFINITION.—The Secretary shall prescribe regulations defining beneficial ownership of an account for purposes of this subchapter. Such regulations shall address issues related to an individual's authority to fund, direct, or manage the account (including the power to direct payments into or out of the account), and an individual's material interest in the income or corpus of the account, and shall ensure that the identification of individuals under this section does not extend to any individual whose beneficial interest in the income or corpus of the account is immaterial.

''(4) OTHER TERMS.—The Secretary may, by regulation, further define the terms in paragraphs (1) and (2) and define other terms for the purposes of this section, as the Secretary deems appropriate.''.

(b) FINANCIAL INSTITUTIONS SPECIFIED IN SUBCHAPTER II OF CHAPTER 53 OF TITLE 31, UNITED STATES CODE.—

(1) CREDIT UNIONS.—Subparagraph (E) of section 5312(2) of title 31, United States Code, is amended to read as follows:

''(E) any credit union;''.

(2) FUTURES COMMISSION MERCHANT; COMMODITY TRADING ADVISOR; COMMODITY POOL OPERATOR.—Section 5312 of title 31, United States Code, is amended by adding at the end the following new subsection:

''(c) ADDITIONAL DEFINITIONS.—For purposes of this subchapter, the following definitions shall apply:

''(1) CERTAIN INSTITUTIONS INCLUDED IN DEFINITION.—The term 'financial institution' (as defined in subsection (a)) includes the following:

''(A) Any futures commission merchant, commodity trading advisor, or commodity pool operator registered, or required to register, under the Commodity Exchange Act.''.

(3) CFTC INCLUDED.—For purposes of this Act and any amendment made by this Act to any other provision of law, the term ''Federal functional regulator'' includes the Commodity Futures Trading Commission.

(c) CLERICAL AMENDMENT.—The table of sections for subchapter II of chapter 53 of title 31, United States Code, is amended by inserting after the item relating to section 5318 the following new item:

''5318A. Special measures for jurisdictions, financial institutions, or international transactions of primary money laundering concern.''.

SEC. 302. SPECIAL DUE DILIGENCE FOR CORRESPONDENT ACCOUNTS AND PRIVATE BANKING ACCOUNTS.

(a) IN GENERAL.—Section 5318 of title 31, United States Code, is amended by inserting after subsection (i) (as added by section 119 of this Act) the following new subsection:

''(j) DUE DILIGENCE FOR UNITED STATES PRIVATE BANKING AND CORRESPONDENT BANK ACCOUNTS INVOLVING FOREIGN PERSONS.—

''(1) IN GENERAL.—Each financial institution that establishes, maintains, administers, or manages a private banking account or a correspondent account in the United

States for a non-United States person, including a foreign individual visiting the United States, or a representative of a non-United States person, shall establish appropriate, specific, and, where necessary, enhanced due diligence policies, procedures, and controls to detect and report instances of money laundering through those accounts.

''(2) SPECIAL STANDARDS FOR CERTAIN CORRESPONDENT ACCOUNTS.—

''(A) IN GENERAL.—Subparagraph (B) shall apply if a correspondent account is requested or maintained by, or on behalf of, a foreign bank operating—

''(i) under an offshore banking license; or

''(ii) under a banking license issued by a foreign country that has been designated—

''(I) as noncooperative with international anti-money laundering principles or procedures by an intergovernmental group or organization of which the United States is a member with which designation the Secretary of the Treasury concurs; or

''(II) by the Secretary as warranting special measures due to money laundering concerns.

''(B) POLICIES, PROCEDURES, AND CONTROLS.—The enhanced due diligence policies, procedures, and controls required under paragraph (1) for foreign banks described in subparagraph (A) shall, at a minimum, ensure that the financial institution in the United States takes reasonable steps—

''(i) to ascertain for any such foreign bank, the shares of which are not publicly traded, the identity of each of the owners of the foreign bank, and the nature and extent of the ownership interest of each such owner;

''(ii) to conduct enhanced scrutiny of such account to guard against money laundering and report any suspicious transactions under section 5318(g); and

''(iii) to ascertain whether such foreign bank provides correspondent accounts to other foreign banks and, if so, the identity of those foreign banks and related due diligence information, as appropriate under paragraph (1).

''(3) MINIMUM STANDARDS FOR PRIVATE BANKING ACCOUNTS.—If a private banking account is requested or maintained by, or on behalf of, a non-United States person, then the due diligence policies, procedures, and controls required under paragraph (1) shall, at a minimum, ensure that the financial institution takes reasonable steps—

''(A) to ascertain the identity of the nominal and beneficial owners of, and the source of funds deposited into, such account as needed to guard against money laundering and report any suspicious transactions under section 5318(g); and

''(B) to conduct enhanced scrutiny of any such account that is requested or maintained by, or on behalf of, a senior foreign political figure, or any immediate family member or close associate of a senior foreign political figure, to prevent, detect, and report transactions that may involve the proceeds of foreign corruption.

''(4) DEFINITIONS.—For purposes of this subsection, the following definitions shall apply:

''(A) OFFSHORE BANKING LICENSE.—The term 'offshore banking license' means a license to conduct banking activities which, as a condition of the license, prohibits the licensed entity from conducting banking activities with the citizens of, or with the local currency of, the country which issued the license.

''(B) PRIVATE BANK ACCOUNT.—The term 'private bank account' means an account (or any combination of accounts) that—

''(i) requires a minimum aggregate deposits of funds or other assets of not less than $1,000,000;

''(ii) is established on behalf of 1 or more individuals who have a direct or beneficial ownership interest in the account; and

''(iii) is assigned to, or is administered or managed by, in whole or in part, an officer, employee, or agent of a financial institution acting as a liaison between the financial institution and the direct or beneficial owner of the account.

''(5) REGULATORY AUTHORITY.—Before the end of the 6-month period beginning on the date of the enactment of the Financial Anti-Terrorism Act of 2001, the Secretary, in consultation with the appropriate Federal functional regulators (as defined in section 509 of the Gramm-Leach-Bliley Act) shall further define and clarify, by regulation, the requirements of this subsection.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect beginning 180 days after the date of the enactment of this Act with respect to accounts covered by subsection (j) of section 5318 of title 31, United States Code (as added by this section) that are opened before, on, or after the date of the enactment of this Act.

SEC. 303. PROHIBITION ON UNITED STATES CORRESPONDENT ACCOUNTS WITH FOREIGN SHELL BANKS.

Section 5318 of title 31, United States Code, is amended by inserting after subsection (j) (as added by section 302 of this title) the following new subsection:

''(k) PROHIBITION ON UNITED STATES CORRESPONDENT ACCOUNTS WITH FOREIGN SHELL BANKS.—

''(1) IN GENERAL.—A depository institution shall not establish, maintain, administer, or manage a correspondent account in the United States for, or on behalf of, a foreign bank that does not have a physical presence in any country.

''(2) PREVENTION OF INDIRECT SERVICE TO FOREIGN SHELL BANKS.—

''(A) IN GENERAL.—A depository institution shall take reasonable steps to ensure that any correspondent account established, maintained, administered, or managed by that institution in the United States for a foreign bank is not being used by that foreign bank to indirectly provide banking services to another foreign bank that does not have a physical presence in any country.

''(B) REGULATIONS.—The Secretary shall, in regulations, delineate reasonable steps necessary for a depository institution to comply with this subsection.

''(3) EXCEPTION.—Paragraphs (1) and (2) shall not be construed as prohibiting a depository institution from providing a correspondent account to a foreign bank, if the foreign bank—

''(A) is an affiliate of a depository institution, credit union, or other foreign bank that maintains a physical presence in the United States or a foreign country, as applicable; and

''(B) is subject to supervision by a banking authority in the country regulating the affiliated depository institution, credit union, or foreign bank, described in subparagraph (A), as applicable.

''(4) DEFINITIONS.—For purposes of this section, the following definitions shall apply:

''(A) AFFILIATE.—The term 'affiliate' means a foreign bank that is controlled by or is under common control with a depository institution, credit union, or foreign bank.

''(B) DEPOSITORY INSTITUTION.—The 'depository institution'—

''(i) has the meaning given such term in section 3 of the Federal Deposit Insurance Act; and

''(ii) includes a credit union.

''(C) PHYSICAL PRESENCE.—The term 'physical presence' means a place of business that—

''(i) is maintained by a foreign bank;

''(ii) is located at a fixed address (other than solely an electronic address) in a country in which the foreign bank is authorized to conduct banking activities, at which location the foreign bank—

''(I) employs 1 or more individuals on a full-time basis; and

''(II) maintains operating records related to its banking activities; and

''(iii) is subject to inspection by the banking authority which licensed the foreign bank to conduct banking activities.''.

SEC. 304. ANTI-MONEY LAUNDERING PROGRAMS.

(a) IN GENERAL.—Section 5318(h) of title 31, United States Code, is amended to read as follows:

''(h) ANTI-MONEY LAUNDERING PROGRAMS.—

''(1) IN GENERAL.—In order to guard against money laundering through financial institutions, each financial institution shall establish anti-money laundering programs, including, at a minimum—

''(A) the development of internal policies, procedures, and controls;

''(B) the designation of an officer of the financial institution responsible for compliance;

''(C) an ongoing employee training program; and

''(D) an independent audit function to test programs.

''(2) REGULATIONS.—The Secretary may, after consultation with the appropriate Federal functional regulators (as defined in section 509 of the Gramm-Leach-Bliley Act), prescribe minimum standards for programs established under paragraph (1), and may exempt from the application of those standards any financial institution that is not subject to the provisions of the regulations contained in part 103 of title 31, of the Code of Federal Regulations, as in effect on the date of the enactment of the Financial Anti-Terrorism Act of 2001, or any successor to such regulations, for so long as such financial institution is not subject to the provisions of such regulations.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect at the end of the 180-day period beginning on the date of the enactment of this Act.

(c) DATE OF APPLICATION OF REGULATIONS; FACTORS TO BE TAKEN INTO ACCOUNT.—Before the end of the 180-day period beginning on the date of the enactment of this Act, the Secretary of the Treasury shall prescribe regulations to implement the amendment made by subsection (a). In prescribing such regulations, the Secretary shall consider the extent to which the requirements imposed under such regulations are commensurate with the size, location, and activities of the financial institutions to which such regulations apply.

SEC. 305. CONCENTRATION ACCOUNTS AT FINANCIAL INSTITUTIONS.

Section 5318(h) of title 31, United States Code (as amended by section 304) is amended by adding at the end the following:

''(3) CONCENTRATION ACCOUNTS.—The Secretary may prescribe regulations under this subsection that govern maintenance of concentration accounts by financial institutions, in order to ensure that such accounts are not used to prevent association of the identity of an individual customer with the movement of funds of which the customer is the direct or beneficial owner, which regulations shall, at a minimum—

''(A) prohibit financial institutions from allowing clients to direct transactions that move their funds into, out of, or through the concentration accounts of the financial institution;

''(B) prohibit financial institutions and their employees from informing customers of the existence of, or the means of identifying,

the concentration accounts of the institution; and

''(C) require each financial institution to establish written procedures governing the documentation of all transactions involving a concentration account, which procedures shall ensure that, any time a transaction involving a concentration account commingles funds belonging to 1 or more customers, the identity of, and specific amount belonging to, each customer is documented.''.

SEC. 306. INTERNATIONAL COOPERATION IN INVESTIGATIONS OF MONEY LAUNDERING, FINANCIAL CRIMES, AND THE FINANCES OF TERRORIST GROUPS.

(a) NEGOTIATIONS.—

(1) IN GENERAL.—It is the sense of the Congress that, in addition to the existing requirements of section 4702 of the Anti-Drug Abuse Act of 1988, the President should direct the Secretary of State, the Attorney General, or the Secretary of the Treasury, as appropriate and in consultation with the Board of Governors of the Federal Reserve System, to seek to enter into negotiations with the appropriate financial supervisory agencies and other officials of any foreign country the financial institutions of which do business with United States financial institutions or which may be utilized by any foreign terrorist organization (as designated under section 219 of the Immigration and Nationality Act), any person who is a member or representative of any such organization, or any person engaged in money laundering or financial or other crimes.

(2) PURPOSES OF NEGOTIATIONS.—It is the sense of the Congress that, in carrying out any negotiations described in paragraph (1), the President should direct the Secretary of State, the Attorney General, or the Secretary of the Treasury, as appropriate, to seek to enter into and further cooperative efforts, voluntary information exchanges, the use of letters rogatory, mutual legal assistance treaties, and international agreements to—

(A) ensure that foreign banks and other financial institutions maintain adequate records of—

(i) large United States currency transactions; and

(ii) transaction and account information relating to any foreign terrorist organization (as designated under section 219 of the Immigration and Nationality Act), any person who is a member or representative of any such organization, or any person engaged in money laundering or financial or other crimes; and

(B) establish a mechanism whereby such records may be made available to United States law enforcement officials and domestic financial institution supervisors, when appropriate.

(b) REPORTS.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act and annually thereafter, the Secretary of State, in conjunction with the Attorney General and the Secretary of the Treasury, shall submit a report to the Congress, on the progress in any negotiations described in subsection (a).

(2) IDENTIFICATION OF CERTAIN COUNTRIES.—In any report submitted under paragraph (1), the Secretary of State shall identify countries—

(A) with respect to which the Secretary determines there is evidence that the financial institutions in such countries are being utilized by any foreign terrorist organization (as designated under section 219 of the Immigration and Nationality Act), any person who is a member or representative of any such organization, or any person engaged in money laundering or financial or other crimes; and

(B) which have not reached agreement with United States authorities to meet the objectives of subparagraphs (A) and (B) of subsection (a)(2).

(3) REPORT ON PENALTIES AND SANCTIONS.—If the President determines that—

(A) a foreign country is described in subparagraphs (A) and (B) of paragraph (2); and

(B) such country—

(i) is not negotiating in good faith to reach an agreement described in subsection (a)(2); or

(ii) has not complied with, or a financial institution of such country has not complied with, a request, made by an official of the United States Government authorized to make such request, for information regarding a foreign terrorist organization (as designated under section 219 of the Immigration and Nationality Act), a person who is a member or representative of any such organization, or a person engaged in money laundering for or with any such organization,

and the President imposes any penalties or sanctions on such country or financial institutions of such country on the basis of such determination, the Secretary of State shall submit a report to the Congress describing the facts and circumstances of the case before the end of the 60-day period beginning on the date such sanctions and penalties take effect.

TITLE IV—CURRENCY PROTECTION

SEC. 401. COUNTERFEITING DOMESTIC CURRENCY AND OBLIGATIONS.

(a) COUNTERFEIT ACTS COMMITTED OUTSIDE THE UNITED STATES.—Section 470 of title 18, United States Code, is amended—

(1) in paragraph (2), by inserting ''analog, digital, or electronic image,'' after ''plate, stone,''; and

(2) by striking ''shall be fined under this title, imprisoned not more than 20 years, or both'' and inserting ''shall be punished as is provided for the like offense within the United States''.

(b) OBLIGATIONS OR SECURITIES OF THE UNITED STATES.—Section 471 of title 18, United States Code, is amended by striking ''fifteen years'' and inserting ''20 years''.

(c) UTTERING COUNTERFEIT OBLIGATIONS OR SECURITIES.—Section 472 of title 18, United States Code, is amended by striking ''fifteen years'' and inserting ''20 years''.

(d) DEALING IN COUNTERFEIT OBLIGATIONS OR SECURITIES.—Section 473 of title 18, United States Code, is amended by striking ''ten years'' and inserting ''20 years''.

(e) PLATES, STONES, OR ANALOG, DIGITAL, OR ELECTRONIC IMAGES FOR COUNTERFEITING OBLIGATIONS OR SECURITIES.—

(1) IN GENERAL.—Section 474(a) of title 18, United States Code, is amended by inserting after the second paragraph the following new paragraph:

''Whoever, with intent to defraud, makes, executes, acquires, scans, captures, records, receives, transmits, reproduces, sells, or has in such person's control, custody, or possession, an analog, digital, or electronic image of any obligation or other security of the United States; or''.

(2) AMENDMENT TO DEFINITION.—Section 474(b) of title 18, United States Code, is amended by striking the first sentence and inserting the following new sentence: ''For purposes of this section, the term 'analog, digital, or electronic image' includes any analog, digital, or electronic method used for the making, execution, acquisition, scanning, capturing, recording, retrieval, transmission, or reproduction of any obligation or security, unless such use is authorized by the Secretary of the Treasury.''.

(3) TECHNICAL AND CONFORMING AMENDMENT.—The heading for section 474 of title 18, United States Code, is amended by striking ''**or stones**'' and inserting ''**, stones, or analog, digital, or electronic images**''.

(4) CLERICAL AMENDMENT.—The table of sections for chapter 25 of title 18, United States Code, is amended in the item relating to section 474 by striking ''or stones'' and inserting '', stones, or analog, digital, or electronic images''.

(f) TAKING IMPRESSIONS OF TOOLS USED FOR OBLIGATIONS OR SECURITIES.—Section 476 of title 18, United States Code, is amended—

(1) by inserting ''analog, digital, or electronic image,'' after ''impression, stamp,''; and

(2) by striking ''ten years'' and inserting ''25 years''.

(g) POSSESSING OR SELLING IMPRESSIONS OF TOOLS USED FOR OBLIGATIONS OR SECURITIES.—Section 477 of title 18, United States Code, is amended—

(1) in the first paragraph, by inserting ''analog, digital, or electronic image,'' after ''imprint, stamp,'';

(2) in the second paragraph, by inserting ''analog, digital, or electronic image,'' after ''imprint, stamp,''; and

(3) in the third paragraph, by striking ''ten years'' and inserting ''25 years''.

(h) CONNECTING PARTS OF DIFFERENT NOTES.—Section 484 of title 18, United States Code, is amended by striking ''five years'' and inserting ''10 years''.

(i) BONDS AND OBLIGATIONS OF CERTAIN LENDING AGENCIES.—The first and second paragraphs of section 493 of title 18, United States Code, are each amended by striking ''five years'' and inserting ''10 years''.

SEC. 402. COUNTERFEITING FOREIGN CURRENCY AND OBLIGATIONS.

(a) FOREIGN OBLIGATIONS OR SECURITIES.—Section 478 of title 18, United States Code, is amended by striking ''five years'' and inserting ''20 years''.

(b) UTTERING COUNTERFEIT FOREIGN OBLIGATIONS OR SECURITIES.—Section 479 of title 18, United States Code, is amended by striking ''three years'' and inserting ''20 years''.

(c) POSSESSING COUNTERFEIT FOREIGN OBLIGATIONS OR SECURITIES.—Section 480 of title 18, United States Code, is amended by striking ''one year'' and inserting ''20 years''.

(d) PLATES, STONES, OR ANALOG, DIGITAL, OR ELECTRONIC IMAGES FOR COUNTERFEITING FOREIGN OBLIGATIONS OR SECURITIES.—

(1) IN GENERAL.—Section 481 of title 18, United States Code, is amended by inserting after the second paragraph the following new paragraph:

''Whoever, with intent to defraud, makes, executes, acquires, scans, captures, records, receives, transmits, reproduces, sells, or has in such person's control, custody, or possession, an analog, digital, or electronic image of any bond, certificate, obligation, or other security of any foreign government, or of any treasury note, bill, or promise to pay, lawfully issued by such foreign government and intended to circulate as money; or''.

(2) INCREASED SENTENCE.—The last paragraph of section 481 of title 18, United States Code, is amended by striking ''five years'' and inserting ''25 years''.

(3) TECHNICAL AND CONFORMING AMENDMENT.—The heading for section 481 of title 18, United States Code, is amended by striking ''**or stones**'' and inserting ''**, stones, or analog, digital, or electronic images**''.

(4) CLERICAL AMENDMENT.—The table of sections for chapter 25 of title 18, United States Code, is amended in the item relating to section 481 by striking ''or stones'' and inserting '', stones, or analog, digital, or electronic images''.

(e) FOREIGN BANK NOTES.—Section 482 of title 18, United States Code, is amended by striking ''two years'' and inserting ''20 years''.

(f) UTTERING COUNTERFEIT FOREIGN BANK NOTES.—Section 483 of title 18, United States

Code, is amended by striking ''one year'' and inserting ''20 years''.

SEC. 403. PRODUCTION OF DOCUMENTS.

Section 5114(a) of title 31, United States Code (relating to engraving and printing currency and security documents), is amended—

(1) by striking ''(a) The Secretary of the Treasury'' and inserting:

''(a) AUTHORITY TO ENGRAVE AND PRINT.—

''(1) IN GENERAL.—The Secretary of the Treasury''; and

(2) by adding at the end the following new paragraph:

''(2) ENGRAVING AND PRINTING FOR OTHER GOVERNMENTS.—The Secretary of the Treasury may, if the Secretary determines that it will not interfere with engraving and printing needs of the United States, produce currency, postage stamps, and other security documents for foreign governments, subject to a determination by the Secretary of State that such production would be consistent with the foreign policy of the United States.''.

SEC. 404. REIMBURSEMENT.

Section 5143 of title 31, United States Code (relating to payment for services of the Bureau of Engraving and Printing), is amended—

(1) in the first sentence, by inserting '', any foreign government, or any territory of the United States'' after ''agency'';

(2) in the second sentence, by inserting ''and other'' after ''administrative''; and

(3) in the last sentence, by inserting '', foreign government, or territory of the United States'' after ''agency''.

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

Mr. LAFALCE. Reserving the right to object, Mr. Speaker.

I will not object because the gentleman from Ohio and myself have worked on this bill in a very collegial fashion, in a bipartisan fashion; and we have attempted to iron out all differences. As of a half hour ago, we did come to accommodation on the remaining differences.

It is my understanding that the suspension calendar tomorrow will have the bill we have agreed upon and that amongst other things it in no way impinges upon any lawsuit that has been brought or that could be brought under existing law. The only impact it would have is to clarify that certain provisions of this bill would not expand the law with respect to RICO in certain areas. With that understanding, we can go forward.

One of the reasons I am willing to go forward, too, on a suspension calendar on such a bill, first of all, is I have long favored a money laundering bill. We advanced it last year in the Committee on Banking and Financial Services. Secondly, the exigencies of our time demand immediate swift action.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BECERRA (at the request of Mr. GEPHARDT) for today.

Ms. KILPATRICK (at the request of Mr. GEPHARDT) for today 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 Mr. INSLEE) to revise and extend their remarks and include extraneous material:)

Ms. MILLENDER-MCDONALD, for 5 minutes, today.

Ms. MCKINNEY, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mr. CUMMINGS, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Mr. LANGEVIN, for 5 minutes, today.

Mrs. MALONEY of New York, for 5 minutes, today.

(The following Members (at the request of Mr. GIBBONS) to revise and extend their remarks and include extraneous material:)

Mr. GIBBONS, for 5 minutes, today.

Mr. ROHRABACHER, for 5 minutes, today.

Mr. PENCE, for 5 minutes, today.

Mr. HANSEN, for 5 minutes, today.

Mrs. MORELLA, for 5 minutes, today.

BILL PRESENTED TO THE PRESIDENT

Jeff Trandahl, Clerk of the House reports that on October 12, 2001 he presented to the President of the United States, for his approval, the following bill.

H.J. Res. 68. Making further continuing appropriations for the fiscal year 2002, and for other purposes.

ADJOURNMENT

Mr. MCINNIS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 59 minutes p.m.), the House adjourned until tomorrow, Wednesday, October 17, 2001, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

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

4263. A letter from the Acting Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting the Department's final rule—Irish Potatoes Grown in Colorado; Modification of Area No. 3 Handling Regulation [Docket No. FV01–948–1 FR] received October 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4264. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Sethoxydim; Pesticide Tolerances for Emergency Exemptions [OPP–301179; FRL–6802–3] (RIN: 2070–AB78) received October 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4265. A letter from the Secretary of the Air Force, Department of Defense, transmitting notification that the Superintendent of the Air Force Academy, Colorado, has conducted a cost comparison to reduce the cost of the Logistics function, pursuant to 10 U.S.C. 2461; to the Committee on Armed Services.

4266. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Ronald E. Adams, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

4267. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Maxwell C. Bailey, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

4268. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of General John G. Coburn, United States Army, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

4269. A letter from the Under Secretary, Food, Nutrition, and Consumer Services, Department of Agriculture, transmitting the Department's final rule—National School Lunch Program and School Breakfast Program: Alternatives to Standard Application and Meal Counting Procedures (RIN: 0584–AC25) received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

4270. A letter from the Director, Corporate Policy and Research Department, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule—Benefits Payable in Terminated Single-Employer Plans; Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits—received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

4271. A letter from the Administrator, Environmental Protection Agency, transmitting a report on the ''Status of the State Small Business Stationary Source Technical and Environmental Compliance Program (SBTCP) for the Reporting Period, January-December 1999''; to the Committee on Energy and Commerce.

4272. 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 Alaska [FRL–7059–3] received October 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4273. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Revisions to the California State Implementation Plan, Ventura County Air Pollution Control District [CA 242–0292a; FRL–7067–3] received October 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4274. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Revisions to the California State Implementation Plan, Tehama County Air Pollution Control District [CA 235–0296a; FRL–7066–9] received October 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4275. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Revisions to the California

State Implementation Plan, El Dorado County Air Pollution Control District and Imperial County Air Pollution Control District [CA 242–0297a; FRL–7075–8] received October 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4276. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Revisions to the California State Implementation Plan, Bay Area Air Quality Management District [CA 241–0300; FRL–7075–7] received October 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4277. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Revisions to the California State Implementation Plan, Imperial County Air Pollution Control District, Monterey Bay Unified Air Pollution Control District [CA 242–0291a; FRL–7058–9] received October 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4278. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; Arizona—Maricopa Nonattainment Area; PM–10 [AZ105–0045; FRL–7063–1] received October 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4279. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Plans; Wisconsin; Post-1996 Rate of Progress Plan for the Milwaukee-Racine Ozone Nonattainment Area [WI85–02–7316; FRL–7076–6] received October 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4280. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of State Plans for Designated Facilities and Pollutants; Control of Emissions From Hospital/Medical/Infectious Waste Incinerators (HMIWIs); State of Missouri [MO 0136–1136a; FRL–7078–8] received October 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4281. A letter from the Director, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Army's Proposed Letter(s) of Offer and Acceptance (LOA) to Egypt for defense articles and services (Transmittal No. 01–27), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

4282. 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 under a contract to Japan (Transmittal No. DTC 108–01), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

4283. 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 under a contract to Japan (Transmittal No. DTC 106–01), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

4284. 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 under a contract to the United Kingdom and France (Transmittal No. DTC 104–01), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

4285. 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 under a contract to Japan (Transmittal No. DTC 107–01), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

4286. 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 under a contract to Japan (Transmittal No. DTC 110–01), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

4287. 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 under a contract to Japan (Transmittal No. DTC 109–01), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

4288. 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 under a contract to Taiwan (Transmittal No. DTC 066–01), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

4289. 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 under a contract to Canada (Transmittal No. DTC 105–01), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

4290. 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 under a contract to the Republic of Korea (Transmittal No. DTC 103–01), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

4291. 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 under a contract to Canada, France, Germany (Transmittal No. DTC 111–01), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

4292. 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 under a contract to Japan (Transmittal No. DTC 113–01), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

4293. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the report entitled, ''Report of U.S. Citizen Expropriation Claims and Certain Other Commercial and Investment Disputes''; to the Committee on International Relations.

4294. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed Manufacturing License Agreement with South Korea [Transmittal No. DTC 115–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

4295. A letter from the Auditor, District of Columbia, transmitting a copy of a report entitled, ''Audit of the Public Service Commission Agency Fund for Fiscal Year 2000,'' pursuant to D.C. Code section 47–117(d); to the Committee on Government Reform.

4296. A letter from the Auditor, District of Columbia, transmitting a copy of a report entitled, ''Audit of the People's Counsel Agency Fund for Fiscal Year 2000,'' pursuant to D.C. Code section 47–117(d); to the Committee on Government Reform.

4297. A letter from the Auditor, District of Columbia, transmitting a copy of a report entitled, ''Audit of Advisory Neighborhood Commission 1B for Fiscal Years 1999 and 2000 (10/1/1998 through 9/30/2000).,'' pursuant to D.C. Code section 47–117(d); to the Committee on Government Reform.

4298. A letter from the Comptroller General, General Accounting Office, transmitting list of all reports issued or released by the GAO in August 2001, pursuant to 31 U.S.C. 719(h); to the Committee on Government Reform.

4299. A letter from the Executive Director, Committee For Purchase From People Who Are Blind Or Severely Disabled, transmitting the Committee's final rule—Additions from the Procurement List—received October 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

4300. A letter from the Special Assistant, White House Liaison, Department of Education, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

4301. A letter from the Personnel Management Specialist, Department of Labor, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

4302. 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.

4303. 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.

4304. 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.

4305. 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.

4306. 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.

4307. 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.

4308. A letter from the United States Trade Representative, Executive Office of the President, transmitting 2001 Annual Inventory of Commercial Activities Under the Federal Activities Inventory Reform Act P.L. 105–270; to the Committee on Government Reform.

4309. A letter from the Director, National Gallery of Art, transmitting the Year 2001 Inventory Annual Report On Agency Management of Commercial Activities; to the Committee on Government Reform.

4310. A letter from the Administrator, U.S. Agency for International Development, transmitting a report on Year 2001 A–76 Inventory for FY00; to the Committee on Government Reform.

4311. A letter from the Acting Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule—Maryland Regulatory Program [MD–050–FOR] received October 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4312. A letter from the Acting Director, Fish and Wildlife Service, Department of the

Interior, transmitting the Department's final rule—Endangered and Threatened Wildlife and Plants; Determination of Endangered Status for the Scaleshell Mussel (RIN: 1018–AF57) received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4313. A letter from the Acting Director, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule—Endangered and Threatened Wildlife and Plants; Endangered Status for the Ohlone Tiger Beetle (Cicindela ohlone) (RIN: 1018–AF89) received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4314. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Implementation of Conditional Closures [Docket No. 000407096–0096–01; I.D. 090501C] received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4315. 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; Inseason Adjustment for the Commercial Salmon Season from Queets River, WA, to Cape Falcon, OR [Docket No. 010502110–1110–01; I.D. 091001C] received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4316. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the Central Aleutian District of the Bering Sea and Aleutian Islands Management Area [Docket No. 010112013–1013–01; I.D. 091901A] received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4317. A letter from the Acting Administrator, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; License Limitation Program [Docket No. 010228052–1211–02; I.D. 010301D] (RIN: 0648–AL95) received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4318. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pollock [Docket No. 010112013–1013–01; I.D. 091701A] received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4319. 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; Pacific Coast Groundfish Fishery; Pacific Whiting Allocation [Docket No. 001226367–0367–01; I.D. 090701C] received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4320. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operating Regulation; Lake Pontchartrain, LA [CGD08–01–034] received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4321. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Security Zone; Lake Ontario, Rochester, New York [CGD09–01–125] (RIN: 2115–AA97) received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4322. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Security Zone; Tomlinson Bridge, Quinnipiac River, New Haven, CT [CGD01–01–166] (RIN: 2115–AA97) received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4323. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Security Zones; Port of Charleston, South Carolina [COTP Charleston-01–101] (RIN: 2115–AA97) received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4324. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Security Zones; St. Croix, U.S. Virgin Islands [COTP San Juan-01–098] (RIN: 2115–AA97) received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4325. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations: Harlem River, MA [CGD01–01–058] received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4326. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Prohibition Against Certain Flights Within the Territory and Airspace of Afghanistan [Docket No. FAA–2001–10664; SFAR 90] received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4327. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Security Control of Air Traffic [Docket No. FAA–2001–10693] (RIN: 2120–AH25) received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4328. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Technical Amendments; Organizational Changes; Miscellaneous Editorial Changes; and Conforming Amendments [USCG–2001–10224] received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4329. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations: Piscataqua River, ME [CGD01–01–125] received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4330. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Goodyear Tire and Rubber Company Flight Eagle Tires, 34X9.25–16 18PR 210MPH, Part Number 348F83–2 [Docket No. 2001–CE–27–AD; Amendment 39–12431; AD 2001–18–05] (RIN: 2120–AA64) received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4331. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Rolls-Royce Corporation (Formerly Allison Engine Company) AE 2100 Turboprop and AE 3007 Turbofan Series Engines [Docket No. 2000–NE–27–AD; Amendment 39–12423; AD 2001–17–31] (RIN: 2120–AA64) received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4332. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airspace Designations; Incorporation By Reference [Docket No. 29334; Amendment No. 71–33] received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4333. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Amendment of Class E5 Airspace; Ocracoke, NC [Airspace Docket No. 01–ASO–10] received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4334. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Temporary Flight Restrictions [Docket No. FAA–2000–8274; Amendment No. 91–270 and 103–6] (RIN: 2120–AH13) received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4335. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Security Zones; Port of Charleston, South Carolina [COTP Charleston-01–097] (RIN: 2115–AA97) received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4336. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Security Zone; Snell and Eisenhower Locks, St. Lawrence River, Massena, New York [CGD09–01–127] (RIN: 2115–AA97) received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4337. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Security Zone; Lake Ontario, Oswego, New York [CGD09–01–124] (RIN: 2115–AA97) received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4338. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Security Zone; Saint Lawrence River, Massena, New York (RIN: 2115–AA97) received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4339. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Security Zones; Port of Jacksonville and Port Canaveral, Florida [COTP Jacksonville-01–095] (RIN: 2115–AA97) received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4340. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety and Security Zones; Coast Guard Force Protection Station Portsmouth Harbor, Portsmouth, New Hampshire; Coast Guard Base Portland,

South Portland, Maine; and Station Boothbay Harbor, Boothbay Harbor, Maine [CGD01–01–163] (RIN: 2115–AA97) received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4341. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30267; Amdt. No. 2068] received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4342. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30269; Amdt. No. 2070] received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4343. A letter from the Administrator, General Services Administration, transmitting an informational copy of a lease prospectuses for the Corps of Engineers Jacksonville, FL, pursuant to 40 U.S.C. 606(a); to the Committee on Transportation and Infrastructure.

4344. A letter from the Deputy Administrator, General Services Administration, transmitting a report of a Building Project Survey for Toledo, OH, pursuant to 40 U.S.C. 606(a); to the Committee on Transportation and Infrastructure.

4345. A letter from the Chief, Regulations Branch, U.S. Customs Service, Department of the Treasury, transmitting the Department's final rule—Preferential Treatment of Brassieres Under the United States-Caribbean Basin Trade Partnership Act [T.D. 01–74] (RIN: 1515–AC89) received October 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on 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:

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 1408. A bill to safeguard the public from fraud in the financial services industry, to streamline and facilitate the antifraud information-sharing efforts of Federal and State regulators, and for other purposes; with an amendment (Rept. 107–192 Pt. 2). Referred to the Committee of the Whole House on the State of the Union.

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 1552. A bill to extend the moratorium enacted by the Internet Tax Freedom Act through 2006, and for other purposes; with amendments (Rept. 107–240). Referred to the Committee of the Whole House on the State of the Union.

Mr. SMITH of New Jersey. Committee on Veterans' Affairs. H.R. 2716. A bill to amend title 38, United States Code, to revise, improve, and consolidate provisions of law providing benefits and services for homeless veterans; with an amendment (Rept. 107–241 Pt. 1). Referred to the Committee of the Whole House on the State of the Union.

Mr. SMITH of New Jersey. Committee on Veterans' Affairs. H.R. 2792. A bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to make service dogs available to disabled veterans and to make various other improvements in health care benefits provided by the Department of Veterans Affairs, and for other purposes; with an amendment (Rept. 107–242). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska. Committee on Transportation and Infrastructure. H.R. 2481. A bill to improve maritime safety and the quality of life for Coast Guard personnel, and for other purposes; with an amendment (Rept. 197–243). Referred to the Committee of the Whole House on the State of the Union.

Mr. THOMAS: Committee on Ways and Means. H.R. 3008. A bill to reauthorize the trade adjustment assistance program under the Trade Act of 1974 (Rept. 107–244). Referred to the Committee of the Whole House on the State of the Union.

Mr. THOMAS: Committee on Ways and Means. H.R. 3010. A bill to amend the Trade Act of 1974 to extend the Generalized System of Preferences until December 31, 2002 (Rept. 107–245). Referred to the Committee of the Whole House on the State of the Union.

Mr. HOBSON: Committee of Conference. Conference report on H.R. 2904. A bill making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2002, and for other purposes (Rept. 107–246). Ordered to be printed.

Mr. HASTINGS of Washington: Committee on Rules. House Resolution 267. Resolution waiving points of order against the conference report to accompany the bill (H.R. 2217) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2002, and for other purposes (Rept. 107–247). Referred to the House Calendar.

Mr. DIAZ-BALART: Committee on Rules. House Resolution 268. Resolution waiving points of order against the conference report to accompany the bill (H.R. 2904) making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2002 (Rept. 107–248). Referred to the House Calendar.

Mr. THOMAS: Committee on Ways and Means. H.R. 3005. A bill to extend trade authorities procedures with respect to reciprocal trade agreements; with an amendment (Rept. 107–249 Pt. 1). Ordered to be printed.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of the rule XII the Committee on Financial Services discharged from further consideration. H.R. 2716 committed to the Committee of the Whole House on the State of the Union and ordered to be printed.

Pursuant to clause 2 of rule XII the Committee on the Judiciary discharged from further consideration. H.R. 3016 committed 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. 2716. Referral to the Committee on Financial Services extended for a period ending not later than October 16, 2001.

H.R. 3005. Referral to the Committee on Rules extended for a period ending not later than October 17, 2001.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. CRANE:

H.R. 3129. A bill to authorize appropriations for fiscal years 2002 and 2003 for the United States Customs Service for antiterrorism, drug interdiction, and other operations, for the Office of the United States Trade Representative, for the United States International Trade Commission, and for other purposes; to the Committee on Ways and Means.

By Mr. BOEHLERT (for himself, Mr. LARSON of Connecticut, Ms. HART, Mr. HONDA, and Mr. UDALL of Colorado):

H.R. 3130. A bill to provide for increasing the technically trained workforce in the United States; to the Committee on Science, and in addition to the Committee on Education and the Workforce, 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. DREIER (for himself, Mr. RANGEL, Mr. BERMAN, Mr. FOLEY, Mr. MATSUI, Mr. WELLER, Mr. BECERRA, Ms. DUNN, Mr. CONDIT, Mrs. BONO, Mr. WEINER, Mr. MCINTYRE, Ms. MCCARTHY of Missouri, and Mr. JEFFERSON):

H.R. 3131. A bill to amend the Internal Revenue Code of 1986 to allow a United States independent film and television production wage credit; to the Committee on Ways and Means.

By Mr. MCGOVERN (for himself, Mr. BACHUS, Mr. OBERSTAR, Mrs. MORELLA, Ms. MCKINNEY, Ms. MCCOLLUM, Mr. BLUMENAUER, Mr. HORN, Mr. NETHERCUTT, Mr. LATOURETTE, Mr. STEARNS, Mrs. THURMAN, Mr. WOLF, and Mr. DEFAZIO):

H.R. 3132. A bill to amend titles 23 and 49, United States Code, concerning length and weight limitations for vehicles operating on Federal-aid highways, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. CANTOR:

H.R. 3133. A bill to amend title II of the Social Security Act to authorize waivers by the Commissioner of Social Security of the 5-month waiting period for entitlement to benefits based on disability in cases in which the Commissioner determines that such waiting period would cause undue hardship to terminally ill beneficiaries; to the Committee on Ways and Means.

By Mr. DAVIS of Illinois (for himself and Ms. LEE):

H.R. 3134. A bill to amend the Internal Revenue Code of 1986 to make a technical correction to the definition of hard cider for purposes of the excise tax on alcohol; to the Committee on Ways and Means.

By Mr. DEMINT:

H.R. 3135. A bill to provide for the issuance of certificates to Social Security beneficiaries guaranteeing their right to receive social security benefits under title II of the Social Security Act in full with an accurate annual cost-of-living adjustment; to the Committee on Ways and Means.

By Mr. FILNER:

H.R. 3136. A bill to develop and implement a plan to allow general aviation aircraft to fly using certain rules; to the Committee on Transportation and Infrastructure.

By Mr. FORBES (for himself and Mr. FOSSELLA):

H.R. 3137. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income certain terrorist attack zone compensation of civilian uniformed personnel; to the Committee on Ways and Means.

By Mr. GRAVES:

H.R. 3138. A bill to establish a club drug taskforce, and to authorize grants to expand

prevention efforts regarding the abuse of club drugs; to the Committee on Energy and Commerce.

By Mr. SAM JOHNSON of Texas (for himself and Mr. KLECZKA):

H.R. 3139. A bill to amend the Internal Revenue Code of 1986 to provide for capital gains treatment for certain termination payments received by former insurance salesmen; to the Committee on Ways and Means.

By Mr. KENNEDY of Rhode Island (for himself and Mr. HASTINGS of Florida):

H.R. 3140. A bill to provide tax and other incentives to maintain a vibrant travel and tourism industry, to keep working people working, and to stimulate economic growth, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, Small Business, and Education and the Workforce, 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. YOUNG of Alaska:

H,.R. 3148. A bill to amend the Alaska Native Claims Settlement Act to provide equitable treatment of Alaska Native Vietnam Veterans,and for other purposes.

By Mr. KLECZKA:

H.R. 3141. A bill to provide for a program of emergency unemployment compensation and emergency health coverage assistance; to the Committee on Ways and Means, and in addition to the Committees on Education and the Workforce, and 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. RADANOVICH:

H.R. 3142. A bill to establish a separate process for State commission evaluation of rural and small telephone company exemptions, suspensions, and modifications, with respect to advanced telecommunications capabilities; to the Committee on Energy and Commerce.

By Mr. REYNOLDS (for himself and Mrs. MALONEY of New York):

H.R. 3143. A bill to amend the Internal Revenue Code of 1986 to encourage the patronage of the travel, hospitality, restaurant, and entertainment industries; to the Committee on Ways and Means.

By Mr. REYNOLDS:

H.R. 3144. A bill to amend the Internal Revenue Code of 1986 to provide a temporary incentive for investing in tangible property in the United States; to the Committee on Ways and Means.

By Ms. ROS-LEHTINEN (for herself and Mr. GILMAN):

H.R. 3145. A bill to promote greater cooperation between the United States and its European allies toward religious tolerance and to require the imposition of punitive measures with respect to entities that discriminate against individuals or groups on the basis of religion or belief; to the Committee on International Relations, and in addition to the Committees on the Judiciary, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of New Jersey:

H.R. 3146. A bill to restrict the transmission of unsolicited electronic mail messages; to the Committee on Energy and Commerce.

By Ms. WOOLSEY:

H.R. 3147. A bill to amend section 404 of the Medicare, Medicaid, and SCHIP Benefits Improvement and Protection Act of 2000 with respect to application of employment criteria under management contracts for certain mental health facilities; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. YOUNG of Alaska:

H.R. 3148. A bill to amend the Alaska Native Claims Settlement Act to provide equitable treatment of Alaska Native Vietnam Veterans, and for other purposes.

By Ms. LEE:

H. Con. Res. 250. Concurrent resolution honoring the United States Capitol Police for their commitment to security at the Capitol; to the Committee on House Administration.

By Ms. PELOSI:

H. Res. 266. Resolution congratulating Barry Bonds on his spectacular, record-breaking season for the San Francisco Giants and Major League Baseball; to the Committee on Government Reform.

ADDITIONAL SPONSORS

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

[October 16 (legislative day, October 17), 2001]

H.R. 91: Mr. PLATTS.

H.R. 218: Mrs. EMERSON, Mr. ETHERIDGE, and Mr. DINGELL.

H.R. 257: Mr. SMITH of Michigan.

H.R. 394: Mr. CRAMER and Mr. UDALL of Colorado.

H.R. 482: Mr. HOSTETTLER.

H.R. 488: Mr. MALONEY of Connecticut and Mr. INSLEE.

H.R. 527: Mr. CRANE.

H.R. 534: Ms. PRYCE of Ohio, Mr. SWEENEY, Mr. BARTLETT of Maryland, Mrs. JOHNSON of Connecticut, and Mr. NETHERCUTT.

H.R. 664: Mr. WEINER.

H.R. 697: Mr. FRANK.

H.R. 782: Ms. LOFGREN, Mr. UNDERWOOD, Mr. GREEN of Texas, Ms. BROWN of Florida, Mr. HASTINGS of Florida, and Mr. LATOURETTE.

H.R. 783: Mr. MCDERMOTT.

H.R. 975: Mr. SHIMKUS.

H.R. 1178: Ms. BERKLEY, Ms. BROWN of Florida, and Mr. MCDERMOTT.

H.R. 1198: Mr. SANDLIN, Mr. STENHOLM, Mr. HOYER, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. MARKEY, Mr. MORAN of Virginia, Mr. MENENDEZ, Mr. ORTIZ, Ms. WOOLSEY, Mr. JOHN, Mr. ACKERMAN, Mr. REGULA, and Mr. GRAVES.

H.R. 1230: Mr. UNDERWOOD and Mrs. THURMAN.

H.R. 1251: Ms. SOLIS.

H.R. 1254: Mr. TOOMEY.

H.R. 1292: Mr. LARSON of Connecticut.

H.R. 1309: Mr. STUPAK.

H.R. 1351: Mr. BISHOP.

H.R. 1354: Ms. KAPTUR.

H.R. 1374: Mr. BARCIA, Mr. DINGELL, Mr. KILDEE, Mr. UPTON, Mr. LEVIN, Mr. HOEKSTRA, Mr. ROGERS of Michigan, and Mr. CAMP.

H.R. 1609: Mr. SNYDER and Mr. GOODLATTE.

H.R. 1624: Mr. PETRI and Mrs. EMERSON.

H.R. 1626: Mr. TERRY.

H.R. 1733: Mr. EVANS.

H.R. 1744: Mr. BACA, Mr. BAIRD, and Mr. ROTHMAN.

H.R. 1773: Mrs. MCCOLLUM.

H.R. 1779: Mr. PETERSON of Minnesota and Mr. HEFLEY.

H.R. 1780: Ms. CARSON of Indiana and Ms. WOOLSEY.

H.R. 1798: Ms. PRYCE of Ohio and Mr. SWEENEY.

H.R. 1841: Ms. HARMAN, Ms. CARSON of Indiana, Mr. WEXLER, Mr. BRADY of Pennsylvania, Ms. ROS-LEHTINEN, Mr. LARSEN of Washington, Mr. GILCHREST, Mr. GEKAS, Ms. WATSON, Ms. MCCOLLUM, Mr. CLEMENT, Ms. SCHAKOWSKY, Mr. CAPUANO, Mr. ORTIZ, Mr. GONZALEZ, and Mr. CLAY.

H.R. 1910: Mr. WAXMAN.

H.R. 1988: Mr. HOLDEN.

H.R. 2163: Mr. WELLER.

H.R. 2219: Mr. SIMMONS.

H.R. 2254: Ms. CARSON of Indiana, Mr. UDALL of Colorado, and Mr. EVANS.

H.R. 2269: Mr. BROWN of South Carolina, Mr. MORAN of Virginia, and Mr. SESSIONS.

H.R. 2308: Ms. MCCOLLUM.

H.R. 2349: Ms. BALDWIN, Mr. DICKS, and Mr. INSLEE.

H.R. 2357: Mr. TIAHRT and Mr. DUNCAN.

H.R. 2362: Mr. SOUDER.

H.R. 2374: Mr. LEVIN.

H.R. 2412: Ms. BALDWIN.

H.R. 2417: Mr. GREENWOOD.

H.R. 2426: Mr. JEFFERSON, Mr. THOMPSON of Mississippi, Mr. TAYLOR of Mississippi, Mr. WICKER, Mr. SHOWS, Mr. BLUMENAUER, and Mr. PICKERING.

H.R. 2574: Mr. HEFLEY.

H.R. 2577: Mr. BARCIA, Mr. DINGELL, Mr. KILDEE, Mr. UPTON, Mr. LEVIN, Mr. HOEKSTRA, Mr. ROGERS of Michigan, and Mr. CAMP.

H.R. 2592: Ms. CARSON of Indiana.

H.R. 2613: Mr. HOLDEN.

H.R. 2619: Mr. PAYNE.

H.R. 2623: Mr. FALEOMAVAEGA.

H.R. 2629: Ms. WOOLSEY.

H.R. 2663: Ms. ROS-LEHTINEN, Mr. GORDON, and Mr. FORD.

H.R. 2677: Ms. SOLIS.

H.R. 2693: Mr. BENTSEN.

H.R. 2716: Mr. SNYDER.

H.R. 2722: Mr. BRADY of Pennsylvania, Mr. BROWN of Ohio, Mr. MORAN of Virginia, Mr. BARRETT, Mr. ENGEL, and Mr. BAIRD.

H.R. 2725: Ms. LOFGREN and Ms. WATSON.

H.R. 2775: Mr. BRADY of Pennsylvania and Mr. OWENS.

H.R. 2781: Mr. GOODLATTE and Mr. COX.

H.R. 2794: Mr. UDALL of Colorado, Mr. LARGENT, Mr. BOSWELL, Mrs. MORELLA, and Mr. ANDREWS.

H.R. 2795: Mr. LARSON of Connecticut, Mr. TERRY, and Mr. FERGUSON.

H.R. 2804: Mr. BAIRD.

H.R. 2805: Mr. PICKERING, Mr. LARGENT, and Mr. SMITH of New Jersey.

H.R. 2896: Mr. OTTER.

H.R. 2899: Mr. WU.

H.R. 2917: Ms. MCCARTHY of Missouri, Mr. LOBIONDO, Mr. TIBERI, Mr. ROTHMAN, Mr. MCGOVERN, Mr. KENNEDY of Minnesota, Mr. LATOURETTE, Mr. PASCRELL, Mr. SABO, Mr. CRAMER, and Mr. GALLEGLY.

H.R. 2921: Mr. FORBES.

H.R. 2940: Mr. TOWNS.

H.R. 2945: Ms. CARSON of Indiana and Mr. WU.

H.R. 2946: Mr. WU.

H.R. 2951: Mrs. MORELLA.

H.R. 2955: Mrs. CHRISTENSEN, Mr. KUCINICH, Mr. WAXMAN, Mr. BROWN of Ohio, Mr. LEWIS of Georgia, and Mr. FORD.

H.R. 2965: Mr. HEFLEY and Mr. GORDON.

H.R. 2970: Mr. ISAKSON and Mr. OTTER.

H.R. 2991: Mr. GREENWOOD and Mr. OSBORNE.

H.R. 2998: Mr. BALLENGER, Mr. HEFLEY, Mr. DEUTSCH, Mr. KENNEDY of Minnesota, Mrs. JO ANN DAVIS of Virginia, Mr. KING, Mr. UNDERWOOD, and Mr. WEXLER.

H.R. 3006: Mr. EVERETT, Mr. SHOWS, Mr. STEARNS, and Mr. TERRY.

H.R. 3007: Mrs. CHRISTENSEN, Mr. BARTLETT of Maryland, Mr. BAIRD, Mr. RYAN of Wisconsin, and Mr. BERRY.

H.R. 3011: Mr. LARSEN of Washington and Mr. BALDACCI.

H.R. 3015: Mrs. JONES of Ohio, Mr. BLAGOJEVICH, Mr. TIERNEY, and Mr. EVANS.

H.R. 3021: Mr. WALDEN of Oregon.

H.R. 3026: Ms. LOFGREN.

H.R. 3029: Mr. SMITH of Washington, Mrs. ROUKEMA, Mrs. JOHNSON of Connecticut, Mr. JACKSON of Illinois, Mr. CUMMINGS, Mr. FORD, and Mr. UNDERWOOD.

H.R. 3032: Mr. KLECZKA.
H.R. 3033: Mr. FRANK.
H.R. 3036: Mr. PETERSON of Minnesota and Mr. TOWNS.
H.R. 3040: Mr. GEORGE MILLER of California.
H.R. 3041: Mr. REYNOLDS, Ms. BERKLEY, Mr. RAMSTAD, and Mr. OBERSTAR.
H.R. 3059: Ms. CARSON of Indiana, Mr. DAVIS of Illinois, and Mr. EVANS.
H.R. 3063: Mr. PETERSON of Minnesota and Mr. TOWNS.
H.R. 3077: Mr. SMITH of New Jersey, Mr. SHAYS, and Mr. JONES of North Carolina.
H.R. 3079: Mr. KENNEDY of Rhode Island.
H.R. 3087: Mr. FILNER, Mr. FROST, and Mr. MCGOVERN.
H.R. 3088: Mr. HOUGHTON, Mr. SIMMONS, Mr. GRUCCI, Mr. TANCREDO, Mr. BURTON of Indiana, Mr. GIBBONS, Mr. WELDON of Pennsylvania, Mr. WAXMAN, Mr. MANZULLO, Mrs. JO ANN DAVIS of Virginia, Mr. REGULA, Mr. STEARNS, Mr. TOM DAVIS of Virginia, Mr. GREENWOOD, Mr. TERRY, Mr. NEY, Mrs. BIGGERT, Mr. BALLENGER, Mr. CULBERSON, Mr. KIRK, Mr. PENCE, Mr. WALSH, Mr. CROWLEY, Mr. FROST, Mr. CANTOR, Mr. TAUZIN, Mr. ISAKSON, Mr. PETERSON of Minnesota, Mr. HANSEN, Mr. COBLE, and Mr. CANNON.
H.R. 3106: Mr. CLEMENT.
H.R. 3109: Mr. PAYNE.
H.J. Res. 6: Mrs. LOWEY.
H.J. Res. 21: Ms. KILPATRICK.
H.J. Res. 67: Mr. FROST, Mr. BEREUTER, Mr. EDWARDS, Mr. BURTON of Indiana, Mr. WYNN, Mr. GORDON, Mr. DEFAZIO, Mr. DEUTSCH, Mr. EVANS, Mr. PHELPS, Mr. HINCHEY, Mr. OWENS, Mr. MCINNIS, Mr. HASTINGS of Florida, Mr. KUCINICH, Mr. ORTIZ, Mr. SANDLIN, Mrs. MCCARTHY of New York, and Mrs. TAUSCHER.

H. Con. Res. 184: Mr. ARMEY, Mr. KINGSTON, Mr. WAMP, Mr. WATKINS, and Mr. NEY.

H. Con. Res. 211: Mr. LEACH, Mr. GEORGE MILLER of California, and Mr. TIERNEY.

H. Con. Res. 217: Mr. BEREUTER.

H. Con. Res. 232: Ms. LOFGREN, Mr. WATTS of Oklahoma, Mr. OWENS, Mr. PASCRELL, Mr. DOOLEY of California, Mr. FALEOMAVAEGA, Mr. GUTKNECHT, Mr. SOUDER, Mr. CALVERT, Mr. WELDON of Florida, Mr. INSLEE, and Mr. NEY.

H. Con. Res. 233: Mr. SOUDER and Mr. WU.

H. Con. Res. 234: Mr. GEKAS and Mr. TOOMEY.

H. Con. Res. 240: Ms. SOLIS, Ms. BALDWIN, Mr. SANDERS, and Mr. HOEFFEL.

H. Con. Res. 248: Mr. BARR of Georgia, Mr. RYUN of Kansas, and Mr. TRAFICANT.

H. Con. Res. 249: Mr. OWENS, Mr. MCNULTY, Mr. KING, Mr. HINCHEY, Mrs. MALONEY of New York, and Mrs. LOWEY.

H. Res. 259: Mr. PAYNE.

H. Res. 262: Mr. GEORGE MILLER of California and Mrs. TAUSCHER.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

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

[October 16 (legislative day, October 17), 2001]

H.R. 1305: Mr. SHOWS.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 3090

OFFERED BY: MR. FARR OF CALIFORNIA

AMENDMENT NO. 1: Insert at the appropriate place in the bill the following new section (and conform the table of contents accordingly):

SEC. ___. ONE-YEAR INCREASED DEDUCTION FOR MEAL EXPENSES.

(a) IN GENERAL.—Paragraph (1) of section 274(n) (relating to only 50 percent of meal and entertainment expenses allowed as deduction) is amended by inserting after ''shall not exceed 50 percent'' the following: ''(80 percent for taxable years beginning during 2001)''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2001.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 107th CONGRESS, FIRST SESSION

Vol. 147 WASHINGTON, TUESDAY, OCTOBER 16, 2001 No. 139

Senate

The Senate met at 10 a.m. and was called to order by the Honorable JOHN EDWARDS, a Senator from the State of North Carolina.

PRAYER

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

The Psalmist reminds us: ''The Lord is my light and my salvation; whom shall I fear? The Lord is the strength of my life; of whom shall I be afraid?''

Let us pray: Dear God, grant us spiritual, intellectual, and physical revitalization today. You provide boundless energy for the tense and tired. Your life force surges within us to give us enthusiasm for the work of this day and for the many challenges that we face. You lift out of our souls fear and panic, and in their place You put Your peace and power. Your love for us gives us a renewed desire to love and care for the people around us. Help us to give each other the quality of kindness and patience and encouragement that You have expressed to us. Saturate our souls with Your grace so that in spite of everything, joy might radiate on our faces and be expressed in our attitudes.

Astound us again with the magnitude of responsibility You have given to this Senate to lead this great Nation at this crucial time. Thank You for the moral and spiritual leadership You have called the Senators to provide for America. And so grant them special strength today; fill them with Your spirit so that everything that they say and do might glorify You. We count it a great blessing to be alive today and to be equipped by You to do the work of government with inspired excellence. In the name of our Lord and Saviour. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JOHN EDWARDS led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, October 16, 2001.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JOHN EDWARDS, a Senator from the State of North Carolina, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

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

RECOGNITION OF THE ACTING MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The acting majority leader is recognized.

RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. REID. Mr. President, there is a very important briefing now taking place downstairs, and it is the thought that the Presiding Officer and other Senators should be there. I ask unanimous consent the Senate stand in recess subject to the call of the Chair.

There being no objection, the Senate, at 10:04 a.m., recessed until 10:52 a.m., when called to order by the Acting President pro tempore.

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent the time between now and 11:30 be divided equally between the majority and minority for morning business.

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

Mr. REID. Mr. President, I suggest the absence of a quorum. I ask unanimous consent, further, that the time be equally divided between the minority and majority.

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

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Ms. CANTWELL). Without objection, it is so ordered.

Mr. REID. Madam President, how much time is remaining for morning business on each side?

The PRESIDING OFFICER. Four and one-half minutes on each side.

HOLDING UP APPROPRIATIONS BILLS

Mr. REID. Madam President, today is the fifth anniversary—that is, weekly anniversary—of the attacks our Nation sustained on September 11. These attacks fundamentally changed the legislative priorities of the 107th Congress. The sense of urgency which fell upon the Congress has required all of us—every Senator, all the leadership, committee chairmen—to reorder their priorities to deal with the new war-related demands. The necessary sacrifices have been for a greater cause.

In addition to the war-related measures we had to undertake, the administration, of course, is expecting us to pass all the annual spending bills necessary to keep the Government operating. Regrettably, in the past several weeks there has been a concerted effort

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by some to prevent us from considering these measures. In fact, there are no basic policy differences or disagreements in these measures. They are driven by a desire to increase the number of judicial nominations.

Let me say in response, the statement made yesterday by a number of people on the other side that the majority leader and I, when we were in the minority, held up legislation because of judges is simply not true. We made statements. The only time there was ever an effort, as I recall—and they talked about it yesterday—was an authorization bill, not an appropriations bill. In fact, we worked very hard to move appropriations bills. We were in the minority, but we worked very hard to have our Members take off holds on bills so we could move the appropriations bills through the process.

We did a good job. We worked with them to pass virtually every appropriations bill. Senator DASCHLE did nothing to hold up appropriations bills. In fact, he worked very hard to pass them. One of the assignments I had from Senator DASCHLE was to get rid of amendments on appropriations bills. I worked hard to do that.

Now, in an effort to get judicial confirmations, appropriations bills are being held up. I had someone tell me yesterday: We could whip right through these. When the time comes to complete these bills, we will do them quickly.

We can't do appropriations bills quickly. It is the nature of these bills that they are hard. Foreign operations is always a contentious bill. Labor-HHS is a contentious bill. Defense appropriations is a contentious bill. D.C. appropriations is difficult legislation. We are not going to be able to whip through these bills. The time we have taken in these last several days waiting on motions to proceed, using up 30 hours, is time we could have spent on appropriations.

Senator MURKOWSKI said he will come in every day and talk about ANWR and the need for an energy policy. More power to him. There is a lot of time to come and talk because we are not doing anything that is constructive in nature. If he wants us to move to an energy bill, then he should talk to the people on his side of the aisle so that we can complete these appropriations bills.

I think the President should be concerned about what is taking place. We have bent over backwards to be fair to the President. We are going to continue to be fair to the President. We are going to continue to move judicial nominations as quickly as we can. There is a hearing set this week where we are going to move five. Senator LEAHY is going to have hearings next week, even though when the majority was on the other side of the aisle, they never held confirmation hearings 2 weeks in a row. We are going to do that because we are not going to treat them the way they treated us. We are going to move these nominations as quickly as we can.

They believe it is a greater priority to move some judges than it is to do other matters now before the Senate; namely, appropriations bills.

These tactics are not simply dilatory; they are obstructionist. They demonstrated last week that they were even willing to hold up an aviation security bill. We worked our way through that timewise, but it took a lot of extra time.

Madam President, I ask unanimous consent that I be allowed to speak for an additional 5 minutes and the Republicans have 5 additional minutes after the morning hour has terminated.

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

Mr. REID. I am wondering if we are going to be prevented from considering the Defense appropriations bill. I assume so. Are we going to be prevented from considering a Labor-HHS bill to provide funding to deal with, for example, bioterrorism threats? I assume so. The question confronting the minority is whether these tactics are worth confirmation of a few additional judges. I assume that is a decision they have made.

People of Nevada are concerned about what we are doing to fight the war. They are not concerned about judges. We are going to do everything we can to take care of these judges. Senator LEAHY has worked extremely hard. He will continue to do so. We are going to do all the judges we can.

I am concerned. When you recognize there are no major disagreements on the spending bills, we have worked with the President to get the numbers up where we can move them out of conference. On my bill, energy and water, we will have a meeting at 3 o'clock today. That will basically be wrapped up. I am wondering if they are going to allow us to do the conference reports on the appropriations bills we have completed. I have been told no.

These bills are important. The appropriators, the administration, and the budgeteers are all in agreement on the remaining bills. Holding them up hurts the country. It is not hurting the Democratic Senators; it is hurting the country.

I am sure if we asked the Attorney General whether he wanted the bill funding his ability to maintain and enlarge his efforts to combat terrorism, he would choose that over some more judges. We could ask Secretary Powell whether he would want funding to improve our embassy security and the many other things the foreign operations bill addresses. Secretary Powell is now in Pakistan. I will bet there hasn't been a single word spoken between Secretary Powell and President Musharraf about how many judges we are confirming. I bet there are a lot of questions on what we are going to do to aid India and Pakistan with the problems they have.

Would Secretary Thompson prefer a commitment for faster consideration of nominees over funding to allow him to better respond to the growing number of anthrax cases? That answer is obvious. The administration rightfully expects us to pass annual appropriations bills. The efforts by the minority to block consideration of these and other important measures are not only self-serving, they are self-defeating.

We hear daily demands for consideration of an energy bill. We should have an energy bill. I don't know how in the world we are going to have the time. We have lost 2 weeks of doing anything by their holding things up because of judges. We cannot consider energy until the other measures are disposed of, and we can't dispose of those because the minority won't allow us.

So it seems to me that we should be for this legislation. The fact that we are not moving forward with it is an answer to a question that has already been asked. We have a limited amount of time. We have a number of pieces of legislation that we must complete, and we are not going to be able to do them. We can only do so much. The committee can only do so much. We can get into all the numbers that we want. We believe we are treating them much better than we were treated.

As I said yesterday, at the time we took control of the Senate, half of the first year was gone. Not a single confirmation hearing was held and not a single confirmation was considered by the majority at that time. We have done much better. We are going to continue to do everything we can to move these judges.

I am a lawyer. I believe judges are important. I am going to do everything I can to move the nominations along. We can't do it with this hammer to our head. We are doing the best we can.

The PRESIDING OFFICER. The Senator from Wyoming is recognized.

Mr. THOMAS. Madam President, what is our status?

The PRESIDING OFFICER. The Senate is in morning business, and 9½ minutes are remaining under the Senator's control.

WORK THE SENATE CAN ACCOMPLISH

Mr. THOMAS. Madam President, on the issue we have before us, obviously, we have many things to do. We have met this morning and we have been working on an economic stimulus package, which is very necessary and important. We also need to do the ordinary work that is always before the Congress—the appropriations.

I continue to hear all the time from the other side of the aisle that we just can't do all these things; we have too much and we can't do these things at the same time. It doesn't mean you have to give up working on the floor on issues such as appropriations. You can go ahead in a committee and do some things with the judiciary and get some of those things out here.

In my State, we happen to have four appointees, all of whom were nominated prior to the August recess. None

of them has even had hearings. That is a problem with the committee, not a problem on the floor. It is a problem with moving forward. As we move into this matter of internal terrorism, and so on, the U.S. attorneys are going to be very important, as are U.S. marshals. Do we have them? No. There is no reason we don't have to do one or the other. We can do both of them.

Frankly, the constant talk that we hear that we didn't do as many when you were in the majority is immaterial, whether that is right or wrong. The fact is, here is where we are, and we have 50-some judges waiting to be approved, with very few in. In the Tenth Circuit, we have 4 vacancies out of 12. There is no movement to do anything about that.

So I guess what I am saying is I feel badly about it as well. I would like to be moving forward, but they are not happening. We don't get any assurance from the chairman of the committee that he is going to do anything any differently. All they do is talk about what they did in the past. That is immaterial. What we ought to talk about is what we are faced with now and the fact that we need to do something about that.

Energy is something that is very important, of course. We have asked for a commitment to do something on energy. We have been working at it. I am on the Energy Committee. We have worked at it for a couple of years, getting things together, trying to get something on the floor. It is very important in terms of the United States and its economy. It has been very important in terms of us getting an energy policy out there. I know the Senator from Nevada agrees with that.

Now it is even more important when we get to where we have nearly 60 percent of our oil imported, much of it from the Middle East. We find ourselves with real difficulties in the Middle East, and it is even more important that we get it in there and have an energy policy. All we have asked for is a commitment to do that, to move forward. That is the reason things are not moving. We get no commitment as to changing the things that are not being done. I think that is where we are. It is too bad we are in a kind of controversy about it. I think getting a commitment from the leadership that we are going to be able to accomplish some of these pending things is very important.

Saying the priority is doing something for Pakistan instead of a judge, that is really not a choice. We can do both of those things. We can do both of those things, and we can move forward. I wonder how many hearings there have been this week on judges. More important, what has been brought to the floor?

I believe we can find a remedy, and I know there are meetings going on to secure that remedy. I certainly hope we can continue to find that remedy and get ourselves into a position to move forward not only with the pending legislation, but also do these things that are very important to the operation of Government.

Of course, now we find ourselves with more and more difficulties in terms of internal terrorism and the anthrax issue that is coming up. But I can tell you it is the belief among the Members of Congress that we are going to take every method of making sure we are safe and that our staffs are safe. On the other hand, we can do those things that are necessary and we can go forward with the job we have to do. I suspect we are here to complete our task.

I have suggested in the past that maybe we can set some priorities and have our priorities established, move forward with them and deal with those things that are not being done and say, yes, we are going to do it at a certain time. That is really the request. It is not going to take long to do some of these things. We need commitments and priorities and to be prepared to move forward. But as long as the issues that some of the Members are very anxious about are not dealt with, obviously there are going to be some efforts to make sure they are. That is not a unique situation, by the way. That has happened throughout the years, and it is part of the process here, unfortunately. But it is part of the process.

I mentioned yesterday the very process we are going through now was gone through last year, and all the evidence is in the CONGRESSIONAL RECORD. The very issues we objected to now were done then.

So I think we can find a solution. I look forward to seeing that solution so that we can commit ourselves to do the things that need to be done, to move forward with the other bills. We can do more than one thing at a time.

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

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

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

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2002—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of the motion to proceed to H.R. 2506, which the clerk will report.

The legislative clerk read as follows:

A motion to proceed to the bill (H.R. 2506) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2002, and for other purposes.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Madam President, I am not going to speak at great length about why we are in the position we are. I have already spoken. As I have said, Senator LEAHY has a hearing scheduled this week. He is going to have some hearings next week. The report I received recently is that we have not done any U.S. marshals because we do not have them. They have not been sent to the committee. We cannot do it.

We approved 14 U.S. attorneys last Thursday. We are moving these nominations along just as quickly as we can.

The Senator from Wyoming is absolutely right we need to do; an energy bill, but we cannot do an energy bill. We have had 2 weeks where we have done nothing. We still have five appropriations bills to handle, plus all the conferences, and they are not letting us move to them.

Sure, we can do two things on the floor at once; we agree. But they are not letting us do one thing on the floor. The leader has said that we will get to energy as soon as we can, and that means we have to get rid of all these other items first.

We are approaching Thanksgiving. We have already had two continuing resolutions. This is not the time to dillydally. We have very important things we need to do for this country, and we are in quicksand on judges. We are going to go forward the best we can and jump through all the procedural hoops they are making us jump through. I would think sometime in the near future the administration might get involved. The administration has more to lose than anyone else. This is the minority's side.

No one can criticize the Democratic majority in working with the President. We have worked hand in hand with him. He and the majority leader speak three times a day on issues relating to this country and the world. The minority is making a real mistake holding up this legislation. That is a decision they have made, and they are going to have to live with it. We are going to do the best we can, I repeat, jumping through all these hurdles.

In the process, we are going to use up 3 or 4 weeks of time that we could be doing other bills. We have a bioterrorism bill on which Senators KENNEDY and FRIST have worked. I do not know if they will let us go to it when the committee reports it out. We hope the committee can report it out as early as Thursday. In the meantime, all the other legislation is being held up.

People think we can waltz through the rest of these appropriations bills in a matter of a day or two. It has never happened, and it never will happen. These bills take a lot of time even though we agree on the numbers.

We need to do a bioterrorism bill. We have a bipartisan bill we should bring

up. We had airline safety. They would not let us bring that up.

I repeat, when it comes down to the end of this year and people are saying where is the energy bill and other bills, remember last week and this week: We have done nothing. Most of it has been procedural in nature.

We were fortunate last week to finally, getting through all the procedural hoops, get airline security passed, and with a lot of cooperation we were able to do the counterterrorism legislation, but it has been a struggle. We should be further through the appropriations process more than we are.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

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

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

Mr. THOMAS. Madam President, I ask unanimous consent that I be allowed to speak 10 minutes as in morning business.

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

ECONOMIC STIMULUS

Mr. THOMAS. Madam President, one of the items, of course, that is being considered and has, in fact, been considered and passed in the House is the economic stimulus—doing some things now that will encourage and get more activity in our economy.

We, of course, through the last couple of years have seen some decline in the economy, and now with the September 11 attacks, we have seen substantial change. We are faced with the challenge to do that which will have an impact—hopefully an immediate impact—on the economy.

It has been very difficult to define exactly what is best to do. We have met several times with Chairman Greenspan and Bob Rubin, the former Secretary of the Treasury, to talk about what would have the most impact on the economy in the short term. There are very many ideas out there.

Quite frankly, among professional economists there is not unanimity as to what would have the most impact. Certainly, most people agree that it needs to be a large movement. Some think it ought to be $100 billion, which is a huge amount—however, a relatively small amount of the gross national product. It is difficult to know.

This Congress has already passed $50 billion or more that has to do with defense and with repair in New York City. I question, of course, whether those expenditures will be made soon enough to have an impact on the economy and whether they, indeed, fit in as part of the economic package. I, frankly, am inclined to think they do.

Then we are faced with what should be the additional effort. It is my understanding the House-passed bill was nearly $100 billion in addition to what we spent, which is more than the President has suggested, I believe, which is $50 billion to $75 billion. We have that decision to make and, of course, what will most quickly and efficiently affect the economy. I believe we should have some parameters to decide in general what we want to do and then see how these individual items fit into it. One ought to be those things that we know will have an impact on the economy and do it in the short run.

Another is, since we are talking about shortrun remedies, we ought to be picking solutions that are not long term so we will have another opportunity after this economy has gathered some strength to take a look at them and see if they should be in place long term.

Obviously, when Members have tax issues and have been looking for a vehicle to put them on, they will be interested in putting them on a stimulus bill. We have to be careful this does not become a Christmas tree.

What do we do? There is the question of how much of this stimulus ought to be done in terms of the consumers' ability to purchase. What can we do about moving more money into the hands of consumers so they can do a redistribution of income?

On the other hand, how much of this package should be in the form of incentives for business, such as deferred taxes, or reducing the time for appreciation?

These are the issues we will have to decide. Many are interested in doing something with the corporate alternative minimum tax put in about 1985 as a reaction to some of the tax reductions that were made prior to that time, which have the effect, of course, of causing certain levels of income tax to have to be paid, regardless of whether there are tax breaks that can be taken advantage of otherwise.

So very many people in the business sector believe that could be changed. It would encourage the purchase of new equipment.

Some suggest a 5-year carryback of net operating expenses as another way to put money in the hands of business to create jobs and move forward. Accelerated appreciation is another area discussed. The House provision has a 30-percent reduction in the first year—again, to encourage businesses to invest in their equipment and in their inventory.

There are issues on foreign trade to make it more competitive for businesses. For individuals, there is talk about making tax reductions we put into place earlier this year more permanent, to not expire at a certain length of time. That has to be discussed. Capital gains reductions are quite often talked about. Some wonder if capital gains reductions will, again, have that short-term impact. Others have suggested the capital gains ought to be limited only to those purchases after September 11 to encourage purchases rather than sales. Any payroll tax deduction will provide an opportunity to put money into the hands of citizens, including those who are not paying income tax.

There are recommended vacation tax credits to get people on the move: To fly, to stay in hotels. The industry is suffering a good deal.

There are lots of opportunities. I am hopeful as we draw it up in the Finance Committee we have parameters to make sure they comply with our goals and our purpose and our motives. I think we can do that. It ought to be confined to short-term activities so we can review them again in the future. These are some of the things being discussed. They are very important.

Now we find ourselves faced with three different challenges: One is the war on terrorism; another is the economy, which has been impacted; and doing the things we do in everyday life and continue to deal with government operations. These are the challenges. I believe we will meet the challenges. We need to move forward.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

Mr. REID. Would the Chair explain the parliamentary matter now before the Senate?

The PRESIDING OFFICER. The Senate is now considering the motion to proceed to H.R. 2506.

Mr. REID. Potentially, if I am not mistaken, there is as much as 30 hours available under that motion to proceed; is that right, postcloture?

The PRESIDING OFFICER. We are not on a postcloture situation. There is no time limit.

Mr. REID. I say to the Chair, cloture was not invoked yesterday, so we are not bound by the 30 hours; is that right?

The PRESIDING OFFICER. The Senator is correct.

Mr. REID. Unless something happens, we are on this bill forever; is that right? There is no time limit.

The PRESIDING OFFICER. We are on the motion to proceed.

Mr. REID. There is no time limit?

The PRESIDING OFFICER. That is correct.

Mr. REID. Is it possible to move to some other matter?

The PRESIDING OFFICER. Not while the motion is pending.

Mr. REID. Only by unanimous consent, is that right?

The PRESIDING OFFICER. The Senator is right.

Mr. REID. Unless the minority agrees to move to an appropriations bill or move to this appropriations bill or move to bioterrorism, it cannot be

done without their consent; is that right?

The PRESIDING OFFICER. The Senator is correct.

The Senator from North Dakota.

Mr. DORGAN. Madam President, I say to my colleague from Nevada, as he knows, we had a cloture vote on this appropriations bill, and we did not invoke cloture. We have what is known as a filibuster—not on an appropriations bill but even on the motion to proceed to the appropriations bill.

There is a time and a place for everything. I certainly would never abridge the right of any Member of the Senate to use the rules in any manner they prescribe for themselves or their constituents. It is in my judgment rather unseemly at this moment, given what is happening in this country, for this Senate effectively to be at parade rest—standing, sitting, waiting, doing nothing. We have appropriations bills that need to come to the floor of the Senate. They have been through the Appropriations Committee, but we cannot get them to the floor of the Senate because we have people objecting.

The other side says they don't want the Senate to do its business at this point, so they object. This appropriations bill is foreign operations. It is a critically important piece of legislation dealing with issues such as the security of our Embassies. Does anyone wonder at this moment and at this time, given the security threats we face at virtually every Embassy around the world, staffed by American citizens, whether we ought to wait to pass legislation dealing with Embassy security? I don't think there is not great cause for me to wonder. Of course we should. We ought to move this appropriations bill to the floor of the Senate, debate it, and pass it.

Let me go back for a moment to describe why I believe this should not be business as usual and why I believe it is unseemly for some simply to plant themselves at this moment and say: We are not going to allow the Senate to do anything. September 11 changed a lot of things in our lives. The heinous act of mass murder by perverted people changed a lot in the lives of all of us. This attack against our country, but basically an attack against freedom, makes everyone feel less secure. We have resolved from that moment to do things differently.

One of the things that happened almost immediately following the President's speech to a joint session of Congress was a new attitude and a new spirit in the Congress. All of a sudden, those who previously had been Democrats and Republicans, conservatives and liberals, were standing during debate, proclaiming themselves so described, all of a sudden those labels were gone. There did not seem to be any longer an ''our'' side and a ''your'' side or a ''your'' side and ''my'' side. There was only in this Chamber, and only in the House of Representatives, and only between us and the President, one side. It was our side. Just our side. We were all in on the same side, determined to try to deal with these cowardly acts of terrorism.

That, regrettably, has changed some. There is now a different attitude in recent days. Folks decided we shouldn't work together, that we shouldn't do the Senate's business, that we shouldn't pass appropriations bills, that we should essentially stall and stop. It doesn't make any sense to me. It doesn't serve anybody's interests. It doesn't serve the interests of the United States, and it certainly doesn't serve the interests of the American people.

I mentioned this appropriations bill has money for the security of our embassies all around the world. Is what we really want to do at this moment to slow down this process, to say embassy security somehow is not very important, that there is no urgency here? I don't think so.

I think our job ought to be to say these are important issues for the Senate to address—not tomorrow, not next week, but now. It is not just this bill. It is especially this bill today because that is what we are talking about, the motion to proceed to this bill, but it is so many other appropriations bills and so much additional work that we and the House must do together.

Aviation security, we did that bill. Antiterrorism, we did that bill. Neither has been done in a satisfactory way by the other body. So we need to resolve those differences, and that is critically important.

But most especially the business of the Senate is to take up important issues, including this bill from the Appropriations Subcommittee on Foreign Operations, debate it, and pass it. If someone here has heartaches about what is in it, offer amendments and have votes. God bless you; you have every opportunity in the Senate to do that. The rules allow you to do that. But it is not appropriate, in my judgment, to shut this place down because someone got cranky about something else. If you are in a bad mood, find another room, but at least here on the floor of the Senate let's try to do the Senate's business.

If there was ever an opportunity and requirement to demonstrate to the American people this is a new time and new day and we are facing threats in a new way together, this is the time to do it. Let's adopt these motions to proceed, pass these bills, and provide for the security of American embassies included in this bill.

Madam President, Senator DASCHLE, the majority leader, is present. I will yield the floor and allow him to proceed.

Mr. DASCHLE. Madam President, I compliment the Senator from North Dakota for his excellent statement. I don't think I could have said it as well. But I really appreciate the passion with which he has expressed himself.

These are important bills. We are going through international crises that demand leadership, demand responsiveness, demand that these bills get done. He said it so well. I hope our colleagues have the opportunity to hear him as I just did.

The PRESIDING OFFICER. The Senator from Alabama.

JUDICIAL NOMINATIONS

Mr. SESSIONS. Madam President, I would like to share a few thoughts with regard to the process of nominating and confirming Federal judges. We have had a problem, as I have seen it, in recent months, leaving us with an ever-growing backlog, one of the largest backlogs of judicial vacancies we have ever had. I would like to share a few thoughts about that.

One of the bases for rationalizing this apparent slowdown is the view that President Clinton's judges were not treated fairly. Many of you have heard that. I think we ought to talk about that straight up.

President Clinton nominated and got confirmed 377 Federal judges, almost exactly the number President Reagan had in his 8 years in office. They both had 8 years in office. He had one of his nominees, only one, who was voted down by this Senate. The rest we either confirmed or were pending when he left office.

When President Clinton left office, he had 41 nominees pending before this Senate, nominees who had not been acted upon. Historically, that is a low number. Under the leadership of Chairman ORRIN HATCH, the Senator from Utah, the chairman of the Judiciary Committee at that time, a Republican, he moved President Clinton's nominees effectively and gave them fair hearings, and for the most part they were promptly confirmed if they were deserving. That 41 nominees were unconfirmed is a rather low number, in my view. Really, 67 vacancies were in existence at that time in the Federal judiciary. We have over 800 Federal judges, and 60-some judges has generally been considered a normal vacancy rate. It just about takes that much time for the names to go up to the President, for him to consider them, an FBI background check to be done, to submit the nominee's name, they answer all the questionnaires we demand of them, ABA does a background check—and it just takes some time. So you seldom will be below 50 vacancies in the Federal judiciary.

However, we begin to see the numbers increase dramatically. Just a few days ago we had 110 vacancies in the Federal judiciary. Now I think it is 108 after the confirmation of the 2.

To me, this is too large a vacancy. Let me tell you why I am concerned about it. I will be frank with you about it. The reason I am concerned is that there is a sense in which this slowdown in confirmations is a part of a plan to block President Bush's nominees in an unusual and special way. Unlike anything we have seen before.

There was a report in the New York Times on April 30 of this year reporting

about the private retreat the Democratic Members of this body had. The Republicans have those retreats, too. At that retreat, Professor Laurence Tribe, who is well known, Cass Sunstein, and Marcia Greenberger discussed with the Democratic Senators their idea to develop a ''unified party strategy to combat the White House on judicial nominees.'' That was the New York Times reporting on that conference.

Professor Tribe and the others apparently advocated scrutinizing nominees more closely than ever in order to slow down the nomination process, stating that it was:

> . . . important for the Senate to change the ground rules and there was no obligation to confirm someone just because they are scholarly and erudite.

This is the same Laurence Tribe who was very active in the Bork nomination and Thomas nomination fight and actually wrote a book in 1985 titled ''God Save This Honorable Court'' in which he talked about the strategy of blocking judicial nominations.

Before we had gotten started in this process, those of us on this side had cause for concern because there was a stated policy of changing the ground rules or to block President Bush's constitutional ability to have his nominees treated fairly and confirmed, if fit and qualified.

Subsequent to that, we began to have a number of hearings in the courts subcommittee, of which I am the ranking Republican member. The first hearing dealt with a suggested change in how we ought to do nominations. The change and question was whether or not ideology should be considered in the judicial process. That has been generally rejected consistently.

Invited to testify on that panel were Cass Sunstein, Laurence Tribe, and Marcia Greenberger—surprise, surprise. Also invited to testify was Lloyd Cutler, former White House counsel to a Democratic President, and a man of great respect in the community.

In his remarks, he differed with those other professors, however, and made clear that he opposed—and quoted a commission of which he was a member—making politics and ideology a factor in the confirmation process.

If someone has an obsessive political or personal or ideological view that would keep them from being objective in analyzing facts and law, they ought not to be confirmed. But just to say that you are a liberal Democrat—as overwhelmingly the 377 judges confirmed by President Clinton were—that you are, therefore, not qualified, or if you are a conservative Republican you are not qualified to serve on the bench would be a historic change in the ground rules all right—not a change they suggested ought to be done before President Bush took office but a change they suggest only after their President left office. We have a new President. So we are concerned about this.

The first hearing was suggesting that we ought to have a higher role of politics in the judiciary. Lloyd Cutler, to his credit, and other professors who were members of that panel, also to their credit, were firmly opposed to politicizing the judiciary. It is a dangerous thing.

I was a U.S. attorney for 12 years and assistant U.S. attorney for 2. Almost 15 years of my life was spent practicing law and trying cases full time before Federal judges. I didn't always agree with them, but I will say with great conviction that they were wonderful judges—men and women of integrity and ability who did things right. If you had the law on your side, you could be expected to prevail. If you went to court and said: I have cases that say this evidence is admissible, Your Honor; I have evidence that says their document is not required to be produced in this hearing, Your Honor, and if you could show the judge that, you could almost always count on them to rule correctly according to the law, whether they were Republicans or Democrats.

This idea that somehow, if you are a liberal or a conservative, you are therefore going to allow that to affect your ability to control a courtroom and do justice to people is wrong and dangerous. And I am nervous that we would suggest to the American people that this is so. I do not believe it is.

At one of our hearings recently, when I asked Senator FRED THOMPSON from Tennessee, a skilled lawyer, if he believed in his experience as a litigator that he could expect unfairness or a difference of views on issues simply because of who appointed the judge to the bench, he said he did not. His experience as a judge was normally expected to rule correctly on the law and the facts. Certainly that has been my experience over the years.

Actually, I would add parenthetically that is one of the great reasons for our strength and health and economic prosperity as a nation. We have a rule of law. Whether you are a British corporation or a corporation from any nation in the world or a domestic corporation or an individual or a poor person or a rich person, we believe in the ideal and in the reality that person would receive equal justice under law. Indeed, those are the words chiseled and engraved into the front of the Supreme Court building across the street—''Equal Justice Under Law.'' That is the American-British—Anglo-American—legal ideal that we have adhered to effectively. Nations where that rule of law has been commonplace and followed have prospered. I have come to believe in recent years as I have gotten older that if you examine nations that are not doing well economically, that do not have freedom and the things we have, it is fundamentally because they lack a rule of law. You can't invest, you can't plan, and you can't develop a long-term goal for the future and save money today in order to expand your business tomorrow if everything is unstable, and if you have to pay off politicians and never know what the law is going to be.

We are blessed with a rich heritage of law that is so valuable that we should never see it undermined. We must protect it. The last line of the great hymn is our liberty and respect of the law. The American people respect law. We must do that. We must further that, and not create this image by a bunch of politicians in a committee room suggesting that what goes on in courtrooms throughout America is political and not based on law and fact. That would undermine public respect for law. I believe that very deeply.

I was sorry that we went off on that tack. It was a good hearing. The chairman was very fair and everybody got their say. It was probably a good thing to talk about it and get it out in the open. I don't dispute that. But I think it is important that we in this body do not suggest to the American people that politics affects the law out in the field in the courtrooms all over America because it, in my view, does not.

The second hearing we had was on the burden of proof. It was suggested in these hearings that the burden of proof is on the nominees to prove somehow that they ought to be confirmed. That would be a big change in policy. I do not know what you are supposed to do. Are you supposed to come to a judiciary hearing with 100 of your best friends? What are you supposed to do?

What we do know is that the process has served us pretty well over the years. The President of the United States gets to nominate Federal judges under the Constitution. He solicits information back from the district involved or the circuit that is involved. Names come up to the President. He evaluates them and decides whom he is going to nominate.

They do a pretty good job, frankly, of asking around, finding out if there is any trouble in the person's background, would they make a good nominee. In my view, as the years have gone by, the President has been even more intent on getting people who will be good judges than people who might be political friends or things of that nature. So that goes up.

The President tentatively selects a nominee. This is the person they would like to submit. They do their own checking around. Then they give it to the FBI, and they do an intensive, full field investigation. The agents interview anybody with whom that person has worked. They interview people who have litigated against them. They interview judges before whom they have practiced. Then they come back with an FBI report. They find out whether or not they have been arrested, whether or not they have had drug abuse problems, or any other problem they might have in their background. They will interview an ex-wife, people who may have a basis to complain, and they put that in the report.

So the President has that report. Then he decides whether or not to submit the name. And that report is available to all of us in the Senate—only the Senators—in confidential form. We can go and examine that report. If we see something we do not like, even though the President has approved that person, we can oppose a nominee on that basis. So that is the way the system works.

After the nominee hits the Senate, the Senate sends a big questionnaire to the nominee. First the President submits a big questionnaire to the nominee, and depending on the investments and the career of the nominee, the questionnaire can have hundreds of pages of responses to all these questions. Then we have another one from the Senate. That one is done. Then the ABA, the American Bar Association, goes out and does their background check. They talk to judges. They talk to lawyers. They talk to the president of the local bar association, the president of the ABA, the members of the ABA from that community. They talk to people who have litigated in intense situations with the nominee. That is an important factor. In the pit, in the depth, in the intensity of a big-time lawsuit, if the person has character flaws, they will usually show up. Most lawyers are pretty objective. They will fairly evaluate a person they have litigated against, and they will tell the ABA and the FBI what they think about them.

So then the ABA makes their recommendations as to whether or not this nominee is ''qualified'' or ''exceptionally well qualified.''

I think that is a pretty good process. So I suggest it is not wise at that point to say: Mr. Nominee, after you have done all these things, it is your burden, as we sit up here as Senators, to convince us, after the tremendous career you may have had in the practice of law—maybe you have a well-qualified rating—you have to convince us to vote for you. I do not know how you do that.

I think the record speaks for itself. Historically we have not had that as a standard. In fact, in the first 125 years of this country's existence we never even had hearings on the nominees. If something came up on a nominee that the Senate did not like, they could object, but they did not even have hearings on the nominee. I do not mind an objection to hearings; it is probably a healthy thing. The Senate should not be a rubber stamp. But also we should not put that burden on the nominee, after they have done all that, before they are confirmed.

So, Madam President, we will also have another series of hearings that are designed to intensify a basis for opposition to President Bush's nominees, all of which I think is a dangerous direction. So I say all that as a matter of background. That is not myth. That is not an unfair characterization of where we are.

There is a move, apparently, by some, to change the ground rules of confirmation. It has, apparently, already begun to infect our process.

I have some charts in the Chamber I would like to show that depict where we are in terms of vacancies in the Federal courts today.

In the 103rd Congress, there were 63 vacancies at this same time period. This was during a time when Senator BIDEN, a Democrat, chaired the Judiciary Committee.

In the 104th Congress, there were 65 vacancies during this same time period. Senator HATCH was chairman of the Judiciary Committee. There were 65 vacancies. This was during President Clinton's administration.

Then, with a Republican chairman, a Republican majority in the Senate, and a Democratic President, Chairman HATCH got the number down to 50 vacancies.

Then in the 106th Congress, the last year of President Clinton's administration, there were 67 vacancies—just about the traditional average. In fact, historically they tend to be a little higher in the last year of an administration.

But now, just a few months later, the vacancy rate has surged from 67 to 110. Perhaps it is 108 today after those confirmations, but that is an unhealthy trend. I believe President Bush and those who want to see him have a fair day for his judges have a right to be concerned in light of particularly the statements that they want to change our ground rules.

One of the things we have found, as we have looked at the process, is that the Senate, regardless of who is in the majority party, has done a good job of confirming judges who were nominated prior to August in that first year. In other words, from January through July, the President submits his nominees, as he can. It is a little difficult for him at first because he has a lot of people to appoint—he has a Cabinet to select, and new things are happening for the President in those first months—but, fundamentally, we have seen that the President has done very well with the nominees he has submitted.

President Reagan, in his first year in office, was able to get every judge he nominated, prior to August, confirmed before the Senate recessed for the year in November or December. He had 100 percent confirmed.

Former President Bush got 100 percent of his nominees confirmed during that time.

President Clinton got 93 percent confirmed. I think there was one judge who did not get confirmed who was nominated before August. This was under President Clinton and a Republican Senate—well, maybe it was a Democrat Senate at that time. They did not confirm one, but all the rest were confirmed.

But under this President, President Bush—and we are coming along to the end of this session; there are people saying we ought to be out of here in a month or less—has only gotten 18 percent of those judges confirmed.

I know there have been some things that have happened that make it a little difficult, but, frankly, I think we ought to work a little harder. We have had a change of party, and we have had an attack on America that has disrupted us in many ways. But many of these nominees, you have to understand, are highly rated by the ABA. They are highly respected by their local men and women in the bar association, and no one objects to them. They have no objections against them. Republicans and Democrats back home support them.

There is one from my district. She worked for me. She was hired as an assistant U.S. attorney under President Carter. She worked 12 years for me. Absolutely wonderful. She recently received a unanimous ''well qualified'' rating. She has no political agenda. A lot of these nominees are like that, just good lawyers, men and women of integrity and ability. They need to be moved forward. We could be a lot further along than we are today.

One of the reasons we are behind is that we are not bringing enough of these noncontroversial judges, or any of the judges, forward at hearings on nominations.

Under the heading ''judicial nominees per hearing,'' in 1998, they had 4.2 judges as the average number per hearing to be confirmed.

We have a hearing in which the judge appears and answers any questions Senators might have. Later there is a vote within the committee whether or not to confirm.

You can't have a vote in the committee until there has been a hearing to take information and question the nominee about anything anybody would like to ask. So the hearing is a critical step in getting confirmations. In 1999, it was 4.2. In 2000, it was 4.2.

RECESS

The PRESIDING OFFICER. Under the previous order, the hour of 12:30 having arrived, the Senate now stands in recess until the hour of 2:15 p.m.

There being no objection, the Senate, at 12:30 p.m., recessed until 2:14 p.m. and reassembled when called to order by the Presiding Officer (Mr. CLELAND).

FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2002—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. The Senator from Nevada is recognized.

Mr. REID. What is the matter now before the Senate?

The PRESIDING OFFICER. A motion to proceed to H.R. 2506.

The Senator from Alabama is recognized.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. MCCONNELL. Mr. President, as the ranking member of the Foreign Operations Appropriations Subcommittee and coauthor of the bill with the Senator from Vermont, obviously, I would like to see the bill pass, and pass sometime soon. But the point this side of the aisle made yesterday afternoon is that we do need to have some cooperation in moving forward on the President's nominees for the circuit district courts across America.

An essential part of our job in the Senate is confirming these judges. The President has nominated judges to fill these vacancies at a record pace.

In fact, his first 11 nominations were sent to the Senate on May 9 of this year, more than 2 months earlier than any of the previous 3 Presidents in their first years. Of these 11, all received either the highest or second highest rating available from the American Bar Association, and all have had their paperwork complete for many months. In eight situations, there were formal judicial emergencies. Yet only three have received a hearing.

This is the situation in which we find ourselves. Looking back at recent history, looking at the first year of each of the three previous administrations, with one exception, every judge nominated before the August recess was confirmed before the end of the year.

Let me repeat that. Looking back at the last three administrations, in the first year of each of the last administrations, every judge, with one exception, nominated prior to the August recess was confirmed in the first year of those administrations.

There is simply no good reason to move so slowly. It is easy to have hearings, and when you have hearings, it is easy to have a number of different judges at that hearing. I am sure the chairman has made the point that he has had a number of hearings. The problem is we have not done any judges at the hearings. So we need to give these outstanding nominees an opportunity to have their hearings, to have their votes in the Judiciary Committee, and to have their votes on the floor of the Senate.

Part of fighting the war on terrorism is to have a judiciary that is adequately staffed. There is a very significant, a very high vacancy rate currently in the Federal judiciary across America.

This pace we have been following is just painstakingly slow and is really not necessary at all. As time passes and we do not have serious action on judicial nominees, the situation gets worse. Just today, another judge, Charles Wolle of the Southern District of Iowa, announced he has taken another status.

Another day has gone by, and we have lost another judge. The vacancy situation has now risen to 109, which is almost 13 percent of the Federal bench. That means that more than 1 out of every 10 seats is unfilled. Justice delayed, as we all know, is justice denied. And if there is not a judge on the bench, obviously you cannot get justice.

The situation is much worse than it was just a couple of years ago when our colleagues on the other side of the aisle were urging action on judges. I want my colleagues on both sides of the aisle to understand that I am not engaging in hyperbole. My conclusions are based on the specific standards articulated by our Democratic colleagues.

For example, just last year when there were only 76 vacancies—at the moment we have 109 vacancies—just last year when there were only 76 vacancies, Senator DASCHLE stated:

> Looking at those figures, one might assume we have no pressing need for Federal judges. In fact, just the opposite is true. Today, there are 76 vacancies on the Federal bench. Of those 76 vacancies, 29 have been empty so long they are officially classified as ''judicial emergencies.'' The failure to fill these vacancies is straining our Federal court system and delaying justice for people all across this country.

That was March 8, 2000, at the time there were 76 vacancies, just 18 months ago. Now there are 109 vacancies and very little to no action has been taken.

Some of our colleagues have tried to shift the blame to the President for our lack of progress, but this is clearly not the case. As I indicated at the beginning of my remarks, President Bush has submitted more nominees to the Senate and at a faster pace than any President in recent memory.

Specifically, he submitted his first batch of nominees in May, a full 2 months before President Clinton submitted his first nominees. The administration has done an extraordinary job. President George Bush has gotten his nominees up here 2 months before President Clinton got his first nominee up. By the August recess, President Bush had submitted 44 judicial nominees, another record. So the President and his administration, on the issue of getting nominees vetted and up to the Senate, has clearly surpassed recent administrations.

You cannot blame our lack of progress on the change of control of the Senate and the time to get an organizing resolution because after the change in Senate control, 9 different Senate committees held 16 different nomination hearings for 44 different nominees before reorganization was completed.

Let's go over that again. It has been suggested that somehow the shift in control of the Senate slowed down the consideration of judges. Yet since the shift in the Senate, since the reorganizing resolution was passed, 9 different Senate committees held 16 different nomination hearings for 44 different nominees before reorganization was completed, and one of those committees even held a markup during the reorganization period. I am talking about the period during the discussion of reorganization.

By contrast, during the same period, the Judiciary Committee did not hold a single confirmation hearing for any of the 39 judicial and executive branch nominees who were pending before us.

Let's take a look at that one more time. I am talking about the 3-week period when we were discussing how to reorganize the Senate. The Senate had shifted hands to the Democrats, and we had a 3-week period where we were discussing how to reorganize. During that 3-week period, 9 different Senate committees held 16 different nomination hearings for 44 different nominees prior to the reorganization discussion being completed. One of those committees even held a markup during the reorganization period.

During that 3-week period we were discussing reorganization, after the Senate shifted hands to the Democrats, what was happening at the Judiciary Committee? Absolutely nothing. It did not hold a single confirmation hearing for any of the 39 judicial and executive branch nominees who were then pending before us.

The notion that nothing could be done during the period we were discussing how to reorganize the Senate certainly did not affect these other nine committees that were holding hearings and in one case even held a markup on nominees for jobs other than the judicial jobs.

It seems to me the reason for our slow progress has been a lack of efficiency. While we have had some hearings, we have not come close to getting the most out of the hearings. In fact, it seems as if we have gotten the least out of the most. Specifically, during the period from 1998 to 2000, the Judiciary Committee averaged 4.2 judicial nominees per hearing. This year we have averaged only 1.4 judicial nominees per hearing. That is a pace that is three times as slow.

The issue of having hearings is not as significant as the question of what did you do in the hearing.

As I indicated, if you average up the number of judicial nominations dealt with per hearing, in 1998 it was 4.2 judicial nominees per hearing in the Judiciary Committee; in 1999, 4.2 judicial nominees per hearing; in the year 2000, 4.2 judicial nominees per hearing.

This year, strangely, we have only dealt with 1.4 judicial nominees per hearing. The number of hearings is interesting but not relevant to the subject of processing judges because we have had only 1.4 judges dealt with per hearing even though each of the last 3 years there were 4.2 judges per hearing. Obviously, we can do a lot better than that. It is not too late. The session is

not over. It is not too late for the Senate to act, at least on the remaining 38 judicial nominees who were submitted to the Senate before the August recess.

In the last three administrations, of the 30 judges submitted before the August recess, 23, or 77 percent, were confirmed in the fall after the August recess.

I have to quote a colleague, the chairman of the Judiciary Committee, on our ability, if we set our minds to it, to do this. Last year, when there were only 60 vacancies, Senator LEAHY said: Having begun so slowly in the first half of the year, we have much more to do before the Senate takes final action on judicial nominees this year. We misused all the time for adjournment to remedy the vacancies that have been perpetrated on the courts to the detriment of the American people and the administration of justice. That should be a top priority for the Senate the rest of the year.

This was Chairman LEAHY, last year, dealing with the very same kind of situation, which is to get our work done on judges, a year in which we were doing way more judges than we have done so far this year.

I must correct my colleague from North Dakota who earlier today said our failure to act on the foreign operations bill, which I care deeply about, is jeopardizing much needed funds for embassy security. As the ranking member on this bill, I assure my colleagues that is not the case. The money for embassy security is not in the foreign operations bill, not in this bill at all. It is in the Commerce-Justice-State bill. So nothing is being jeopardized by the failure to pass the foreign operations bill on one day versus a few later, after we reach an understanding on how to deal with the President's nominees sent up before the August recess.

In sum, all we are asking for is a specific concrete commitment to have President Bush's nominees treated in the same manner as nominees of his predecessors. Until we get such a commitment, I think it is clear from yesterday's vote it will be difficult to make progress on the appropriations bills. Let me again say, as an appropriator, as a former chairman of the foreign operations subcommittee, and now ranking member, I certainly would not argue that the bill is unimportant. It is an important bill. A long time ago, we learned how to walk and chew gum at the same time. We can do more than one thing. We can have hearings before the Judiciary Committee. We can deal with more than 1.2 judges per hearing. We can get our work done. We can get judges out of committee. We can get them voted on and pass appropriations bills at the same time.

I hope sometime in the next day or two we will be able to reach an understanding as to how to go forward on both of these important issues, the foreign operations bill and the confirmation of the President's nominees, or at least a vote on them—Senators can certainly oppose them if they choose but vote on the nominees who came up before the August recess as we have done in previous years for other Presidents.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, I have worked with Senator DASCHLE for 20 years. I have served with him almost 20 years, or very close to 20 years. When I came to Washington, he already was a veteran legislator. Since the first time I met him until just a few minutes ago when I talked with him, he has been one of the nicest, fairest people I have ever met. As a legislator, he qualifies as being outstanding. As minority and majority leader—and I have served under a significant number of them—he is unparalleled. He has the ability to understand issues, to work with people of all different persuasions and never, ever lose his patience and always has enough time to talk to someone. I am amazed at the ability he has, as harassed as he appears, to me, to be with people wanting this and wanting that, to take time in a lengthy telephone conversation with someone who has an issue.

The only reason I am saying this, the minority doesn't understand the problem they have; that is, we have said we are going to move judicial nominations as quickly as we can. And we are. And we have. All of the cajoling and threatening they do on the other side will not get them any more judges. We are doing the very best we can.

For the whole time that Senator HATCH was chairman of the Judiciary Committee—and Senator HATCH is someone about whom I care a great deal; he comes from the neighboring State of Utah. I like him; I have no criticism of Senator HATCH. He never, during the time he was chairman of the committee, to my knowledge, held confirmation hearings 2 weeks in a row. We are going to do that. Maybe it will set some dangerous precedent where we will have judicial confirmation hearings 2 weeks in a row, but we are going do that because it is the right thing to do.

My friend, about whom I care a great deal, the Senator from Kentucky, and I have worked together on a number of issues. As stated, it will be difficult to make progress unless something happens on the judges. I don't know what they want us to do to make progress on the judges. We cannot guarantee this many or that many.

I spoke to Senator LEAHY four times today on the judicial nominations. I have spoken to his staff. He is trying to come up with people for the hearing next week, but the paperwork is not in on the vast majority of the people. He cannot do the hearings unless the paperwork is completed.

It is interesting, but you cannot do the hearings without the FBI report. You cannot do the hearings without the Justice Department reporting. You cannot do it unless all the paperwork, which is very traditional, is in. And it is not in. The fact they have sent people down here doesn't mean the paperwork is done. This isn't paperwork we invented. It is paperwork that has been traditional in trying to find out if this person should be a member of the Federal judiciary.

As my friend from Kentucky said, it is difficult to make progress. He also said: You can do two things at once. That is what we have heard today.

The Senator from Wyoming said we can do two things at once. Of course, we can do two things at once. But we are not even doing one thing. These appropriations bills are extremely important.

Mr. MCCONNELL. Will the Senator yield?

Mr. REID. I am happy to yield.

Mr. MCCONNELL. On the issue of paperwork, according to my staff, 29 of the judges have all the paperwork—29.

Mr. REID. I say to my friend from Kentucky, I don't know where you are getting this information.

Mr. MCCONNELL. As a member of the committee, it is not a secret. We are entitled to know that.

I am saying to my friend I believe the paperwork is completed, entirely completed, on 29 judges who are before the committee. A couple have had hearings.

Mr. REID. Senator LEAHY, to whom I spoke several times today, has indicated to me that the paperwork on the vast majority of the confirmations the President is seeking has not been completed. I also would say, in response to my friend from Kentucky, regarding the chart, ''Judicial Nominations Per Hearing,'' the fact is, of course, the number of judges per hearing has some merit. But also it is acknowledged that Senator LEAHY has held more hearings. So even though you do not do as many judges per hearing, if you do more hearings, it all adds up to the same thing anyway.

As I have said here on several different occasions, you can prove anything with statistics or disprove anything with statistics. The fact is, we are ready to move forward on appropriations bills—''bills'' in the plural. Senator MURKOWSKI comes to the Chamber every day saying, let's do something on an energy package. We can't. We can't until we finish the business at hand.

The continuing resolution is going to run out in a few days. Then we will need a third continuing resolution. It is 3 weeks until Thanksgiving. I hope the Senator from Alaska understands that there will be no energy bill, nor can there be, until we finish the work that we have. And the work now before us is the Foreign Operations Export Financing, and Related Programs Appropriations Act for 2002. My friend from Kentucky says it is a good bill and he supports it.

Some are saying this is not all about judges; it is about having one big appropriations bill. This is a way to stall

our individual appropriations bills and then we can have one big bill and go home. I think that would be too bad. There are specific things this administration has requested in this bill that will not happen unless it is done in this bill. It will not be done with a continuing resolution.

We have people, especially from the heartland of this country, but there are others, of course, who also care a great deal about a farm bill. We can't take up a farm bill until we finish these measures that are now before the Senate, foreign operations and the other appropriations bills.

I don't know what magic is expected. Of course, it is difficult to make progress, as my friend from Kentucky has said, when we are not allowed to go forward on any legislative matters. As I have said on a number of occasions, we have not held up judges saying we are going to hold these until we are able to move forward on appropriations bills. When there were judges last week, we reported them out. We have done that on all nominations. We have reported them out.

There was talk this morning, why haven't you done all the Federal marshals? We haven't gotten any. The Judiciary Committee doesn't have any U.S. marshals. We can't report them out if we don't have them. Why don't we do U.S. Attorneys? There may be some who know better than I, but we have never seen a slower process in sending down U.S. Attorneys. Last week we reported 14 of those we have. We reported out 14 attorneys. I am sure they have all taken their oaths of office by now.

We are going to move forward as rapidly as we can on judicial nominations. If the minority doesn't want us to do the appropriations bills, then that is something they can do procedurally. They can stop us. They can bar us from doing that. But in the process, the important work of the Senate will not get done.

No matter what happens with the minority, we are going to move forward in good faith and get as many judges, U.S. Attorneys, and U.S. marshals as we can. Whatever they decide to do on the other side is not going to change the number of judges we are going to do. We are going to do the very best we can because we also believe it is important to the country to have a full staff of U.S. marshals, full staff of U.S. Attorneys, and a full Federal judiciary as quickly as we can.

The PRESIDING OFFICER. The Senator from Kentucky is recognized.

Mr. MCCONNELL. I say to my friend from Nevada, the dispute is not about U.S. Attorneys or U.S. marshals. That is not why all the Republicans voted against cloture on the motion to proceed to the foreign operations bill yesterday. It is about the judicial nominations.

Mr. REID. Let me ask one question.

Mr. MCCONNELL. I yield for a question.

Mr. REID. I didn't bring up the number of U.S. marshals and U.S. Attorneys; various members of the minority brought this up as a form of criticism. And I am glad that is not a criticism because on those there really is no dispute; we are doing the very best we can.

Mr. MCCONNELL. Even on U.S. Attorneys, there are a number before the committee—I don't have the number before me—that have not been acted upon.

The concern of the Republican conference, I assure my friend from Nevada and Members of the Senate, is not about U.S. Attorneys and about U.S. marshals. As we all know, those offices have a number of professional civil servants. In the U.S. Marshal Service and the Assistant U.S. Attorneys, typically when there is a U.S. Attorney vacancy, there is an acting U.S. Attorney. They are able to function. But a judge who isn't there can't rule. When you have a judicial vacancy, you have a vacancy. There isn't such a thing as an assistant judge, a civil servant who can sit in cases and make rulings. The U.S. Attorneys offices are functioning. The U.S. Marshal Service is functioning. Absent judicial seats do not function.

With regard to whether or not all the paperwork is in, I say to my friend from Nevada, I do now recall that the chairman has prepared a new questionnaire that he has sent out, I am told, over the last couple of weeks. Since there is a brandnew questionnaire that just went out in the last couple of weeks, it could be some of those are not in. But until the last 2 weeks, the understanding of the committee was that the completion of the ABA report completed a file. That has happened with 29 of district and circuit judges who are ready to be acted upon. It is time to move.

I see my friend and colleague from Arizona is here. I am happy to yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. KYL. Mr. President, I wanted to make a couple of comments and then I know the Senator from Iowa wants to speak to a subject which is very, very important: U.S. relations with Pakistan. I am anxious he have that opportunity so I will be very brief.

One of the things the Senator will say is that Pakistan has really stuck its neck out in support of the United States position in this war against terrorism. Pakistan is in a very dangerous neighborhood, and the United States has to do everything we can to support Pakistan in its time of need.

Almost all of us in this body, and certainly the administration, agree with that proposition. So we are going to have to do everything we can to assist them. By the way, there are some things in the appropriations bill that will be before us, hopefully relatively soon, that will assist in this regard as well. In the meantime, there are a lot of other things we can be doing to assist Pakistan.

In response to what has been said here with respect to the motion to proceed on the Foreign Operations bill, Senator MCCONNELL is absolutely right about the delay that has been occurring in the consideration of judges. As he has said, he is the ranking member of this appropriations subcommittee and has chaired the subcommittee for the last several years. While it is important to get the foreign ops appropriations bill before us, the fact is we are going to have a foreign ops appropriations bill. We have a supplemental that covers the situation until then, so there is not a single day that goes by that we are not providing the money that is called for under this legislation. So this is not about holding up the Senate's business or holding up the Foreign Operations Appropriations Bill. All of that is going to be done. That is not the issue before us.

The issue before us is occasioned by the fact that there were some who said we are so busy we just can't get to these nominations. My response is: Fine, we will just call a time out until we can catch up with some of the nominations. In each of the three preceding administrations—the Reagan administration, 8 years' worth; the Bush administration, 4 years; and 8 years of President Clinton—in their first year every single one of the nominees that had been sent to the Senate by the August recess were confirmed by the end of the year with only one exception. Yet it is going to be virtually impossible for that to occur now. There were 44 nominees sent up by President Bush before the August recess. We have confirmed eight. That leaves 36. At the pace the Judiciary Committee, of which I am a member, is holding hearings, we are not going to be able to complete work on even half of those nominees.

Part of the reason we have tried to focus attention on this matter is to say we have to get to work in the Judiciary Committee. We have to have the Judiciary Committee hold hearings, approve the nominees for consideration by the floor so all of us can then consider the nominees. They are going to be approved on the floor. I doubt very many, if any, are going to be disapproved. But certainly, in any event, whether you like the nominee or not, the argument has been made for years that they at least deserve a vote, and I think all of us would agree with that. So we have to do something to take up consideration on these nominees. Time is short. We have only another 4 or 5 or 6 weeks to go in this session.

If we don't get to work here pretty soon, we are not going to be able to confirm the same percentage of judges that have been confirmed in prior administrations.

There have been two parliamentary or rhetorical tacks taken by those on the other side of the aisle. One is the red herring, the President hasn't sent

up very many nominees for U.S. marshals. That has nothing to do with the fact that a whole lot of nominees are pending for judge. I daresay, as important as the marshals are, the judges are more important. We have got to get them confirmed.

Then there was the comment that the President could send up a lot more U.S. attorney nominations than he has. Again, it is a red herring. He could. We will confirm them, too. They are also important.

But let's get back to the judges. In other words, let's stop trying to change the subject. President Bush has nominated more candidates for judgeship at this point in his Presidency than any of the past three Presidents.

With respect to nominees to the court, the President has done his job. Granted, he got a bit of a late start because his term as President got a bit of a late start because of all of the business following the election results. But, once he got started, he named nominees at a faster pace than his three predecessors.

That is what is pending before us—60 nominations with only 8 confirmed. We are saying that all of those ought to be considered by the Senate and by the Judiciary Committee. But, at a minimum, those nominated prior to the August recess should be considered by the full Senate.

Mr. McCONNELL. Mr. President, if the Senator will yield, the Senator is right on the mark. It is not too late to do the right thing, which is one of the points we are trying to make to the Senate and to the country. In those first years of those three administrations to which the Senator made reference—and I have talked about others—77 percent of those confirmed were confirmed after the August recess, which means it is not too late.

The idea some on the other side of the aisle may be thinking—that we can't possibly replicate the standard here—is not true. It can be done. We simply need to have hearings and have more than 1.4 judges heard per hearing. Hearings don't mean a whole lot if you are not having judges before the committee.

I commend the Senator and echo his thoughts. It is not too late to do the right thing. That is what we are saying.

Mr. KYL. Exactly. At the rate of 1.4 judges per hearing, there is no way we will be able to have enough judge nominations that can come to the Senate floor for confirmation before we adjourn for the year. That is why we have to not only have more hearings but we have to have more judges at each hearing.

Basically, there are a couple of dozen, or more, of these pending 36 that haven't had hearings. That means that even if you have one hearing per week rather than one per month, and you have maybe five candidates per hearing, you are just barely going to be able to have enough hearings to get the candidates voted on and get them to the Senate floor in order for us to be able to confirm them before year's end.

While it is true that it is not too late, it will be too late if we don't get a commitment right away to have the Judiciary Committee hold hearings for the candidates and have business meetings at which the committee can then vote on them, and then have the ability for the full Senate to take up the nomination.

To further validate what the Senator from Kentucky just said, the fact is that in almost every case in the past several years the nominees are voted on as a bloc by voice at the end of the day, or by a unanimous consent. In other words, the majority leader will usually stand up and say: I ask unanimous consent that we now go to Executive Calendar number such-and-such and consider the following 14 candidates for judge. The clerk reads the names. Is there any objection? Without objection, it is so ordered. It is done. That is all the time it takes.

It is true that the chairman of the Judiciary Committee since June has insisted on rollcall votes on the Senate floor. That is fine, too. That takes 20 minutes per judge. We can do that. We can have debate before that. No problem. We are saying that we now have an opportunity do to that; let's do it.

I want to make the point that you can try to change the subject if you want, but you can't deny that we are not moving as rapidly as possible. For anybody to stand here and say we are moving as rapidly as possible runs counter to the facts. We could be holding hearings. We are not. We could be voting to approve those who have had hearings. We are not. We could bring those people to the floor for a vote. We are not doing that. It is simply incorrect to say we are moving as fast as we can or that we are doing as much as we can.

Unless somebody brings all of this to the attention of the American people and also the other people in the body, this matter simply slides until it becomes too late to consider those candidates.

We should not be using the horrific events of September 11 and the business we have had since as an excuse not to take action on a matter. In fact, one can make the argument that it is more important than ever that we fill these important positions. That is simply the point I wanted to make.

But I want to defer now to the Senator from Iowa who I know has an important point to make about this war on terrorism and the position of the United States in supporting one of our allies, in particular the country of Pakistan, something that is very important for us to do. In advance, I applaud his remarks.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

THE NATIONAL AGENDA

Mr. NELSON of Florida. Mr. President, we are in times when it seems we ought to be doing what is on the top of the national agenda. Meeting this terrorist threat, providing the resources to our military, and providing the humanitarian assistance in our efforts in Afghanistan clearly should be at the top of the agenda.

In meeting the national economic condition we have seen as a result of the airlines having the difficulty of getting their passengers back, it took us 3½ weeks to get the aviation and airline security bill passed in this body. When it finally passed last Thursday, it was on a unanimous vote. But it was filibustered. We had to go through all the motions of breaking the filibuster to finally get it to where we would get a unanimous vote because different people had different agendas.

So, too, we find ourselves now with the foreign operations appropriations bill being held off and last night having the motion for cloture defeated. We couldn't get 60 votes so that we could proceed on this very important appropriations bill that directly affects what we are doing on the other side of planet Earth at this moment. We simply must move swiftly to conduct the business of the American people.

There is no more urgent pending business than this foreign operations bill that we are simply trying to get to, but we keep being held up in the Senate. This foreign operations bill gives the administration and Secretary of State Powell the resources and tools needed to build the international coalitions that are so necessary in fighting this war on terrorism. It is clearly necessary for us to be able to successfully conduct the operations of Enduring Freedom.

Specifically, this bill provides funding for the important international initiatives vital to conduct U.S. foreign policy.

If this foreign operations bill does all of that, why are we having the difficulty of getting to it? Why can't we have our debates where there might be disagreement on something other than a bill that is so important to the national agenda and supporting our men and women in uniform over in the central Asian region of the world?

Let me talk about something else that this bill does. It provides $5 million for Afghan refugees.

Why is that important? It is important because we have a major two-pronged effort in Central Asia. We have the military effort, and we have the humanitarian effort. We are dropping food. We want to be able to win the hearts and minds of those people. We want to take the example of what has happened in North Korea, a communist dictatorship, where we have sent bags of food that the people of North Korea know have come from the United States because the bags say, in the native language, ''This is a gift from the people of the United States of America,'' and those people know it. Because of their starvation, those North Koreans are very appreciative.

Do you know what they do with those bags, those sacks after, in fact, they have eaten the food? They use that material from the sacks for clothes, for suitcases, for anything that human ingenuity can think of to use those sacks. They recognize that the food has come from the United States because it says, in their language, ''This is a gift from the United States of America.'' So we have been very successful in doing that.

So we ought to take the model of what we have done so successfully in our humanitarian aid in North Korea and apply it in Afghanistan. Secretary Powell came over to discuss a lot of these matters with the Foreign Relations Committee and this matter was brought up to him. He thought that was an excellent idea. But part of it depends on us passing this bill, this appropriations bill, which has $255 million for Afghan refugees. And we cannot even get this bill up because yesterday we only got some 50 votes to break this filibuster so we could get this bill to the floor.

So here we are, still debating the motion to proceed. It is inconceivable to me, with what is at stake for this country and the interests of this country over in that part of the world near Afghanistan, that we have people who are delaying this legislation coming to a swift passage.

Let me give you some additional items in this bill. There is $326 million in this appropriations bill for nonproliferation, antiterrorism, demining, and related programs. One of the big problems is, even from the old days of the Afghan war with the former Soviet Union, there are so many mines that for our troops, once they are in there, or for nongovernmental companies going in to distribute food, there is the risk of detonation. We need to be in there demining.

This foreign operations appropriations bill provides money for that. Why can't we get on with passing this legislation instead of it being derailed by a filibuster?

This bill also includes $4 million for a terrorist interdiction program designed to enhance border security overseas to reduce terrorism. It also includes $38 million for the antiterrorism assistance program to support training and emergency and first responder training.

Additionally, the bill provides important bilateral assistance to nations that are so important to both the Middle East peace process as well as fighting terrorism. It provides foreign assistance of $2.7 billion to Israel, almost $2 billion to Egypt, and $228 million to Jordan. Need I remind you how important the King of Jordan and his government are to us as we knit together a coalition of Arab and Muslim nations to assist us in this war on terrorism. Yet we have people who are delaying this legislation for their own agenda. Their own agenda may be important to them, but is it as important to us in America as the war against terrorism?

Let me suggest some other things this legislation says. It provides assistance for the independent states of the former Soviet Union—now get this—the Ukraine, Armenia, Georgia; former states of the former Soviet Union, now independent states that are absolutely critical as we knit together the coalition in this war against terrorism. U.S. support and assistance in these nations are needed now, and it is in our national security interests. Yet the legislation is being delayed. It is being filibustered in this Chamber.

There are also other items in this legislation. We must keep the focus on the Andean region. This bill provides $718 million for the Andean regional initiative, which includes $147 million for humanitarian and development programs. This Andean initiative is a part of a balanced effort aimed at eradicating coca crops, supporting interdiction efforts, and strengthening the rule of law in those conflict-plagued regions of the world. This is critical to the U.S. focus on Latin America where democracy itself is being threatened. That is a very high priority in the agenda of protecting the interests of the United States. But we have people filibustering this bill, not allowing it to go forward.

I daresay when it passes, it will probably pass almost unanimously, if we can ever get it to a vote. Yet we have people dragging their feet for their own specific agenda purposes.

I will give you more examples. This legislation that is being held up right now provides funding recommendations for conflict resolution in the Middle East and the Balkans. It provides funding for conflict resolution in the War Crimes Tribunals in Yugoslavia, Rwanda, and Sierra Leone, and it provides funding for regional democracy programs in Asia. Yet the legislation is being held up.

So I urge our colleagues to put aside their differences and stand up for what is in the interests of the United States at this particularly critical time in our country. I ask all our colleagues to join in the spirit of bipartisanship we have had over the course of the last several weeks in sending a strong statement to the American people and to those around the world who would wish ill upon the United States. Let's send that strong message that we will move forward with a policy that is important to freedom, democracy, and American values, despite the efforts of those in the world who would try to undercut all things we hold so dear in this country.

I plead with our colleagues, it is not in their interest to delay and to obfuscate, to use tactics of filibustering an appropriations bill that is so important to the national security interests of this country.

I yield the floor.

The PRESIDING OFFICER (Ms. STABENOW). The distinguished Senator from Iowa.

PAKISTAN

Mr. HARKIN. Madam President, I take the floor to talk about our relationship with one of the longest, strongest allies we have ever had in this world and why I think it is so important for us at this point in time to recognize that and to move more aggressively towards reestablishing the kind of connections and ties and mutual support we have had with the nation of Pakistan in the past.

Following the attacks of September 11, all eyes turned to South Asia and particularly to Afghanistan. Just as quickly, we began to look for allies in that region of the world. As has always been the case, the United States found a steadfast ally in Pakistan. Through thick and thin, we have never had a better ally in that region of the world and, in fact, in almost the entire world, but we have often failed to recognize this fact.

Let's look at the record. Our close relationship with Pakistan began when that State was born in 1947 with the partition from India. At that time, we watched as the world began to divide into two camps—one led by the United States and the free world and democracies, and the other by the Soviet Union and the Communists. The temptation for the Pakistanis to stay neutral at best or to be opportunistic and go with the Soviet Union, since it was so close to the borders of the Soviet states at that time, was enormous. But when Pakistan's first prime minister, Liaquat Ali Kahn, chose to undertake his first foreign travel out of Pakistan—this is the first prime minister of a newly formed country, very close to the Soviet Union, right on the border of Communist China—he took his first trip to the United States. In a speech to Members of the U.S. Congress at that time, Prime Minister Liaquat Ali Kahn proclaimed:

> No threat or persuasion, no material peril or ideological allurement could deflect Pakistan from its chosen path of free democracy.

Imagine that. This was in 1947. Since those days, Pakistan has stood with the United States time and time again. In 1950, Pakistan declared its unqualified support for our position in the Korean conflict. Keep in mind, Pakistan shares a border with Communist China. They sent troops to fight alongside us in Korea, barely 3 years after Pakistan became a nation.

Soon after that, Pakistan joined CENTO and SEATO, the Southeast Treaty Organization, supporting the U.S. in the long struggle to contain communism. In 1959, the U.S. and Pakistan signed the mutual defense treaty, which, by the way, is still in effect today. One year after that, Pakistan allowed the United States to set up bases in their country to conduct U–2 flights over the Soviet Union.

As those who are at least my age may recall, the U–2 flight of Francis Gary Powers, which we remember was the U–2 shot down by a missile in the Soviet Union, originated in the Pakistani city of Peshawar, which we read

so much about today since it is right on the border of Pakistan. After that U–2 flight was downed in the Soviet Union, Nikita Khruschev, in one of his more infamous, belligerent speeches, threatened to ''wipe Peshawar off the face of the earth'' because they had allowed our U–2 flights to originate there.

Despite its relative proximity to the Soviet Union and the immediate threat it posed, Pakistan continued to stand with America. The threat crept even closer as the Soviets invaded Afghanistan. From the onset of that invasion in 1979 until the Soviet withdrawal in 1989, Pakistan cooperated fully with the United States to roll back the Soviet threat. It became the staging area for our work with the rebel forces in Afghanistan to throw back the Soviets.

Probably a little known fact: In every conflict the United States has fought since Korea, Pakistan has sent troops to fight alongside us every single time. They even sent troops to help us in Haiti, of all places. They sent troops to fight alongside us in the Gulf War.

In the United Nations—check the record on this—Pakistan was one of our strongest allies in voting with us. Their neighbor to the east was voting more often with the Soviet Union, but Pakistan was one of the best votes we had to support the United States in all these years in the United Nations.

Pakistan has also repeatedly taken courageous actions against terrorism in recent years. We may remember when the two CIA employees were shot and killed right in our own backyard. Pakistani authorities arrested and turned over several suspected terrorists, including Mr. Mir Aimal Kasi who was convicted of killing the two CIA employees. Pakistan picked him up, gave him over to our authorities so we could bring him here, try him, and convict him of those killings.

They turned over Ramzi Ahmed Yousef, convicted for his role in the 1993 World Trade Center bombing. Pakistan turned him over to us.

In 1998, they detained Mohammed Sadiq Howaida, involved with the bombing of the U.S. Embassy in Kenya. Time and time and time again, when we wanted the terrorists turned over, Pakistan not only helped us hunt them down, but arrested them and then turned them over to us.

Since the dark day of September 11, when we turned to Pakistan once again in our time of great need, most Pakistanis and their government are bravely standing with us at substantial risk to themselves. I believe history will record this as one of Pakistan's finest hours. I hope the courageous support in the war against terrorism will now open a new era of unparalleled bilateral collaborations between our two great nations.

Yes, we must continue to encourage Pakistan, as well as India, to pursue sound nuclear policies and to sign the comprehensive test ban treaty. I believe that will come with continued, positive engagement. It will come as Pakistanis see their role as a critical U.S. ally in the region and as they are more fully recognized as a great leader, especially among the Muslim nations of the world.

Madam President, Pakistan now faces its gravest crisis since the 1971 war with India, especially given its ethnic and religious makeup. Nevertheless, the Government of Pakistan has been remarkably forthcoming in its willingness to help the U.S. prosecute the war against the terrorists who perpetrated the recent horrific attacks in our country and their sponsors.

President Musharraf has pledged to give the Americans just about everything they want.

Now, that is just about as strong as what we heard from Prime Minister Blair in England. Yet this is from the President of a country in which there are elements—large elements—who support the Taliban and, quite frankly, do not support what the United States is doing. So President Musharraf has courageously stepped forward to help our country once again. We asked for an expanded information exchange between the United States and Pakistani intelligence services. They have given that to us. We asked for permission to use their air space for military purposes. They have given it to us. We asked for logistical support for any U.S. military operations to be launched from Pakistani territory. They have given us that commitment also.

In short, in standing up to terrorism, no government—no government—has been more responsive to U.S. requests since September 11, and no government is assuming greater risk to itself than the Government of Pakistan.

The Bush administration is already moving on several fronts to solidify our short-term and long-term cooperation with the Government of Pakistan and to show our deep appreciation for the Pakistanis' strong support for the U.S.-led coalition that is now embarked on ridding the world of the scourge of terrorism. The remaining sanctions on Pakistan are in the process of being lifted. I compliment President Bush and his administration for beginning that process. Debt relief is being hammered out. U.S.-Pakistani military cooperation is quickly being restored—at least I hope so.

The Senator from Arizona and I were just discussing this issue on the floor. The Senator from Arizona, Mr. KYL, was recently in Pakistan, I believe, toward the end of August and had several meetings with the military and with the President. We were discussing this issue.

My friend, the Senator from Arizona, heard there are a lot of people in the Pakistani military—many of whom are retiring or getting ready to retire—who trained with or worked with our military who feel a close kinship with our military. Yet because we have cut off this military-to-military engagement over the last 20-some years, if I am not mistaken—pretty darn close to 20 years—we have a whole new generation of young military officers who have come in who have no connection with the United States.

In many cases, they have come from areas of Pakistan where the forces maybe are not too supportive of the United States, and may be closer to the Taliban, have more sway.

So I am hopeful that the President and the Congress will give him whatever authority he needs to allow our military, once again, to engage in military-to-military cooperation with the Pakistani military to make sure that we can bring Pakistani military officers over here for training and for the kind of intermilitary kind of cooperation that I believe will help build a more lasting and strong friendship between our two peoples.

Mr. KYL. Will the Senator yield for a moment?

Mr. HARKIN. Yes, I am happy to.

Mr. KYL. I commend the Senator for the points he is making. I will add one other point, which he hasn't mentioned yet, but I am sure he was probably getting ready. Pakistan has not been the same kind of democracy as the United States. The military of that country has pretty well controlled its nuclear armaments and forces, rather than being under civilian control. That is the way it is in Pakistan, and I know it to be important for the United States to know where the Pakistani military is coming from.

As long as they have great relations with the United States, which the Senator from Iowa was referring to, I don't think we have too much concern that Pakistan's nuclear weaponry would fall into the wrong hands. If this younger officer corps, which is not as closely aligned with the West and the United States, were to become dominant in their military, and if the influence of the Taliban should continue to increase in Pakistan, I would think the United States would have great concern about who is controlling the nuclear weapons in Pakistan. That is another very important reason to support what the Senator is talking about right now.

Mr. HARKIN. I thank my friend and colleague from Arizona for elaborating. That is a concern, and should be a concern, to all of us. Pakistan is a nuclear power. We want to make sure the control of those nuclear arms is in responsible hands and in the hands of a military that is closer to us.

Again, we have tried over the years to reestablish our military training programs with Pakistan. I hope we can get that back on course. I remember when Pakistan, in good faith, purchased a number of F–16s from the United States. They paid for them, and then the United States reneged. I am not going to get into all those issues. Let me put it this way. There was a contractual relationship and the United States reneged on it. The F–16s

never went. We kept their money and their planes for several years.

Finally, the Clinton administration made good on the money in a sort of roundabout way. I often think today, with what we are doing in going after the terrorists and their sponsors in Afghanistan, would it not be nice to know that the Pakistani Air Force had those F–16s—the kind of planes that we fly—and maybe they would have had that close relationship to us. Yet after they purchased and paid for them, we would not let them have them and we kept their money for several years. It was one of the darkest times in our relationship with Pakistan. I remember it well.

Several of us here, including myself, Senator BROWNBACK from Kansas, and others, had worked long and hard to get that straightened out. Anyway, all of these steps—the debt relief, the sanctions being lifted, the restoration of the military cooperation, all of which I support—we need to do sooner rather than later. But still more needs to be done. We should use our voice and our vote in the IMF, the World Bank, and other international financial institutions, to help Pakistan secure new loans on more favorable terms for its beleaguered economy. We should also provide much more than the $100 million in assistance that President Bush has recently pledged to assist Pakistan with the rising flood of Afghan refugees.

That is another thing I found when I visited Pakistan. There were over 1.5 million Afghan refugees in Pakistan. They are left over from the Afghan war against the Soviets. These Afghans, for the most part, are living in refugee camps, poorly educated, poorly fed, and poorly housed. Pakistan did everything we asked them to do in prosecuting this proxy war against the Soviet Union in Afghanistan. Yet they have all these Afghan refugees there. Now more are coming across the border.

Madam President, it was said to me a long time ago, before anybody ever heard of Osama bin Laden that these Afghan refugee camps are a breeding ground for the terrorists, a breeding ground now I know for Osama bin Laden and others. Pakistan needs help with these Afghan refugees. It is something we should have done a long time ago.

Most important, now is the time for the United States to forge a new strategic partnership with Pakistan, while at the same time not giving up our ties with India. I do not believe it is one or the other. I am not saying we have to become friendly just with Pakistan and cut off India. I am not saying that at all. I know India and Pakistan have fought several wars in the past. I understand that. I believe we can maintain our ties with India and, at the same time, build a new strategic partnership with Pakistan.

This new United States-Pakistani strategic partnership should be built upon three principal shared interests.

First, the United States must commit to supporting a stable democratic Pakistan with a growing economy and at peace. With our support, Pakistan could serve as a model to many of the newly independent, mostly Muslim, countries of west and central Asia. Muslims could begin to see the United States as a willing economic partner in the Islamic world. That has not been the case for far too long.

I am encouraged by the recent visit of Secretary Powell. As I read in the newspaper this morning, Secretary Powell and President Musharraf had discussed several items, one of which I noted with interest was educational assistance to Pakistan.

During a visit to Pakistan, the then-President and Prime Minister and the head of education in Pakistan all met with me to tell me how bad the educational system was in Pakistan. They had all these phantom schools where people were being paid but no one was teaching anything. The structure of education had totally broken down in Pakistan.

They knew I was on the Education Committee and the appropriations subcommittee for education, that it is a big interest of mine. They quite forthrightly asked if we could help them with educational assistance in Pakistan. So I came back and had a personal conversation with President Clinton, sort of debriefed him on my trip to Pakistan. I talked to him about this very point.

I then called up my good friend Secretary of Education Dick Riley, and I talked to him about this. I said: The President is getting ready to take a trip to Pakistan and India in a couple of months. I would like to arrange for you, Mr. Secretary, to go with him to meet with people in Pakistan to begin to set up a structure whereby the United States could be involved with Pakistan in helping rearrange, restructure, and help build up their educational system in Pakistan.

Everything was a green light. Secretary Riley was going to go with the President. The meetings were going to be set up in Pakistan. I thought this was going to signal a whole new era in our relationship with Pakistan. Then we know what happened. India, I thought in a very unwise and provocative maneuver, started exploding underground nuclear weapons again. In response to that, Pakistan exploded underground nuclear weapons. The President's trip was called off. A few months later, there was a military coup in Pakistan, a military government took over. That trip occurred later, but only in its barest form.

That was a missed opportunity to establish, again, a new relationship with Pakistan. I am very encouraged that the present Government of Pakistan under President Musharraf has at least spoken with Secretary Powell about educational assistance. I will do whatever I can to help the Secretary of State and President Bush in whatever way to help provide that assistance.

For too long, Pakistan has seen us as an ally who was there when it was in our interest and, when it was not in our immediate interest, we were gone. It was sort of, the United States uses us, they abuse us, and then they lose us. It is time to change that, and we must change that.

It is true that Pakistan over its lifetime has had about half democratic governments and half military governments. In large part, that is because we have not paid attention, that we have not been as involved in helping establish and maintain the democratic structures in Pakistan that are truly responsive to the wishes of the people of Pakistan. Now is the time to reestablish that.

I said there are three principal shared interests: First, supporting a stable democratic Pakistan with a growing economy and at peace. Second, we share an interest in containing and reversing the nuclear arms race and missile technology proliferation in South Asia. An arms race may be good business for the arms dealers, but it is bad for the economic and social development of that entire region.

Unless and until the issue of Kashmir is settled, or at least until we have such time that Kashmir becomes a negotiating issue between Pakistan and India, we are going to have trouble in South Asia. It is time for our ally India to recognize that it can no longer ignore this, it can no longer take the posture that there is nothing to negotiate, and it is time for the United States, I believe, to be involved as an honest broker, as a third party broker in bringing India and Pakistan together to begin the diplomatic resolution of the conflict in Kashmir. I believe now is the time to start that also, and I believe it is in all of our best interests to do so.

I call upon Pakistan in that vein to use its powers to control any and all terrorist type activities that may be happening in Kashmir, to use its armed forces and its police power to keep and prevent any altercations that may then provoke India to fire back, as we saw happen just the other day. I call upon India to refrain from any military actions in Kashmir. There needs to be a hiatus, but there can only be that hiatus if the United States is willing to use its good offices as an honest third party broker to step in and help arrange the negotiations between India and Pakistan.

Third, we must work together more closely and for as long as it takes to reduce the threat of not only the international terrorism of Pakistan but of international narcotics trafficking, the trafficking in women, and the use and abuse of child labor.

Pakistan has been one of the more forthright of the nations in all of South Asia in cutting down on the use of child labor. At least the Pakistan Government in the past admitted there was child labor and that they were willing to do something about it. We

engaged with them in efforts to cut back on child labor.

Pakistan has been forthright in helping to cut down on narcotics trafficking.

Pakistan has also been very helpful in trying to cut down on the trafficking in women all over South Asia.

These are three things about which Pakistan and the United States share mutual concerns, and we need to work more closely with them on these threats.

Madam President, the multifaceted war against terrorism and its sponsors is not a war against Islam. We know that. Pakistan was among the very first nations of the world to recognize this critical distinction and to act upon it. This is all the more courageous and noteworthy because obviously the vast majority of Pakistanis are Muslims.

It is not enough to simply embrace our Muslim friends in Pakistan and elsewhere in times of armed conflict, uncertainty, and threats to the United States. We owe it to them, to ourselves, to a more peaceful world, to commit now to building a much closer, lasting relationship with an ever-expanding circle of Islamic nations based upon mutual understanding, democratization, more broad-based economic development, and shared prosperity.

As I have often said since September 11, yes, we have to get these terrorists. We have to rip the wires out of their network. We have to bring Osama bin Laden and al-Qaida and the other networks to justice. We need to break down the states that sponsor these terrorists. But if we do all of that and we walk away, our children and my grandchildren, 30, 40 years from now, will be facing the same thing.

From Indonesia in the South Pacific, to Morocco, in the east Atlantic, stretching across a broad belt of South Asia, southeast Asia, southwest Asia, and northern Africa, lies the Islamic world—1.5 billion-plus people. It has become clear to me that the United States is not fully engaged with the people of the Islamic world. We have only dealt with the thin veneer of whatever dictator might be in charge, whatever prince or king, whatever shah at that point in time, and only if it serves some short-term best interests of the United States.

We have failed to recognize the vast amount of poverty and illiteracy, the lack of decent things that make up the basics of life such as clean water and decent housing, a decent diet. So many of these people who live in the Islamic world from Indonesia to Morocco, so many live without education, without decent nutrition, without decent housing, with no hope.

Perhaps out of this dark cloud that has now covered us will come a silver lining, that we will rid the world of organized terrorists, but that we will also recognize we must engage and embrace and be involved with that part of the world that encompasses over 20 percent of the world's population and that we must do it in a way that embraces their hopes and desires, their need to have a better share of the world's prosperity, their need for economic development, their need to have some hope for their kids and their grandkids for a better life.

One image will always stick in my mind. I was in a small town in Pakistan, right on the border with India. It was a very poor community. I remember I met with one of the individuals, a man in charge of some of the city planning, who went to Harvard. He was there with almost an unimaginable task. We were driving down the street, a little dirt street, with sewage on both sides of the street. On the side of the sidewalks, up on the walk, was something that looked to me like maybe a barber shop. I am not certain what it was. Inside, while sitting in the car, literally 20 feet away, we saw a bunch of men sitting watching a color television. Obviously, it was the only television for quite a way around. They were watching the television, and on the screen was a soccer match being broadcast from England.

I marveled at this. I saw these people in a poor community, with sewage in the streets, with not much in the way of clean water, a terrible educational system, bad housing, and they were watching a color television of this soccer match in England, with all these people who were dressed up and they were looking at all of the finery coming through that television. I thought, what are they thinking? They live like this, but they know there is another world that lives a lot differently.

The world has shrunk in my lifetime, and, Madam President, in yours. We live in a world where we have instant communications and CNN. People know what is going on—not like it was when I was a kid. People know, those 1.5 billion Muslims in that part of the world, that, for whatever reason, they are not sharing in the world's prosperity. They know their kids don't have as much hope and they don't have as much hope for a better life.

So maybe out of this dark cloud will come some silver lining that we will engage with this world in a sense of shared prosperity for the future of our entire globe. I believe much of this will hinge on our relationship with Pakistan. If we are now willing to reengage, to support a moderate Islamic state that does not shield and harbor terrorists but has arrested them and turned them over to us time after time, that has courageously stood up against those terrorists, that is supporting us in every way we could hope right now, that by establishing that relationship with Pakistan and not abandoning Pakistan once we put an end to the terrorists, I believe we will go a long way toward bringing that silver lining out of this dark cloud, for the entire Islamic world and for all of us.

In this spirit, I plan to work with interested colleagues in the Senate and the House on both sides of the aisle to establish a congressional caucus on Pakistan and United States-Pakistani relations. After the terrible attacks of September 11, we must think anew and act anew toward the Islamic world. Let's start now by more fully embracing our long-time friends and partners in Pakistan. Together, we can build a foundation of a just and lasting peace, as well as prosecute the war against the misguided fanatical terrorists who are our common enemy.

I hope Senators and House Members will join together in establishing this congressional caucus on Pakistan and United States-Pakistani relations.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Madam President, I enjoyed listening to my friend from Iowa. I wish him every good wish for this caucus he will be starting. I hope to help him with that.

Mrs. BOXER. Madam President, as I stand here, I have no office in this complex. As we probably all know, about 30 offices had to be cleared out to do some precautionary air quality testing in the offices that were connected to the ventilation system in Leader DASCHLE's office. We know Leader DASCHLE's office received a letter that contained anthrax. They are taking every precaution.

I want my colleagues to know we are all still working, even those who may not have an office at the moment. I thank the Senate staff and my colleagues in the Senate for being so wonderful and offering us their offices to use, their phones to use, their faxes, their computers, and the rest. We are fully functional.

We have recorded a message for people calling this office. They are given the number of my Los Angeles office, so we will not leave people out there without a voice on the other end of our telephone.

I thank my colleagues for their generosity of spirit and for being so kind to my staff. I also thank the Capitol Police, the Sergeant at Arms, and the Capitol physician for acting so swiftly to protect my staff. I am very certain that their steps will prove to be the right steps and that in fact we will have a high level of confidence that we are all OK.

One of the reasons I think we will be OK is because, as Senator DASCHLE explained, the particular employee in his office handled this letter in such a fashion that it was quickly dropped to the floor, and we think, because of that, the effect will be minimal. Of course, we pray that is the case. I am confident and hopeful that will be the case.

The reason I came down to the floor is not only to thank my colleagues for all their help, but also to plead with my Republican friends to let us move on with the business of the day. We are working out of makeshift offices, Republican and Democrat Senators alike

who were caught in this situation. But we could do a lot more if we were working on the Senate floor with the important foreign operations bill that is pending before us.

I have listened to colleagues who say, you are holding up judges. I have looked at the record. The fact is, we are moving forward with judges. The fact is, when Republicans were in charge, I waited once 4 years—4 years—to get a vote on one wonderful judge who eventually passed through the Senate.

We are not doing that. Senator LEAHY is working to get the paperwork done. He is holding hearings. We have definitely moved much quicker than the Republicans did when Bill Clinton was President, if you compare the time periods.

I am perplexed as to why we are having this slowdown. After all, our President says we are in a war. Certainly, it is a campaign against terrorism. This bill is essential.

I will spend the next few minutes spelling out what is in this bill and why it is so important to move it forward.

First of all, the bill invests $42 million to help countries strengthen their borders and secure their weapons facilities. This is very important. What we are talking about is a sum of money that will be given to our coalition partners to make sure that if they have weapons, particularly weapons of mass destruction or weapons we do not want to have in the hands of the terrorists, they have the ability to secure these weapons and secure their borders. I would say it is elementary that we must take this step. They are helping us. We should help them make sure that these weapons cannot be stolen by terrorists.

I say to my Republican friends, you are holding us up. Why in God's name would you hold us up at a time such as this? We should be moving quickly to secure those weapons.

We have in this bill $175 million in infectious disease surveillance programs that can provide an early warning system against some of the world's deadliest and most contagious diseases. We are making speeches on the floor about the whole issue of bioterrorism, and here we have a bill that provides $175 million in infectious disease surveillance so we can stop these diseases from coming into this country which my Republican friends are holding up.

Then in this bill we strengthen the coalition against terrorism by providing $5 billion in military and economic assistance to Egypt, Israel, and Jordan, countries that are critical to long-term peace and stability in the Middle East. Why would our Republican friends hold up this money? Why? It doesn't make any sense.

It also provides $3.9 billion in military assistance to key NATO allies that are putting it on the line for our country right now, and to front-line states in the area of the conflict. These states are Uzbekistan, Turkmenistan, and Tadzhikistan. These are the countries that are being so cooperative with us. They were formerly in the Soviet Union. They are helping us. They are helping our troops. Why would our Republican friends hold up this money? It does not make any sense.

Then we hear our President, rightly so, beg the children of this country—and I want to support him 100 percent—to put $1 in an envelope and send it to the White House. I hope everyone will do it who is now listening. Send it to the children of Afghanistan. As he has stated eloquently, we are not in a war against the Afghan people. We are in a war against terrorism. In this bill we have funds, $255 million, for refugee assistance to shelter Afghani refugees. That is $55 million more than the President requested.

In this bill it says:

> The situation in Afghanistan is perhaps the most urgent, the most massive humanitarian crisis anywhere.

Let me repeat that, the bill—and it is bipartisan, I must say—says:

> The situation in Afghanistan is perhaps the most urgent, the most massive humanitarian crisis anywhere.

I don't understand. My colleagues on the other side of the aisle are holding up this bill which will help the children and the women and the families, the innocents in Afghanistan, get on their feet again.

Then in this bill we look ahead—and this is again a program where I so agree with the Bush administration and with Colin Powell: $337 million for U.N. voluntary programs, the programs our President envisions will play an essential role in reconstructing Afghanistan after this campaign ends.

That is just a part of what is in this bill: Tracking terrorists; warning against infectious diseases; strengthening our coalition against terrorism; feeding and sheltering the Afghan refugees, helping to make Afghanistan whole. That is just a part of the good things in this bill.

Let me conclude. We have work to do and we are not doing it. We have done a lot on this floor in a bipartisan way. I thought the airline safety bill was stupendous, where we provided a marshal on every flight, where we said strengthen those cockpit doors, where we said make those screeners Federal employees working under law enforcement. We did that in a bipartisan way right here on this floor. I am proud that we did that.

Why are we stopping now? I could show you the charts that depict that Senator LEAHY, since he took over the Judiciary Committee just this summer, has done far more than the Republicans did in that same timeframe when Bill Clinton was President.

I am all for getting judges. I am working hard with the administration, in my State, to get good, moderate judges. I will fight against anyone, right or left, who is a radical. But I will support mainstream judges. We are working to do that, and we are bringing those judges to the floor of this Senate.

To come here and say we are going to waste another day on an issue where we are doing better on our side than the Republicans did when the shoe was on the other foot seems to me to be bizarre. It is bizarre. We are in a crisis, an international crisis, and we are not doing our work.

Look at this floor. There is no one here but my good friend from Virginia. I love to see him. We work together on so many things. We are working together on a bill that I think will pass which deals with travel and tourism, to set up a promotion agency within the Department of Commerce so we can go on the air and tell people to rediscover America. If they do not feel comfortable traveling to far away places, travel in America.

We have work to do. My colleague in the chair has an incredible program she is working on to honor the victims of 9–11. What are we doing today? Nothing. People are sitting around here doing nothing but making speeches. The point of this speech is to get us off the dime, to get working.

I want to work on this bill. I want to protect the people I represent and all Americans from ever having to face another crisis such as we did on 9–11 and another crisis such as what we are facing almost on a daily basis now from the anthrax situation.

In closing, I want to tell people to put this in perspective. We have ways to treat this. If you are exposed to it and you go on antibiotics, you are going to be fine. We are going to deal with this. We are going to wrap our arms around it. But for goodness sake, let's work on the foreign operations bill.

You wouldn't think we even had a problem, the way my Republican friends are acting—as if we can dilly-dally around until tomorrow and the day after to get money to fight terrorism. I am very upset about it. I don't mean to sound frightened. If I have, I apologize. But I believe it is very important that we do our work. After all, that is why our people sent us here.

Thank you, very much. I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia is recognized.

Mr. ALLEN. Madam President, I will speak briefly because we have a meeting shortly. Our time on the Republican side is to be protected between 4 and 5 for a meeting on the economic stimulus package.

I listened to my friend from California, Senator BOXER, speak on the foreign operations bill. That bill will be passed. I think it is an important bill. I have enjoyed working with Senator BOXER on her tourism promotion, which I think is very important for our economy. I have enjoyed working with the Presiding Officer in allowing people all across this country to show their

care in their communities for the 6,000-plus people who lost their lives. There are going to be a lot of park projects, mentoring, recreational facilities, maybe computer laboratories, maybe homes for adults, and senior citizen programs across the country named for each and every one of the fallen victims of these violent acts of terrorism on our office buildings in our airplanes on September 11.

I look forward to working with you. All of that is going to be done in less than a year. That will be a fitting memorial so we will remember those who lost their lives.

The people taken from us by those terrorist attacks were good people. They were our sons and daughters, mothers and fathers, grandparents, grandchildren, our friends, our neighbors, and our loved ones. They should be remembered.

The foreign operations bill, while it is an important bill—and it will be passed—also is important in the administration of justice. We have a crisis in the administration of justice.

Obviously, we have a crisis mentality so far as terrorism is concerned, as well as prosecuting the war on terrorism on the home front where we need to have our first responders better equipped. Our surveillance needs to be improved. In situations where there may be an anthrax scare, it needs to be properly identified and remedied. If it isn't anthrax, we need to make sure people are not panicked.

I believe very strongly that those front-line people, the fire, rescue, and police officers who are working in the terrorist attack zone, ought to be accorded the same sort of tax policy treatment accorded to our military personnel.

Under current Federal law—it is very good law—if our military men and women in uniform have to serve in a combat zone, their income taxes for that month are not paid because they are in a combat zone.

This war on terrorism has changed the face of war. Now the terrorism war is not taken to military facilities but is taken to office buildings, to airplanes, to civilians, and to commercial airlines. We have seen that—whether it was an attack on the World Trade Center buildings or whether at the Pentagon or obviously the innocent people who were on the airplanes that were hijacked and turned into weapons. With that, we see that innocent, unprotected men, women, and children are now the targets and the victims of terrorist attacks.

My view is that the firefighters, the rescue squad people, the heroic police officers, whether in New York City or at the Pentagon, are working in a combat zone. But it is called a terrorist attack zone. The President has so designated these areas. It would seem to me that these warriors and these patriots here at home in their heroic acts of working in these buildings and in these facilities—some of them with their last breath of life to get people out, to save lives, and also in the aftermath of pulling rubble out with their hands, breathing toxic air in the crumbling buildings—those individuals are also in a combat zone. It is a terrorist attack zone.

It seems to me very logical and appropriate to adapt our tax laws so they do not have to pay income taxes for the month in which they are working in these combat zone areas, or terrorist attack zones.

I have legislation in that regard. Hopefully, we will pass that, as well as legislation to say to the family members of those who have lost their lives that they will not have to worry about paying taxes.

Again, using the analogy for those who serve in our military, if a man or woman in our Armed Forces is killed in combat, they are not subject to income taxes, and half of their estate taxes are forgiven. Again, the targets of these terrorist attacks were men, women, children, and families. It seems to me we should accord them the same sort of tax treatment.

I have put in a bill, for which I have support from a good number of Senators, to say to those victims' survivors that they will not have to pay income taxes for the loss of their husband, wife, or other family member, and they will not have to be worrying about death or inheritance taxes. I think that is an appropriate and logical adaptation of law in that regard.

So far as justice and the judicial system are concerned, there are currently 106 vacancies in the Federal courts, 31 at the circuit court and 75 at the district court level, which is higher—it is almost 50 percent higher than the vacancy rate 2 years ago when many Democratic Senators, including the current chairman, Senator LEAHY, complained about a vacancy crisis. That is when there was a 50-percent vacancy rate. Forty-one of those vacancies have been formally classified as judicial emergencies by the nonpartisan Judicial Conference of the United States. This is the highest vacancy rate since 1994.

Despite the high level of vacancies and the record pace of nominations, the judiciary has actually shrunk during the months since President Bush took office. In other words, the number of vacancies has increased, and the Federal Government has moved backwards in its effort to bring the judiciary up to full strength.

During the first year of the Clinton administration, just to give you a sense of the pace of court nominees, there were nominees for the court of appeals. Of those nominees, 60 percent of President Clinton's court of appeals nominees were reported in the first year. In contrast, President Bush has nominated 25 circuit court nominees and the committee has reported 4. That is just 16 percent. One of those was Roger Gregory of Virginia—a very good move. I am glad the committee reported Roger Gregory. But 16 percent is just not good enough.

There are those who will say, gosh, this is the same as it has always been. Let's look at first-year comparisons of former Presidents.

President Clinton nominated 32 judges by October 31 of his first year in office. Of those, 28—or 88 percent—were confirmed by the time Congress went out of session in 1993.

Further, President George Herbert Walker Bush nominated 18 judges by October 31, 1989, of which 16—or 89 percent—were confirmed by the time Congress recessed by the end of the year.

President Reagan's confirmation rate for pre-October 31 nominees confirmed during his first year was 100 percent.

Now President George W. Bush has nominated 60 judges, and the Senate has confirmed only 8, a mere 13 percent. So that is the actual comparison.

Currently, there are 108 empty seats in the Federal judiciary, which is about 12.6 percent of the total number of judgeships. This is the highest in modern history, except for the extraordinary event in December of 1990 when Congress created 85 new positions and, therefore, there were 85 vacancies all at once.

I believe we can do better. I think these nominations ought to be acted on before we recess for the year, which will be the end of the President's first year in office. I think all of the President's nominations that were made prior to August certainly should be acted upon.

Again, if you look at the history of the Senate, by the end of the President's first year in office, the Senate has acted on all judicial nominations made prior to the August recess; the only exception being one Clinton nominee the Senate acted on in the following year.

If we are going to work with the President to reach his goal to address the current judicial vacancy crisis, then the Senate should confirm at least 40 more judges by the end of this session.

I do not think this is too hard to do. It can be done if we work our will. I ask the chairman of the Judiciary Committee to hold these hearings. These individuals ought to be vetted, ought to be cross-examined. Look at their record, their judicial philosophy, their demeanor, especially if they are district court judges.

I think if they look at the competence, the qualities, and the characteristics of these judges, they will certainly find them to be individuals who ought to be on the bench administering justice.

Clearly, we have a judicial crisis. These vacancies should not continue. We need to act in the Senate, not just do one thing at a time. Let's keep moving forward to make sure that, yes, we support our military, support our intelligence efforts, our diplomatic efforts in foreign operations, making sure we are properly reacting and stimulating

our economy to get people back to work, making sure consumers have greater confidence and have the capability to then buy things so those who manufacture or produce various goods or services can start hiring again and get our economy moving again—but also we need to make sure the third branch of Government, the judicial branch, is at full strength, which it certainly is not with the 12.6-percent vacancy rate, which is an unprecedented high rate, again, as observed by those who see this as a crisis.

We need to get to work in the Senate. I hope once we get a commitment to move forward, that we then, obviously, can move forward on the foreign operations bill, which is also a very important measure. But let's get our judicial branch of Government up to full strength. That is our duty and responsibility as well.

Mr. President, I yield back my time and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. CORZINE). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. NELSON of Nebraska). Without objection, it is so ordered.

Mr. SCHUMER. Mr. President, I know there has been debate intermittently as we have discussed other issues about the appointment of judges, and the pace and the speed. Frankly, I sort of regret the debate in a certain sense because we have been working together very well as a body since September 11. The times call for bipartisanship. And this is an issue that is naturally a partisan issue.

Some of the talk I have heard that the nomination of judges will be tied to bringing appropriations bills forward is not what we need at this time. But, nonetheless, it is proceeding.

As a member of the Judiciary Committee who has sort of been quite surprised that some of my good friends on the other side of the aisle—they are indeed friends—would make this an issue right now, I thought I ought to try to answer it in as objective way as I could because as someone who serves on the Judiciary Committee, I have seen the speed with which we approved judges during the first 6 months, and the speed with which we have approved judges since Senator LEAHY became chairman of the committee.

By any measure and by any objective standard, we have done a lot more since PAT LEAHY became chairman than we did before that time.

To say we are slowing down the selection of judges is nonsensical to anyone. I would bet my bottom dollar that if we had 100 observers of the Judiciary Committee from a foreign planet, and they looked at the speed, both pre-Leahy and post-Leahy, all 100 of them would say the speed picked up when PAT LEAHY became chairman.

One wonders what the other side is trying to do. Are they trying to intimidate us into rushing judges we might want to dispute? Maybe. I hope not. They will not. I am not going to allow somebody I believe is not qualified for the bench to get on the bench because it is tied to something else or because the times ask for bipartisanship. We are not the ones who are making this matter an issue. But let me go into some of the details.

The bottom line is very simple. We now have real work to do in this Chamber. This Judiciary Committee has worked long and hard on an antiterrorism bill. We are trying to appropriate money for foreign operations. More is needed now than ever before. We have not finished the business of improving airline security. We are just beginning the business of improving rail security. We are trying to finalize and examine how we ought to change our immigration laws. We have anthrax in our office buildings. We are facing threats we have never had to deal with before.

Should we be filling the bench? Yes. Is that the No. 1 priority since September 11? Absolutely not. It is certainly not called for to tie appropriations bills or a foreign operations bill to the movement of judges. That is not marching to our higher instincts. That is not something the American public, looking on the Chamber, would say is the right thing to do at this time. It is not what they want.

It is with regret that some of us have to come to the floor and defend Chairman LEAHY. We shouldn't even have to do it. But when the Senator from Kentucky comes down and brings a chart that says let's look at the number of nominees considered for hearing, I guess we have to answer.

Again, some of the arguments are on the verge of the ridiculous. They say: Let's look at the number of judges per hearing. That is not the standard. That is not the standard you folks want. If we had one hearing with six judges as opposed to five hearings for four judges, you wouldn't be happy.

I was going to say to my colleague from Kentucky, but I couldn't get the floor, that it is sort of like saying how many chairs there are in the hearing room. We have more chairs in the hearing room than you do. So? The standard is the number of judges approved.

Let's set the record straight.

First, Ranking Member LEAHY became chairman on July 10. That is when the full committee was reconstituted. So he has been here over 3 months, including, of course, the August recess. In effect, he has been here through two working months. Yet he is ahead of the pace set by Congress in the first year of the first Bush administration and the first year of the first Clinton administration.

If there is anything at variance, you would have thought that the Democrat President and the Democrat Congress, which existed in 1993, would have wanted to rush through judges. Yet more judges passed this year.

If you extrapolate Chairman LEAHY's numbers over a full year—in other words, if the pace continues at the pace we have been proceeding thus far—then he is ahead of the pace set by the Republican-controlled Congress for the past 6 years.

If anyone doubts his devotion, he was here in August when most of us were traveling around our districts and going on vacation, and whatever else people do during August recess. I do some of each. But he was here holding hearings.

Since September 11, of course, we have been focused on the tragedies of that day and the new challenges that face our great country. Nonetheless, despite that, two more confirmation hearings have been held by Chairman LEAHY. The third is coming on Thursday. I am supposed to chair it. I have lots of other things to do, given the state of my State and the state of the city, both of which I love. But we are sitting and holding hearings. It is unfair at best and not nice to say we are not working hard on it when we have so many other challenges.

My good friend, ORRIN HATCH, with whom I work on so many issues, has argued that his numbers were what they were because there were not enough nominees to confirm. There are some folks out there who disagree with that.

Here are the names of nominees who were never confirmed:

Judith McConnell from California; John Snodgrass from Alabama; Bruce Greer from Florida; James Beaty from North Carolina; Jimmy Klein from Washington, DC—I went to college with him—Legrome Davis from Pennsylvania; and Helene White from Ohio.

Those are just a few of the 57 nominees from all over the country who never—underline ''never''—got a hearing from the Republican Judiciary Committee. Those 57 would be shocked to hear Republican Senators taking to the floor and claiming they had no one to confirm. They are not a ''nobody,'' as somebody once said. That doesn't even begin to address the people who got hearings but had to wait and wait and wait.

The average time of a circuit court nominee from the 105th and 106th Congresses awaiting confirmation under the Judiciary Committee chaired by my friend, ORRIN HATCH, was 343 days. President Bush had not even been in office that long. Some took much longer. We know the reasons. Richard Paez took 1,520 days. Willie Fletcher waited 1,321 days. Hilda Tagle took 943 days. Susan Mollway took 914 days. Ann Aiken waited 791 days. Timothy Dyk took 785 days.

The list goes on and on. It sounds almost like the Bible. So and so lived 800 years, and begat so and so. The list goes on and on. We are a long way from seeing that under Chairman LEAHY. I don't think we ever will.

I believe there are three criteria for confirming judges. As I played a role,

as we all do, in selection of judges in my State, I have had three words that sort of guide me. They are excellence, moderation, and diversity.

By excellence, I mean legal excellence, among the best the bar has to offer. Being an article 3 judge, a lifetime judge, is such an important position. I believe that is important.

Moderate: I do not like ideologues on the bench. I do not like judges too far to the right; I do not like judges too far to the left. I want judges who will have moderate approaches to the law.

The third criteria is diversity. To me, that means we should not have all white males on the bench; we ought to make an effort for diversity in terms of race and gender but also ideology. I think a bench that had nine liberal Democrats would be just as bad as a bench that had nine conservative Republicans. You need some diversity of opinion. Obviously, depending on who is the President or who is in the Congress, there will be a tilt toward one direction or the other, but there ought to be some balance. Balance, to me, is the key word, as it is on so many issues these days.

While we move on judges, we are not going to be pressured to move too rapidly. We need time—and a reasonable amount of time—to examine these judges' backgrounds and their opinions before we give them lifetime seats on the Federal bench.

We are going to keep holding hearings for those nominees on whom we have done background research. We are going to keep confirming judges who merit confirmation. And we are going to do it at a pace that will exceed that done by my Republican friends across the aisle. Those are fair and reasonable commitments to this body. It is a fair commitment to the White House. It is a fair commitment to the American people.

With those commitments we should return to the real and pressing business that awaits us. We should not be having just cloture votes at this crucial time. That is so wrong, so, so wrong.

If you ask the American people, what are the top 5 issues, what are the top 10 issues, what are the top 50 issues, I do not think they would say the confirmation of judges is in that top 50. Yet we are slowing down important and vital legislation. Some people can make that link; it is wrong.

So I say to my colleagues—I almost plead to them—America is at war, and you are bickering about judges. We need to get our eye back on the ball.

Mr. President, I yield back the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I appreciate the leadership of Senator SCHUMER on the Court Subcommittee. I know he is a good lawyer, and he cares about the court system. We have had some very interesting hearings under his leadership. They do, however, reflect an idea that was openly stated at a Democratic retreat early this year, that the ground rules for confirming judges to the courts should be changed. Apparently, at that retreat, a brilliant but liberal law professor, Laurence Tribe, and Cass Sunstein, and Marcia Greenberger advised the Democratic Senators that they should ''change the ground rules''—that is a quote from the New York Times—used in the confirmation process and make it more difficult to confirm judges.

That is after the Senate gave President Clinton a fair hearing on his judges. This is important to note: In the 8 years that President Clinton was in office, he had confirmed 377 Federal judges. He only had one of his nominees voted down.

According to my numbers, there were 41 nominees pending that did not get confirmed before he left office. That is a traditional number. There were 67 vacancies, but there were 41 nominees; he did not have nominees for the difference.

So under Senator HATCH's leadership, when the Republicans had the majority in the committee, the Clinton nominees were scrutinized, they were examined, and, for the most part, they got through.

Last fall, at the time we left—and in the last months of the Clinton administration—we constantly heard a drumbeat of complaints that the 60-or-so vacancy level that was pending out there in the courts was jeopardizing justice in America. The truth is, you are going to have around 60 vacancies at all times.

It takes a while for the President to decide who to nominate. There has to be an FBI background check. They have to get the nominees to fill out all kinds of questionnaires to make sure there is not something bad in their record. As I say, the FBI does a background check. The ABA does a background check. The nominees are sent over here to the Judiciary Committee and are given a big questionnaire, which they have to fill out.

Historically, we have seldom been below having 60 vacancies for judges. Now we are at about 110. And the very people who were on this floor last year, screaming mightily that 60, 67 was an outrage, are now suggesting they have no problem with 110.

In my district, the southern district of Alabama, we have a three-court district where I was a U.S. Attorney for 12 years. I practiced there before Federal judges. Really, it was for 15 years as an Assistant U.S. Attorney and a U.S. Attorney before Federal judges. They have a three-judge court. They only have one judge. There are two vacancies there.

So we have some problems around the country that need to be dealt with. Here we are, and we are asked: What can you do about it? On the Judiciary Committee, President Bush's party, the Republican party, does not have a majority, so it cannot call hearings. It cannot force hearings. It cannot force votes. We are at the pleasure of the chairman and the majority.

What we have seen is a systematic slowdown, consistent with the public statements that have been made previously of what they were going to do. That is beginning to put a crunch on the judiciary and really hurt justice in America. It is legitimate and proper that this matter be raised here in this Senate Chamber.

Some say: Well, don't play politics with the foreign operations bill. You are playing politics with that.

Let me just say it this way: Let's have a fair movement of President Bush's qualified judges. Let's see them move forward at a fair rate.

They say: Well, you cannot complain about that. You cannot do anything about it. You cannot utilize any of the rules that are available to you Republicans because if you do, you are partisan. But we can sit on judges. We can delay hearings in the judiciary. And we can delay confirmations, but that is not partisan.

We are getting close to the end of this session, and we are way behind where we need to be. Nobody, in my view, can dispute that. Nobody can dispute we have a growing vacancy problem in the courts. It is time for us to confront it.

We have written letters to the chairman. We have talked to the majority leader. We have asked and asked for their help, and we are not getting it. So I do not think it is fair to say, those who have asked respectfully and urged movement of the judges in a fair and legitimate way, that we ought to be accused of being partisan.

By the way, the foreign operations funding is operating under a continuing resolution. We are not shutting off funding for that. But what we are saying is that this is serious business. Moving judges is serious business. We want your attention, majority in the Senate, slim though it may be. We want your attention. We want your focus on judges. It is important to America. And we have a legitimate concern in that regard; and we are asking for that.

Just a year ago, the then-minority leader, TOM DASCHLE, in July made a statement about moving the intelligence authorization bill. In recent weeks we have learned about how important the intelligence community is. The intelligence bill was on the floor, and in a nice way that the then-minority leader had to express himself; this is what he said:

> I also hope we can address the additional appropriations bills. There is no reason we can't. We can find a compromise if there is a will, and I am sure there is. But we also want to see the list of what we expect will probably be the final list of judicial nominees to be considered for hearings in the Judiciary Committee this year. I am anxious to talk with him [TRENT LOTT, the then-majority leader] and work with him on that issue. All of this is interrelated, as he said, and because of that, we take it slowly.

In other words, that was a nice way of saying, from Mr. DASCHLE, that they were not going to move the intelligence authorization. He was not

going to move that legislation until he got a commitment from the majority leader on judges. He wanted to know how many were going to be confirmed before the session ended.

Sometimes those things occur. The minority in the Senate has the power to block consideration of bills. That is what he was doing at that time. That is basically what we are saying today. We are going to stop this legislation until we get some sort of good-faith commitment to move judges forward at this point in time.

They say we didn't have any nominees in the first 6 months. The President of the United States has a lot to do in the first 6 months. He has to fill his Cabinet, his subcabinet, organize his government, working night and day, and submit judges. By May, President Bush had submitted a stellar list of judges, including at least three Democrats. What has happened on that?

Three Democrats have had hearings and been confirmed. They found time for those. Seven out of the 18 have had hearings. They were nominated in May. Their backgrounds are sterling. It was a bipartisan blue ribbon group of nominees.

The President reached out. He nominated one nominee that had been blocked by the Senate and had been held up. He renominated one of President Clinton's nominees as an act of good faith, to reach out. So what has happened? We have had confirmation of the three Democrats. We have had hearings on 7, and 11 of those nominated back in May have not even had a hearing. That is beyond the pale. That is unjustified.

Since then, additional nominees have come forward for which there is no objection. Many of those nominees have been blessed already by the home State Democratic Senator. Many of them, the Republican Senators have all signed off on. They are ready to go, many of them, with no objection whatsoever. Their background checks are clean, and they are ready to go forward.

We just need to have a hearing. We can't move a judge under our rules until the judge has been given a hearing. Any Senator has the right to ask them questions. I don't think this Senate should be a rubber stamp. They ought to be able to ask questions and examine their backgrounds and records. If they are not comfortable with it, vote no. But President Bush has given us a group of nominees that are mainstream superior judges and will do a great job on the bench. He is entitled to the same support and movement of his judges as President Clinton received.

They say we have a lot to do. We should not worry about judges and just pass the appropriations bill for foreign operations. We are just too busy to do this.

We have a chart that shows how many judges have been put up per hearing before the Judiciary Committee. This chart is revealing. In 1998, judicial nominees per hearing averaged 4.2; in 1999, 4.2; in 2000, 4.2. That is 4.2 judges up each time we had a hearing. In 2001, that number has dropped. There has been some dispute about it, but there is no dispute that it is half what it was before.

One of the things happening is, when we have a hearing, we are not putting as many judges on the panel. We can do three, four, five, six at one time, if we want to. We can all be able to ask them questions if we want to. But if you hold the number of judges per hearing down, you are not moving many judges forward. That is a critical event that has gotten us as far behind in the scale as we are today.

Again, I know a lot has happened this year. Perhaps there is some basis for the complaint, the excuse, or the reason we have not moved forward is that a lot of things have happened. But if we were just to get our hearings moving, we would not be in this crisis. We have been warning on our side that this was happening. We have been asking in a respectful way and received little or no attention to the matter.

I believe our complaint is legitimate. I believe it is our duty to ask the majority leader and the chairman of the judiciary to reevaluate what they are doing, to sit down and plan some hearings for these judges and give us a commitment that they are going to move forward. If we don't, we will end up when we recess—and maybe we will recess earlier than normal this year; many hope so—without moving anything like the number of judges that we should.

It has been stated that a substantial portion of the judicial nominees pending in committee do not have all their paperwork completed. However, almost 30 have everything in, including their ABA rating, and there is no reason for us not to move on those.

We have at least 30 that have every bit of their paperwork done. We haven't been moving those. The President made 18 nominations in May; 11 of them that have not even had a hearing and their paperwork is in. Why is it that we are not able to move effectively?

Unfortunately, it appears to be consistent with what we learned in the New York Times article. At the Democratic retreat they had a meeting to plan to change the ground rules for confirmation of judges; in effect, to slow the process down, let the vacancies grow, even though last year they were saying just the opposite.

I will share with you some of the comments we had last year. When there were 76 vacancies—now we have 108, 109—when there were 76 vacancies, the now majority leader stated:

> The failure to fill these vacancies is straining our Federal court system and delaying justice for all people across this country.

That was last year when we had 76 vacancies. Just 2 years ago, when the vacancies numbered in the sixties, Senator LEAHY, then ranking member, now chairman of Judiciary said:

> We must redouble our effort to work with the President to end the longstanding vacancies that plague the Federal courts and disadvantage all Americans. That is our constitutional responsibility.

Well, the Senate's pace in moving nominations this year is far behind the pace during the first years of both Reagan and Bush 1 and the Clinton administrations. For example, in the first year of President Reagan's administration, there were 40 confirmations to the Federal bench. Under former President Bush's administration, there were 15 confirmations. Under President Clinton's administration, the first year, 28 confirmations. At this point, we have confirmed eight, and we have maybe a month left in this session. At the rate we are going, we are not going to get close to what was a national average of the last three administrations of 28 judges in the first year.

In fact, with regard to the nomination process, in the first year of each of those Presidents' administrations, every person who was nominated before the August recess was confirmed that first year, except one.

This is a chart that demonstrates that quite clearly. During the Reagan administration, all of his nominees who were sent to the Senate before the August recess—they gave us a whole month to work on the paperwork and review it—every one was confirmed. Under former President Bush, the same occurred. Every nominee he sent forward to this Senate before the August recess was confirmed. Under President Clinton, 93 percent of his were confirmed who were submitted before the August recess. Only one of his was not confirmed. Under the now-President Bush, only 18 percent of his have been confirmed to date.

So we are just heading on a collision course to a situation that is going to leave the courts shorthanded. If we don't recognize it, we are acquiescing in what could be a deliberate plan to slow down the confirmation of judges, even though last year—less than a year ago—the people who are involved in that now were decrying that as unacceptable; it was unacceptable to keep the confirmations low.

One more time, let's review these numbers because I don't think anyone should think that the reason we are here is light or insignificant. The reason we are here talking about these issues is that they are important.

In the 103rd Congress, under President Clinton—and he had a Democratic majority in the Judiciary Committee—there were 63 vacancies there. In the 104th Congress, 2 years later, at the end of President Clinton's first term there were 65 vacancies. In the 105th Congress, with Chairman Orrin Hatch's leadership there were 50 vacancies. Senator HATCH had reduced vacancies to 50. In the 106th Congress, the last years of President Clinton's term, the

vacancies were 67, which is, as you can see, pretty mainstream. But now we have 110 vacancies without an extraordinary game plan in the Judiciary Committee to have hearings and move judges forward. At the rate we are going, the resignations are going to exceed the nominations and confirmations. That is not a healthy thing for our judiciary.

Mr. President, I feel strongly about the issue. I know there are pressures on all of us. We have groups out there that used to try to pressure Chairman HATCH and tell him how to run the Judiciary Committee. He took the view that: If you want to get elected to the Senate, you can run the committee; otherwise, I am going to give hearings a fair shot and do what I think is right and move nominees.

I know pressure is out there. I think it is time for us to get serious on this matter, to move nominees forward, give President Bush's nominees a fair chance to be confirmed, to reduce this extraordinary backlog of vacancies that are out there —to have hearings on those 11 judges who were nominated in May because they have not even had a hearing yet—and get busy with filling our responsibility to advise and consent or reject President Bush's nominees.

I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator from Nevada is recognized.

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that there be a period for morning business with Senators permitted to speak therein for up to 5 minutes each.

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

ON THE ANNIVERSARY OF GOVERNOR MEL CARNAHAN'S DEATH

Mr. DASCHLE. Mr. President, one year ago today, America awoke to the terrible news that we had lost three extraordinary public servants: Governor Mel Carnahan, his son Roger, and their friend and aide Chris Sifford.

Mel Carnahan was a remarkable man—the kind whose work proved that politics and public service can indeed be a noble profession.

Like another man from Missouri, Harry Truman, Mel Carnahan was a man of plain speech and enormous political courage.

Throughout his career, he worked to help people, to make government efficient, and to use the tools at his disposal to make a difference in people's lives.

Whether it was improving public schools, expanding health insurance for children, protecting seniors through stricter safety standards for nursing homes, or making communities safer—Mel Carnahan never stopped working to make a difference.

I have no doubt that he would have been a great Senator, just as he was a great Governor. Sadly, he never got the change to show us that—at least, not directly.

But his spirit does live on in this Senate. As JEAN CARNAHAN has said so many times:

> Hopes and dreams don't die with people, they live on in all the people we touch.

Today, Mel Carnahan's hopes and dreams live on through all those he touched. But they have their most powerful voice in his wife of 45 years, JEAN CARNAHAN.

It was one year ago that she pledged to keep the fire burning. And every day since—that is exactly what Senator CARNAHAN has done.

In her tireless work to see that the economic victims of September 11 get health care, unemployment benefits, and job training—we feel Mel's sense of justice and compassion. In her work to improve our nation's schools—we see Mel's commitment to the children of Missouri, and America. And when Senator CARNAHAN comes to the Senate floor, and commands here colleagues' attention with her clear and thoughtful arguments—we hear the echoes of Mel's plainspoken sensibility.

One year after that cruel October morning, JEAN CARNAHAN has become the great Senator that Mel Carnahan would have been had he been given the chance. That is one blessing that makes his loss more bearable.

The poet Longfellow wrote:

> When a great man dies,
> for years beyond our ken,
> the light he leaves behind him lies
> upon the paths of men.

During his life, Mel Carnahan cast a bright and shining light on his state and our nation. His death did not extinguish that light.

That light continues to shine in the remarkable work and the indomitable spirit of his partner and our colleague, Senator JEAN CARNAHAN.

Today, especially today we thank her for her courage and for our inspiration.

JUDICIAL CONFIRMATIONS

Mr. THURMOND. Mr. President, I rise today to express my concern over the slow pace of judicial confirmations in the Senate.

The Bush administration deserves to be treated as fairly by the Democrat majority as the Republican majority treated the Clinton administration. Thus far, the facts show that the pace of confirmations is extremely slow and the number of vacancies is extremely high.

The Senate has confirmed only 8 judges so far this year, compared to 60 who have been nominated. During the Clinton administration, the Senate confirmed an average of 47 judges per year. In the first year of the Clinton administration, the Senate confirmed 28 judges, which is about average when compared to the first year for Reagan and Bush I. In the final year of the Clinton administration, we confirmed 39.

Given these numbers, it should not be surprising that the number of vacancies is much higher today than at the end of the Clinton administration. As of today, there are 109 vacancies for a vacancy rate of 12.7 percent, while at the end of the Clinton administration last year, there were only 67 vacancies for a 7.9 percent vacancy rate.

The Senate confirmed almost the same number of judges for President Clinton as for President Reagan, 377 compared to 384. This is true even though Republicans controlled the Senate for six years of Clinton and six years of Reagan. In fact, while I was Chairman for the first six years of the Reagan administration, I made confirmations arguably my top priority. Yet, the numbers are comparable.

The Democrat majority often notes that it has confirmed more circuit judges this year than the Senate did for the first year of the Clinton administration. While this is true, President Clinton nominated only five circuit judges in his first year in office, compared to 21 for President Bush so far this year. Also, in the first year of Clinton, the Democrats were in charge at the time. Last year, while Republicans were in control and it was an election year, the Senate still confirmed 8 circuit judges, double the number we have confirmed so far this year.

Under any reasonable evaluation, the numbers show that we are far behind this year. However, there is still time to act this session, and make the numbers fair with former Presidents.

In the first year of each of the past three administrations, all judges nominated before the end of the August recess were confirmed that year. The only exception is one judge during the first year of the Clinton administration who received a negative American Bar Association rating, and even he was confirmed the next year. President Bush nominated 44 judges before the end of August, and to be consistent we should confirm these judges before we adjourn this year.

One pending circuit court nominee is Judge Dennis Shedd, who was among President Bush's first set of nominees sent to the Senate on May 9. He has been a very able district court judge for the past decade and was formerly the chief counsel and staff director of the Judiciary Committee. He has bipartisan support. Also, the position for which he has been nominated has been declared a judicial emergency by the Administrative Office of the Courts. In addition, the committee held a hearing in August on the nomination of Terry Wooten for the District Court in South Carolina. I sincerely hope both of these fine judicial candidates can be confirmed this year.

In summary, I hope the Senate can act this year on many pending judicial nominees, and greatly reduce the extremely high vacancy rate that currently faces our Federal courts.

COMMENDING MR.ISAAC HOOPII FOR HIS ACTIONS AT THE PENTAGON

Mr. INOUYE. Mr. President, on September 11, 2001, out of the rubble of destruction, countless Americans rose and demonstrated great courage and selflessness. One such American was Mr. Isaac Hoopii, a Native Hawaiian who resides in McLean, VA, and is a Pentagon police officer and member of a bomb-sniffing canine police unit.

Minutes after a hijacked plane crashed into the Pengaton, Mr. Hoopii raced into the burning building and carried out eight people.

His calm resolve in the face of danger equaled his physical prowess. Unable to see the terrified victims, but knowing that they were amid the debris, smoke, and darkness, Mr. Hoopii repeatedly called out: ''Head toward my voice.''

Several people followed his voice and crawled to safety. At least one man who was led by Mr. Hoopii's voice called it the ''voice of an angel,'' and credits it for saving his life.

I have had the opportunity to hear Mr. Hoopii's voice. He is a musician with the ''Aloha Boys,'' a Hawaiian musical group that has performed on Capitol Hill. His singing is melodious and resonant, but I believe Mr. Hoopii's voice had never before sounded more beautiful than it did on that September morning. Mr. Hoopii carries with him the true aloha spirit, and I thank and commend him for sharing with the world the aloha of the Hawaiian people, whom I have been privileged to serve.

TECH TALENT ACT OF 2001

Mr. BOND. Mr. President, I rise to express my strong support for the Technology Talent Act of 2001. As an original co-sponsor, I am pleased to have joined my Senate colleagues, Senators JOE LIEBERMAN, BARBARA MIKULSKI, BILL FRIST, and PETE DOMENICI in introducing an important piece of legislation that will help strengthen the long-term economic competitiveness and health of our Nation. We are here to sound the alarm to the public that our Nation's innovation capabilities are at risk of falling behind other industrial nations if we do not aggressively increase the number and quality of our technologically-trained workforce.

The number of American students receiving degrees in the natural sciences and engineering fields has fallen significantly. This decline has occurred despite the growth in population and increase in undergraduate enrollment. But in other countries, the proportion of degrees in the sciences has grown compared to the United States. As a result, the demand for scientists and engineers in this country is being filled by foreign workers. And with the demand for engineers and computer scientists expected to grow by more than 50 percent by 2008, the high-tech industry is deeply troubled that it will become increasingly difficult to fill this demand and remain competitive in the global economy.

To respond to the shortage of technically-trained workers in this country, the Congress has had to raise the cap on H1–B visas for immigrant workers. Why was this necessary? In the past decade, growth in the number of Asian and European students earning degrees in the natural sciences and engineering has gone up on average by 4 percent per year. During the same time, the rate for U.S. students declined on average by nearly one percent each year. It was startling to learn that the Organization of Economic Cooperation and Development, OECD, ranked the United States 25 out of 26 industrialized nations surveyed in terms of the number of college and university degrees in science. The OECD found that South Korea led those nations surveyed and that we are behind countries like Finland, Japan, the Czech Republic, and Ireland!

In my home State of Missouri, I have seen the same sort of disturbing trends. The University of Missouri has seen an overall decline in science, engineering, and math degrees as a proportion of total undergraduate degrees. For example, undergraduate degrees in engineering have declined by 16 percent over the past 5 years whereas non-science degrees have increased by 14 percent.

Because of these troubling numbers, I am excited to work with my Senate colleagues to come up with a potential solution. I thank Senator LIEBERMAN and his staff for taking the initiative in crafting this bill and working with me. I also thank Professor Romer of Stanford University for his vision and thoughts in developing this bill.

Through the administration of the National Science Foundation, this legislation provides financial incentives to our colleges and universities to expand existing successful programs and create new, innovative ways that encourage our youth to enter and stay in the science and engineering fields. Our bill also encourages schools to develop programs that will attract more minorities and women. This is critical since there are few minorities and women employed in the high-tech sector.

To jumpstart this program, I am pleased to note that we have included $20 million in NSF's budget as part of the Senate's fiscal year 2002 VA, HUD bill. I hope we can maintain this level in conference and later increase funding for this program to a level of $200 million if this program is successful and our subcommittee receives the necessary funding.

Along with many of my Senate and House colleagues, I have been trying to increase support for NSF because we recognize the role NSF plays in stimulating our economy and supporting the biomedical work of the National Institutes of Health. That is why we believe in doubling NSF's budget and as part of this effort, increasing the Nation's technologically-trained workforce is a key element. Clearly, we need to invest in our students because they will be the booster rocket for the future success of our economy and allow this Nation to lead the world in this century.

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 June 21, 2001 in Cortez, CO. The body of an openly gay, half-Navajo teen, Fred Martinez Jr., 16, was found south of Cortez 5 days after he left home to go to a carnival. Police have arrested another teen, Shaun Murphy, in the murder and are investigating whether the homicide was a hate crime based on sexual orientation or race. The perpetrator allegedly bragged that he ''beat up a fag.'' Martinez often curled his hair, plucked his eyebrows, wore make-up and toted a purse to school. His mother told the press that she firmly believes her son's slaying was a hate crime based on his gender identity or because he was transgender.

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.

HONORING TODD BEAMER

Mr. CORZINE. Mr. President, I rise today to pay tribute to a man whose undaunted and determined spirit showed this world the best of humanity. On September 11, Todd Beamer took action against the hijackers on United Flight 93 for the noblest cause, so that others might live.

Todd's spirit proved stronger than the evil that boarded Flight 93 on that infamous day. His spirit of kindness and generosity, of selflessness and bravery never faltered.

Todd embodied that spirit on September 11 and throughout his life. A husband and father, son and brother, friend and volunteer, parishioner and businessman: he played many roles. Our nation will always remember him in the role of hero.

We will never know the number of lives spared by the courage of Todd and others aboard that plane, but his fortitude sent a clear message to all those who seek to harm us: We are not afraid. Todd joined with other passengers on that fateful flight in America's first counterstrike against terrorism and set a dignified example for

all of us who follow. Our mission is righteous and let there be no doubt, we are all in this together.

Todd's light shone through in the darkest hour of this Nation's history. May his honored memory be a constant reminder of America's great courage and resolve.

LEE HARTWELL, PHD, 2001, NOBEL PRIZE WINNER IN PHYSIOLOGY AND MEDICINE

Ms. CANTWELL. Mr. President, I rise today in honor of Dr. Lee Hartwell who received this year's Nobel Prize in Physiology and Medicine.

Dr. Hartwell began his work over 30 years ago with little more equipment or sophisticated research methods than a few dishes of yeast cells and a microscope and now works at one of the most prestigious cancer research centers in the country. Dr. Hartwell is President of the Fred Hutchinson Cancer Research Center in Seattle, and also a Professor of Genetics and Medicine at the University of Washington.

I believe that no one deserves this honor more than Dr. Hartwell, who is gracious and humble in his knowledge even as it has fundamentally changed the way we understand biology.

Dr. Hartwell was selected to receive the Nobel Prize because of his contributions to understanding how cells divide. Using yeast as a model organism, he was among the first scientists in the world to translate basic genetic research into the study of how cells function, and to determine which genes are involved in cell division.

Cells are the basis for all animal and plant life, and our understanding of how they multiply and develop is key to our understanding of larger organisms, like people. Errors or mutations in genes involved in the process of cell division can lead to cancer. Dr. Hartwell's work on these genes is fundamental in developing approaches that predict, prevent, or treat many kinds of cancers.

In his research, Dr. Hartwell has discovered more than 100 genes involved in cell-cycle control, including the gene that controls the first step in the cell division process. He also documented the existence of cell-cycle ''checkpoints,'' which ensure steps in the process of cell growth and division have been completed properly before the process continues.

Dr. Hartwell's work was the first to show that cell division is genetically controlled, and he generated a collection of cell-division cycle mutants from which many of the key genes in this process have been isolated. Dr. Hartwell's latest work focuses on the possible role for checkpoint defects and genetic instability in cancer progression and he is looking into how to exploit these defects to develop new cancer treatments.

Dr. Hartwell graduated from Glendale High School in California before deciding to attend a junior college. He later transferred from junior college to the California Institute of Technology in Pasadena, CA. In 1961, he earned a Bachelor of Science at Caltech, and in 1964 earned a Ph.D. from the Massachusetts Institute of Technology. He did postdoctoral work at the Salk Institute for Biological Studies. He joined the University of Washington faculty in 1968 and has been a professor of genetics there since 1973. In 1996 he joined the faculty of Seattle's Fred Hutchinson, Cancer Research Center and in 1997 became its president and director.

Dr. Hartwell is the recipient of many national and international scientific awards for his work in cell-cycle biology, including the Leopold Griffuel Prize, the Massry Prize, the American Cancer Society's Medal of Honor Basic Research Award, the Albert Lasker Basic Medical Research Prize, the General Motors Sloan Award and the Gairdner Foundation International Award for Achievements in Science. Dr. Hartwell is also a member of the National Academy of Sciences.

Dr. Hartwell typifies the ingenuity and creativity found throughout Washington State. I speak for us all when I commend him on winning the Nobel Prize in Physiology and Medicine. Dr. Hartwell's work is truly revolutionary, and although it is done without pomp and circumstance, his work will have a lasting impact on us all.

ADDITIONAL STATEMENTS

IN RECOGNITION OF DR. VICTOR WESTPHALL

• Mr. DOMENICI. Mr. President, I rise today to honor Dr. Victor Westphall. Dr. Westphall has dedicated his life to recognizing and celebrating the service and sacrifice of our Nation's veterans. This past Saturday, Dr. Westphall celebrated his 88th birthday, and I still marvel at how much he has accomplished during his lifetime.

Dr. Westphall's dedication to veterans is not surprising because he is a veteran himself. He entered the United States Navy in 1943 as an ensign and served for two years in the South Pacific during World War II. During this time, he was responsible for setting up message centers to allow front-line communication. After serving three years in the Navy and earning two full stripes, Dr. Westphall moved with his wife and his two sons to Albuquerque. However, his family had a difficult time finding housing because of the large number of returning G.I.s. Dr. Westphall realized that many veterans were faced with the same situation, so he began a home construction business and built over 3,000 homes in New Mexico. At the same time, he earned his doctorate in history at the University of New Mexico and eventually became a leading author and expert on Southwestern American history.

In 1968, Dr. Westphall received news that his son, David, had been killed in Vietnam. David was a platoon leader and was killed with twelve of his men in an ambush near Con Thien. However, Dr. Westphall was determined to draw some good out of this tragic event. He decided to use the life insurance payment from his son's death to build the Vietnam Veterans Peace and Brotherhood Chapel in Angel Fire, NM. Although Dr. Westphall struggled to find financial support to help build this memorial, he remained dedicated to the project, and in 1971, the first monument to Vietnam veterans in the United States was formally dedicated.

The Vietnam Veterans Peace and Brotherhood Chapel stands as a handsome tribute to our veterans who served in Vietnam. Dr. Westphall hired a Santa Fe architect to design a beautiful white chapel with gentle curves sweeping 50 feet upward towards the sky. This serene memorial overlooks the sacred Moreno Valley in northeastern New Mexico. It offers visitors the opportunity to remember those who served their Nation proudly in the Vietnam War in a peaceful and spiritual setting. The Chapel's eternal flame illuminates this ideal place for quiet meditation.

Even today, Dr. Westphall remains deeply involved in this monument, which attracts over 120,000 visitors every year. He still greets visitors to the Chapel in his wheelchair, while sharing stories of loved ones lost during the War. There is a very moving story that Dr. Westphall recounts about the Chapel. When the memorial was first opened, the Chapel would close every night. However, one morning Dr. Westphall found a message left by a young veteran on the door: ''I needed to come in and you locked me out.'' Since then, the Chapel remained open 24 hours a day.

Just like the Chapel, Dr. Westphall has always been there for our Nation's veterans. From his own service in World War II to his construction of houses for returning veterans to the opening of the Vietnam Veterans Peace and Brotherhood Chapel, Dr. Westphall has remained dedicated to America's veterans. I salute Dr. Westphall's lifetime of service to our veterans, and I am proud and honored to have him as a friend.•

THE OUTSTANDING SERVICE OF RICHARD MONAHAN

• Mr. KENNEDY. Mr. President, I welcome this opportunity to honor Richard Monahan. Mr. Monahan has served the International Brotherhood of Electrical Workers Local 103 in Boston, MA, with distinction for over 45 years. He began as an apprentice in 1956 and is retiring this month as an International Representative of the Second District.

Mr. Monahan has worked effectively and tirelessly for the working families of Massachusetts and the Nation throughout these years. He will long be remembered for his outstanding commitment and dedication to the Electrical Workers Union. He also served

his country with honor from 1960 to 1968 in the United States Coast Guard.

Mr. Monahan rose through the ranks of the I.B.E.W., serving on its Executive Board, as its Business Manager, and as the Second District International Representative.

He has also been active in his community. His dedication has gone above and beyond the call of duty, and he has given his many talents to charitable groups, including the Knights of Columbus Council 2259, AMVETS Post-0146 and the Quincy Lodge of Elks #943.

I know that the men and women of Local 103 and his many friends and admirers in our community are proud of Richard Monahan's outstanding service, and we wish him a long and happy retirement.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, 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.)

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 2277. An act to provide for work authorization for nonimmigrant spouses of treaty traders and treaty investors; to the Committee on the Judiciary.

H.R. 2278. An act 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; to the Committee on the Judiciary.

MEASURES READ THE FIRST TIME

The following bill was read the first time.

H.R. 2646. An act to provide for the continuation of agricultural programs through fiscal year 2011.

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–4462. A communication from the Assistant Secretary of Land and Minerals Management, Bureau of Land Management, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Alaska Native Allotments For Certain Veterans, 43 CFR Part 2560'' (RIN1004–AD34) received on October 12, 2001; to the Committee on Energy and Natural Resources.

EC–4463. 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 ''Saver's Tax Credit for Contributions by Individuals to Employer Retirement Plans and IRAs'' (Ann. 2001–106) received on October 12, 2001; to the Committee on Finance.

EC–4464. A communication from the President of the United States, transmitting, pursuant to law, an Executive Order relative to the Continuation of Export Control Regulations; to the Committee on Banking, Housing, and Urban Affairs.

EC–4465. A communication from the Assistant General Counsel, Banking and Finance, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Resolution Funding Corporation Operations'' (RIN1505–AA79) received on October 12, 2001; to the Committee on Banking, Housing, and Urban Affairs.

EC–4466. A communication from the Director of the Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, the report of the Mid-Session Review relative to a supplemental update of the Budget; to the Committees on Appropriations; and the Budget.

EC–4467. A communication from the Director of the Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a Cost Estimate report relative to Expedited Payment for Heroic Public Safety Officers; to the Committee on the Budget.

EC–4468. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 134, ''Parental Kidnapping Extradition Amendment Act of 2001''; to the Committee on Governmental Affairs.

EC–4469. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 14–132, ''National Capital Revitalization Corporation Temporary Amendment Act of 2001''; to the Committee on Governmental Affairs.

EC–4470. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 14–133, ''Free Clinic Assistance Program Extension Temporary Amendment Act of 2001''; to the Committee on Governmental Affairs.

EC–4471. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 135, ''Food Regulation Temporary Amendment Act of 2001''; to the Committee on Governmental Affairs.

EC–4472. A communication from the Acting Chief Operating Officer, United States Safety and Hazardous Investigation Board, transmitting, pursuant to law, the annual report on the inventory of activities that are not inherently governmental for Fiscal Year 2001; to the Committee on Governmental Affairs.

EC–4473. 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 and Designation of Area for Air Quality Planning Purposes; Pennsylvania; Redesignation of Pittsburgh-Beaver Valley Ozone Nonattainment Area to Attainment and Approval of Miscellaneous'' (FRL7079–6) received on October 12, 2001; to the Committee on Environment and Public Works.

EC–4474. 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; New York Ozone State Implementation Plan Revision; Delay of Effective Date and Extension of Comment Period'' (FRL7084–3) received on October 12, 2001; to the Committee on Environment and Public Works.

EC–4475. 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 State Plans For Designated Facilities and Pollutants: Vermont; Negative Declaration'' (FRL7077–4A) received on October 12, 2001; to the Committee on Environment and Public Works.

EC–4476. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Clean Air Act Final Approval of Operating Permits Program; State of Maine'' (FRL7085–5) received on October 12, 2001; to the Committee on Environment and Public Works.

EC–4477. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Clean Air Act Full Approval of Operating Permit Program; District of Columbia'' (FRL7085–8) received on October 12, 2001; to the Committee on Environment and Public Works.

EC–4478. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Criteria for Classification of Solid Waste Disposal Facilities and Practices and Criteria for Municipal Solid Waste Landfills: Disposal of Residential Lead-Based Paint Waste'' (FRL7076–4) received on October 12, 2001; to the Committee on Environment and Public Works.

EC–4479. A communication from the Director of the Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''List of Approved Spent Fuel Storage Casks: NAC–UMS Revision'' (RIN3150–AG77) received on October 12, 2001; to the Committee on Environment and Public Works.

EC–4480. A communication from the Secretary of Defense, transmitting, the report of a retirement; to the Committee on Armed Services.

EC–4481. A communication from the Deputy Secretary of Defense, transmitting, pursuant to law, 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.

EC–4482. A communication from the Deputy Secretary of Defense, transmitting, pursuant to law, a report on Portability and Reciprocity of TRICARE Prime Benefits; to the Committee on Armed Services.

EC–4483. A communication from the Deputy Secretary of Defense, transmitting, pursuant to law, a report on Federally Funded Research and Development Center's (FFRDC's) Estimated FY 2002 Staff-years of Technical Effort (SET's) for Fiscal Year 2002; to the Committee on Armed Services.

EC–4484. A communication from the Secretary of Defense, transmitting, pursuant to law, the semiannual reports regarding the Department of Defense Pharmacy Benefits Program dated June 2001; to the Committee on Armed Services.

EC–4485. A communication from the Deputy Secretary of Defense, transmitting, pursuant to law, the report on the Chiropractic

Health Care Implementation Plan; to the Committee on Armed Services.

EC–4486. A communication from the Deputy Secretary of Defense, transmitting, pursuant to law, a report on Proposed Obligations for Weapons Destruction and Non-Proliferation in the Former Soviet Union; renotification of funds; to the Committee on Armed Services.

EC–4487. A communication from the Attorney-Advisor, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Neck Lateral Bending for 50% Male Side Impact Dummy Hybrid III (SID/HIII): Final Rule'' (RIN2127–AH87) received on October 11, 2001; to the Committee on Commerce, Science, and Transportation.

EC–4488. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Flightcrew Compartment Access and Door Designs'' (RIN2120–AH52) received on October 11, 2001; to the Committee on Commerce, Science, and Transportation.

EC–4489. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Boeing Model 767–200 and 300 Series Airplanes; request for comment'' ((RIN2120–AA64)(2001–0500)) received on October 11, 2001; to the Committee on Commerce, Science, and Transportation.

EC–4490. 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 535 Turbofan Engines; request for comments'' ((RIN2120-AA64)(2001-0499)) received on October 11, 2001; to the Committee on Commerce, Science, and Transportation.

EC–4491. 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: Raytheon Aircraft Company Beech Models 1900, 1900C, and 1900D Airplanes'' ((RIN2120-AA64)(2001-0501)) received on October 11, 2001; to the Committee on Commerce, Science, and Transportation.

EC–4492. A communication from the Program Analyst of the Federal Aviation Administration, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: General Electric Company CF34 3A1, 3B, and 3B1 Turbofan Engines; request for comments'' ((RIN2120-AA64)(2001-0502)) received on October 11, 2001; to the Committee on Commerce, Science, and Transportation.

EC–4493. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Bell Helicopter Textron Canada Model 206L 4, 407, and 427 Helicopters; request for comments'' ((RIN2120-AA64)(2001-0503)) received on October 11, 2001; to the Committee on Commerce, Science, and Transportation.

EC–4494. 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: Airbus Model A330 and A340 Series Airplanes'' ((RIN2120-AA64)(2001-0504)) received on October 11, 2001; to the Committee on Commerce, Science, and Transportation.

EC–4495. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, a report on S.1214, the ''Port and Maritime Security Act of 2001'' and S. Rpt. 107-64; 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:

By Mr. HARKIN (for himself, Mr. INHOFE, Mr. BAUCUS, Mr. BURNS, Mr. JOHNSON, Mr. HOLLINGS, Mr. CLELAND, and Mr. WELLSTONE):

S. 1552. A bill to provide for grants through the Small Business Administration for losses suffered by general aviation small business concerns as a result of the terrorist attacks of September 11, 2001; to the Committee on Small Business and Entrepreneurship.

By Mr. HATCH:

S. 1553. A bill to amend the Internal Revenue Code of 1986 to allow a bonus deduction for depreciable business assets; to the Committee on Finance.

By Mr. CLELAND:

S. 1554. A bill to amend the Internal Revenue Code of 1986 to provide an increased low-income housing credit for property located immediately adjacent to qualified census tracts; to the Committee on Finance.

By Mrs. FEINSTEIN (for herself, Mr. LEAHY, and Mr. AKAKA):

S. 1555. A bill to express the policy of the United States with respect to the adherence by the United States to global standards in the transfer of small arms and light weapons, and for other purposes; to the Committee on Foreign Relations.

By Ms. STABENOW (for herself, Mr. KYL, Mrs. CLINTON, Mr. SCHUMER, Mr. ALLEN, Mr. WARNER, Ms. MIKULSKI, Mrs. BOXER, Mr. DAYTON, Mr. ROCKEFELLER, Mr. DASCHLE, Mr. BREAUX, Mrs. CARNAHAN, Mr. NICKLES, Mr. LEVIN, Mr. CORZINE, Mr. KENNEDY, Mr. JOHNSON, Mr. DORGAN, and Mr. DURBIN):

S. 1556. A bill to establish a program to name national and community service projects in honor of victims killed as a result of the terrorist attacks on September 11, 2001; to the Committee on Health, Education, Labor, and Pensions.

By Ms. SNOWE:

S. 1557. A bill to amend title 49, United States Code, to prohibit the operation of motor vehicles transporting hazardous materials by persons not subjected to a background investigation, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. SANTORUM (for himself and Mr. VOINOVICH):

S. 1558. A bill to provide for the issuance of certificates to social security beneficiaries guaranteeing their right to receive social security benefits under title II of the Social Security Act in full with an accurate annual cost-of-living adjustment; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. THURMOND:

S.Con.Res. 79. A concurrent resolution expressing the sense of Congress that public schools may display the words ''God Bless America'' as an expression of support for the Nation; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 677

At the request of Mr. HATCH, the name of the Senator from Missouri (Mrs. CARNAHAN) was added as a cosponsor of S. 677, a bill to amend the Internal Revenue Code of 1986 to repeal the required use of certain principal repayments on mortgage subsidy bond financing to redeem bonds, to modify the purchase price limitation under mortgage subsidy bond rules based on median family income, and for other purposes.

S. 826

At the request of Mrs. LINCOLN, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. 826, a bill to amend title XVIII of the Social Security Act to eliminate cost-sharing under the medicare program for bone mass measurements.

S. 847

At the request of Mr. DAYTON, the name of the Senator from Oregon (Mr. SMITH of Oregon) was added as a cosponsor of S. 847, a bill to impose tariff-rate quotas on certain casein and milk protein concentrates.

S. 1022

At the request of Mr. WARNER, the name of the Senator from New Jersey (Mr. CORZINE) was added as a cosponsor 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. 1244

At the request of Mr. KENNEDY, the name of the Senator from North Carolina (Mr. EDWARDS) was added as a cosponsor of S. 1244, a bill to amend titles XIX and XXI of the Social Security Act to provide for FamilyCare coverage for parents of enrolled children, and for other purposes.

S. 1258

At the request of Mr. DORGAN, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 1258, a bill to improve academic and social outcomes for teenage youth.

S. 1286

At the request of Mrs. CARNAHAN, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 1286, a bill to provide for greater access to child care services for Federal employees.

S. 1443

At the request of Mr. MILLER, the name of the Senator from Georgia (Mr. CLELAND) was added as a cosponsor of S. 1443, a bill to amend the Water Resources Development Act of 2000 to modify a provision relating to easement prohibitions.

S. 1499

At the request of Mr. KERRY, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of S. 1499, a bill to provide assistance to small business concerns adversely impacted by the terrorist attacks perpetrated against the United States on September 11, 2001, and for other purposes.

S. 1520

At the request of Mr. BAYH, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. 1520, a bill to assist States in preparing for, and responding to, biological or chemical terrorist attacks.

S.RES. 140

At the request of Mr. ROBERTS, the name of the Senator from Nevada (Mr. REID) was added as a cosponsor of S.Res. 140, a resolution designating the week beginning September 15, 2002, as ''National Civic Participation Week.''

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. HARKIN (for himself, Mr. INHOFE, Mr. BAUCUS, Mr. BURNS, Mr. JOHNSON, Mr. HOLLINGS, Mr. CLELAND, and Mr. WELLSTONE):

S. 1552. A bill to provide for grants through the Small Business Administration for losses suffered by general aviation small business concerns as a result of the terrorist attacks of September 11, 2001; to the Committee on Small Business and Entrepreneurship.

Mr. HARKIN. Mr. President, I rise today on behalf of Senator INHOFE, Senator BAUCUS, Senator BURNS, Senator JOHNSON, Senator HOLLINGS and myself, to introduce the General Aviation Assistance Act. This legislation would provide assistance in the form of Small Business Administration grants, helping to support an essential part of our aviation industry at a very critical time.

When many of the large passenger airlines were in trouble, we knew we had to act quickly to support this vital industry. When the planes were grounded following the September 11 attacks, many airlines were in a precarious position.

The situation in the general aviation industry is equally, if not more, precarious. And the services general aviation businesses provide are no less critical to our economy.

In Iowa and in many rural States, commercial service is very limited. Without general aviation, traveling by air means driving for hours to reach a small commercial airport that offers few flights, often at inconvenient times. That is not a workable situation for most businesses. Many could not locate to rural America without general aviation services.

The general aviation industry is made up of a number of small business. It operates at more than 5,300 public use airports nationwide, compared to the 650 airports in the nation that have airline service. Ninety-two percent of the aircraft registered in the United States are general aviation aircraft. That includes charter businesses, crop dusters, the people who maintain small noncommercial airports and those that train future pilots. These businesses provide jobs for thousands of hard-working Americans and many cannot survive much longer without our help.

Our failure to support general aviation now would deal a severe blow to the rural economy. Unlike the commercial airlines, general aviation is made up largely of small businesses. Their ability to remain in business rests on their ability to fly. A very significant number of these businesses are in danger of not making it through the year without relief.

Over the past month, while visiting many of Iowa's airports to discuss airlines safety, I also met with a number of general aviation operators. For many small plane operators, flight restrictions lasted far longer than they did for the big airlines. Indeed, there are still some general aviation companies near large cities that are still closed today.

Last week, I spoke with Bill Kyle from Charles City, IA who is a small independent operator. From September 11 to September 22, he lost two thousand dollars a day. He is still losing $800 dollars every day because his business is reduced at a similar rate to the reductions seen in commercial aviation. These are not the type of losses that a small business like Bill Kyle's can survive, not without some assistance.

The legislation we are introducing today will provide small general aviation businesses with grants to make up for their actual losses from September 11 through the end of the year. The program would be administered by the Small Business Administration which would make sure that the amount of assistance provided was fairly determined. Grants could be as much as $6 million, although, of course, the vast majority would be far less.

We must act. This assistance could be the difference between a general aviation business taking off or being grounded permanently.

A number of my colleagues are working to assist small business to recover from this tragedy. I am sure that many have been hearing from their constituents about this issue. So, I am sure they know that few small businesses have been impacted as dramatically as the hard-working people in general aviation.

I am committed to getting general aviation back on track. It is important to these small businesses. It is important to the people they employ. And it is important to the rural economy as a whole. I ask my colleagues to join me in support of this legislation.

By Mr. HATCH:

S. 1553. A bill to amend the Internal Revenue Code of 1986 to allow a bonus deduction for depreciable business assets; to the Committee on Finance.

Mr. HATCH. Mr. President, I rise today to introduce legislation designed to help stimulate the economy by creating a strong incentive for businesses to invest immediately in new productive assets.

Unfortunately, the evil acts of terrorists on September 11 did more than shatter lives, hopes and dreams and destroy or damage great buildings in New York and Washington. They also caused serious harm to our national, and even the world's economies.

While we do not yet know the full extent of the havoc brought to the U.S. economy by the calamities of September 11, practically all the experts agree that the damage will be significant. Few of them doubt that we are now in a recession. Moreover, many of the Nation's leading economists agree that the Congress and the President should move quickly to enact a package of tax cuts and other measures to stimulate the economy and try to prevent the downturn from becoming a long and deep one.

For this reason, the bipartisan leadership of Congress in both houses, along with the White House, have been meeting for weeks in an attempt to develop a consensus on what such an economic stimulus package should include. Last Friday, the Committee on Ways and Means of the House of Representatives approved an initial stimulus bill.

While it appears evident to me that it will be difficult for everyone in both parties and in both houses to agree on the proper content of the economic stimulus package, there are some guiding principles for the package on which most seem to agree. First, and almost by definition, the stimulus package should provide a strong incentive for players in the economy to take action they would not ordinarily take. Second, such an incentive should cause the desired action to occur quickly, when it will be of the most good to the economy. Finally, the stimulus should be temporary, and not cause a large long-term effect on the Federal budget, which could lead to an increase in interest rates.

It may be that there are many specific tax law changes that meet these guiding principles. Some have suggested another round of tax rebate checks, but designated only for those who were not able to participate in the advance tax cut Congress passed in May of this year. Others are proposing the acceleration of the income tax rate cuts that were included in that same tax bill that are presently scheduled to take effect in future years. Still others insist that the stimulus package include new spending on our infrastructure or relief to ailing industries and to displaced employees.

In the end, the economic stimulus package signed into law will probably contain a combination of several of these ideas. Our political process will

require us to reach some kind of consensus, which means some of this idea and some of that idea will have to be included.

Knowing that the stimulus package will be a collage of ideas, I believe it is important that it include a core provision that almost everyone seems to agree meets the criteria of true economic stimulus, a strong inducement for businesses to invest in productive assets. The purpose of the bill I introduce today is to put before the Senate a bold plan that I believe would accomplish this goal.

The Economic Stimulus Through Bonus Depreciation Act of 2001 would provide businesses throughout America a very strong, but short-term, incentive to purchase business assets and put them to work over the next few months. A strong and concentrated surge in capital spending by U.S. businesses would provide a tremendous shot in the arm to our economy, as present inventories become depleted and manufacturers scramble to keep up with the new demand.

Specifically, my bill would provide a 50-percent bonus depreciation deduction for business assets purchased after September 10, 2001, and before July 1, 2002, and placed in service before January 1, 2003. This means that businesses that want to take advantage of this strong incentive, which generally provides more than twice the first year deduction than is allowed under current law, would have to act quickly and order the new business assets by next June 30, and take delivery by next December 31.

For example, suppose a business needed a new delivery truck that cost $50,000. Under current law, most trucks are considered 5-year property, and are generally depreciated over a 5-year period. If the business purchased the truck in 2002, the current-law depreciation deduction for the first year would be $10,000. In other words, the business would be able to write off one-fifth of the cost of the truck in the year of purchase.

Under my bill, that same business would be allowed a 50-percent first-year depreciation deduction, rather than the 20 percent. So, instead of a deduction of $10,000 in 2002, the business would be allowed to deduct $25,000 of the cost of the truck in the first year. This is a significant difference, and it should be enough of a difference to change behavior when coupled with a short window of opportunity.

The short time frame is a key to the success of a stimulus promotion bill like this one. My bill would require that a business make a decision and enter into a contract to purchase a new asset by next June 30, and then take delivery on the property by December 31, 2002.

I will note that the economic stimulus bill approved by the House Ways and Means Committee last week includes a somewhat similar provision, one that provides for 30 percent extra depreciation for certain business assets. However, that bill allows the purchaser to take almost 3 years to decide to buy a new asset, then allows another several months to place the property into service. With all respect to my colleagues on the Ways and Means Committee, I believe the window of opportunity for the enhanced deduction created by that bill is too long. It does not instill the sense of urgency that I believe is needed to truly create a significant stimulus.

It is important to note that my bill also applies to more types of business property than does the Ways and Means bill. The bill passed by the Ways and Means Committee would generally provide for an enhanced depreciation deduction for depreciable property with a recovery period of 20 years or less, except for leasehold improvements. The bill I am introducing today would apply to all types of depreciable property, including leasehold improvements and depreciable real estate.

As a practical matter, I realize that many real estate projects, as well as many larger build-to-order equipment projects, take longer than a year to build and place in service. However, it is also true that many larger and costly projects can be built within the time constraints of this bill, especially if there is a concerted attempt to do so. I believe that the short time frame of my bill would induce many companies to act much more quickly than they otherwise would, in order to get business assets ordered and built in time to qualify for the bonus depreciation. This is where the economic stimulus power of this bill comes into play. The more effort that is made to get real estate projects finished, or to get equipment ordered, delivered, and placed in service in time to meet the deadlines of this bill, the more economic stimulus is created.

Moreover, I believe this bill meets the three guiding principles I mentioned earlier. First, it provides a strong incentive for businesses to take stimulative action they would not otherwise take, in this case to purchase assets by June 30, 2002, in order to reap a significant tax savings. Second, because of the short deadline, this action will take place right away, when economic stimulus is really needed. Finally, the bill raises few risks of raising interest rates. Depreciation is a form of cost recovery over a period of time. Because our tax code allows the cost of assets to be recovered over time, a speed-up of the time of recovery has few long-term costs to the Federal budget. So, allowing businesses to write off a larger portion of the cost of assets for a short time period has a negative effect on the Treasury in the first two or three years, but begins to reverse itself afterward. Thus, much of the early year costs of my bill will be fully reversed within the 10-year budget window.

President Bush has indicated his support for the inclusion in the economic stimulus package of an enhanced depreciation provision. A number of Democrats and Republicans have also spoken out in support of this idea. And, as I mentioned, the Ways and Means Committee included a version of bonus depreciation in the bill it passed last week. Bonus depreciation is a solid economic stimulus idea. In crafting a consensus package, I urge my colleagues to include a depreciation provision that packs a punch by offering the promise of a large deduction for actions taken in a relatively short time frame. I believe the legislation I introduce today fits the bill nicely, and I urge its consideration.

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. 1553

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 ''Economic Stimulus Through Bonus Depreciation Act of 2001''.

SEC. 2. BONUS DEPRECIATION ALLOWANCE FOR CERTAIN BUSINESS ASSETS.

(a) IN GENERAL.—Section 168 of the Internal Revenue Code of 1986 (relating to accelerated cost recovery system) is amended by adding at the end the following:

''(k) BONUS ALLOWANCE FOR CERTAIN BUSINESS ASSETS.—

''(1) IN GENERAL.—In the case of any qualified property—

''(A) the depreciation deduction provided by section 167(a) for the taxable year in which such property is placed in service shall be an amount equal to 50 percent of the adjusted basis of the qualified property, and

''(B) subject to paragraph (2), the amount otherwise allowable as a depreciation deduction under this chapter for any subsequent taxable year shall be computed in the same manner as if this subsection had not been enacted.

''(2) ADJUSTED BASIS.—The aggregate deduction allowed under this section for taxable years described in paragraph (1)(B) with respect to any qualified property shall not exceed the adjusted basis of such property reduced by the amount of the deduction allowed under paragraph (1)(A).

''(3) QUALIFIED PROPERTY.—For purposes of this subsection—

''(A) IN GENERAL.—The term 'qualified property' means property—

''(i)(I) to which this section applies, or

''(II) which is computer software (as defined in section 167(f)(1)(B)) for which a deduction is allowable under section 167(a) without regard to this subsection,

''(ii) the original use of which commences with the taxpayer on or after September 11, 2001,

''(iii) which is—

''(I) acquired by the taxpayer on or after September 11, 2001, and before July 1, 2002, but only if no written binding contract for the acquisition was in effect before September 11, 2001, or

''(II) acquired by the taxpayer pursuant to a written binding contract which was entered into on or after September 11, 2001, and before July 1, 2002, and

''(iv) which is placed in service by the taxpayer before January 1, 2003.

''(B) EXCEPTIONS.—

''(i) ALTERNATIVE DEPRECIATION PROPERTY.—The term 'qualified property' shall not include any property to which the alternative depreciation system under subsection (g) applies, determined—

''(I) without regard to paragraph (7) of subsection (g) (relating to election to have system apply), and

''(II) after application of section 280F(b) (relating to listed property with limited business use).

''(ii) ELECTION OUT.—If a taxpayer makes an election under this clause with respect to any class of property for any taxable year, this subsection shall not apply to all property in such class placed in service during such taxable year.

''(iii) REPAIRED OR RECONSTRUCTED PROPERTY.—Except as otherwise provided in regulations, the term 'qualified property' shall not include any repaired or reconstructed property.

''(C) SPECIAL RULES RELATING TO ORIGINAL USE.—

''(i) SELF-CONSTRUCTED PROPERTY.—In the case of a taxpayer manufacturing, constructing, or producing property for the taxpayer's own use, the requirements of clause (ii) of subparagraph (A) shall be treated as met if the taxpayer begins manufacturing, constructing, or producing the property on or after September 11, 2001, and before January 1, 2003.

''(ii) SALE-LEASEBACKS.—For purposes of subparagraph (A)(i), if property—

''(I) is originally placed in service on or after September 11, 2001, by a person, and

''(II) is sold and leased back by such person within 3 months after the date such property was originally placed in service,

such property shall be treated as originally placed in service not earlier than the date on which such property is used under the leaseback referred to in subclause (II).

''(D) COORDINATION WITH SECTION 280F.—For purposes of section 280F—

''(i) AUTOMOBILES.—In the case of a passenger automobile (as defined in section 280F(d)(5)) which is qualified equipment, the Secretary shall increase the limitation under section 280F(a)(1)(A)(i), and decrease each other limitation under subparagraphs (A) and (B) of section 280F(a)(1), to appropriately reflect the amount of the deduction allowable under paragraph (1).

''(ii) LISTED PROPERTY.—The deduction allowable under paragraph (1) shall be taken into account in computing any recapture amount under section 280F(b)(2).

''(4) APPLICABLE CONVENTION.—Subsection (d)(3) shall not apply in determining the applicable convention with respect to qualified property.''.

(b) ALLOWANCE AGAINST ALTERNATIVE MINIMUM TAX.—

(1) IN GENERAL.—Section 56(a)(1)(A) of the Internal Revenue Code of 1986 (relating to depreciation adjustment for alternative minimum tax) is amended by adding at the end the following:

''(iii) ADDITIONAL ALLOWANCE FOR CERTAIN BUSINESS ASSETS.—The deduction under section 168(k) shall be allowed.''.

(2) CONFORMING AMENDMENT.—Clause (i) of section 56(a)(1)(A) of such Code is amended by inserting ''or (iii)'' after ''(ii)''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to property placed in service on or after September 11, 2001, in taxable years ending on or after such date.

By Mrs. FEINSTEIN (for herself, Mr. LEAHY, and Mr. AKAKA):

S. 1555. A bill to express the policy of the United States with respect to the adherence by the United States to global standards in the transfer of small arms and light weapons and for other purposes; to the Committee on Foreign Relations.

Mrs. FEINSTEIN. Mr. President, I rise today to introduce the Security and Fair Enforcement in Arms Trafficking Act of 2001, cosponsored by Senators LEAHY and AKAKA.

Small arms and light weapons, such as assault rifles, machine guns, grenades, and portable launchers of anti-aircraft missile systems, are the weapons of choice for terrorists and their friends, and I fully believe that U.S. leadership is needed to stem the global torrent of illicit arms. All too often these arms fall into the hands of terrorists, drug cartels, and violent rebellions. Curbing the proliferation of these weapons must be a vital component of our efforts to combat international terrorism.

The rise of the Taliban in Afghanistan, in fact, is due in no small part to the ready availability of these weapons in that war torn country, and Afghanistan clearly demonstrates how a country can become a threat to regional and global security if it is flooded with small arms and light weapons. The Taliban and the al Qaeda network were able to gather more than 10 million small arms and light weapons from a variety of sources over the past decade, including AK–47s, hand grenades, and Stinger missiles. Today the United States and its allies are faced with these very weapons as we move forward with Operation Enduring Freedom.

The global networks of terrorism are clearly linked to the networks of the illicit arms trade and to the states that harbor terrorists, and terrorists around the globe also utilize the intertwined global networks of the illegal arms trade and the drug trade to generate financial resources for their destructive and threatening activities.

As I have previously discussed on the floor, the global proliferation of small arms and light weapons is a staggering problem.

An estimated 500 million illicit small arms and light weapons are in circulation around the globe.

In the past decade, an estimated 4 million people have been killed in civil war and bloody fighting. Nine out of ten of these deaths are attributed to small arms and light weapons.

The sheer volume of available weaponry has been a major factor in the devastation witnessed in recent conflicts in Angola, Cambodia, Liberia, Mozambique, Rwanda, Sierra Leone, Somalia, Sri Lanka, and Kosovo, among others, as well as the violence endemic to narco-trafficking.

The increased access by terrorists, guerrilla groups, criminals, and others to small arms and light weapons poses a real threat to U.S. forces overseas. For the United States, as we now engage in the war on terrorism, this issue is a very real force protection issue.

The conflicts fueled by small arms and light weapons undermine regional stability and endanger the spread of democracy and free markets around the world.

Clearly this is a huge problem, with profound implications for U.S. security interests.

I strongly believe that the U.S. Government must take the lead in the international community in addressing this issue. It is in the United States national interest to promote responsibility and restraint in the transfer of small arms and light weapons; to combat irresponsible practices in such transfers, to ensure that nations engaged in substandard practices are held accountable; to encourage other members of the international community to meet, as minimum standards U.S. law and practices; take strong action to negotiate and support making the trafficking of small arms traceable; bolster rules governing arms brokers; and eliminate the secrecy that permits millions of these weapons to circulate illicitly around the globe, fueling crime and war.

As a matter of fact, as a major supplier country in the legal arms trade, the United States has a special obligation to promote responsible practices in the transfer of these weapons.

That is what the Security and Fair Enforcement in Arms Trafficking Act of 2001 aims to do. It: Affirms U.S. policy to maintain the highest standards for the management and transfer of small arms and light weapons exports, and that it is U.S. policy to refrain from exports that could be used in internal repression, human rights abuses and international aggression; enforces the ban in international commercial transfers of military-style assault weapons and, improves end-use monitoring of U.S. arms transfers; urges the administration to enter into negotiations with the European Union and NATO member states, as well as other members of the international community to bring our allies into compliance with U.S. law and standards for the export and transfer of military-style assault weapons as well as on such critical issues as marking and tracing of small arms and light weapons, rules governing the conduct of arms brokers, and the enforcement of arms embargoes; calls on the administration to establish a U.S.-EU Coordinating Group on Small Arms, and to work to and implement and advance the Program of Action of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All its Aspects; improves the transparency of U.S. transfers in small arms and light weapons, and requires the establishment of a registry of all U.S. firearm exports; and, encourages all states that have not done so to ratify the OAS convention on small arms and light weapons.

And let me be clear: This legislation does not interfere with legitimate and responsible transfers of small arms or the lawful ownership and use of guns in the United States.

The United States needs to push hard to improve the international standards and the application of legally binding agreements to stem the illicit trade in these weapons. Fighting the proliferation of small arms is critical to our efforts to combat terrorism, narco-trafficking, international organized crime, regional and local war.

I believe that combating the proliferation of small arms and light weapons is a critical element of the fight against terrorism, and I look forward to working with my colleagues in the Senate and with the administration to pass the Security and Fair Enforcement in Arms Trafficking Act of 2001.

By Ms. STABENOW (for herself, Mr. KYL, Mrs. CLINTON, Mr. SCHUMER, Mr. ALLEN, Mr. WARNER, Ms. MIKULSKI, Mrs. BOXER, Mr. DAYTON, Mr. ROCKEFELLER, Mr. DASCHLE, Mr. BREAUX, Mrs. CARNAHAN, Mr. NICKLES, Mr. LEVIN, Mr. CORZINE, Mr. KENNEDY, Mr. JOHNSON, Mr. DORGAN, and Mr. DURBIN):

S. 1556. A bill to establish a program to name national and community service projects in honor of victims killed as a result of the terrorist attacks on September 11, 2001; to the Committee on Health, Education, Labor, and Pensions.

Ms. STABENOW. Mr. President, we all witnessed a great national tragedy on September 11. While the deaths and damage occurred in New York, Washington, and the fields of Pennsylvania, a piece of all of us died that day.

Many people came up to me in the weeks after the attack and asked: ''What can I do? I've given blood. I've donated to relief efforts. But I want to do more.''

We all shared in the horror. Now everyone wants to share in the healing.

But how?

Then a constituent of mine, Bob Van Oosterhout, wrote me with an idea. Why not have the Federal Government devise a program that would encourage communities throughout the Nation to create something that would honor the memory of one of the victims lost in the attack? Together these local memorials to honor individuals would dot our Nation and collectively honor all those lost in the attack.

What could be simpler? Or more moving?

From that idea came the Unity in the Spirit of America Act, which I am introducing today along with my distinguished colleague Senator KYL.

Here's how it would work: Communities, it could be as small as a neighborhood block, or nonprofit organizations, houses of worship, businesses, or local governments would choose some kind of project that would unite them and their community.

Applications and the assigning of names for each project will be handled by the Thousand Points of Light Foundation in conjunction with the Corporation for National Service. Once the bill has passed, applications and procedures will be posted on the foundation's web page.

In the meantime, I urge people to meet with their neighbors, or coworkers, or fellow church members to start identifying projects that would make fitting memorials to the victims of the attack of September 11.

It could be cleaning or creating a park, adopting a school and mentoring students, creating a meals program for the homeless, or just about anything that would do honor to the memories of those who died on September 11.

The Thousand Points of Light Foundation will track each project's progress on their web page.

The only rule would be that qualified projects should be started by September 11, 2002.

Then on that day—as all over America we gather to grieve over the first anniversary of the attack that enraged the world—we'll also be able to look over thousands and thousands of selfless acts that made our world better.

In our sadness, we can create 6,000 points of life across our Nation. And we will show the world that our resolve was not fleeting, or our memories not short.

They will see Unity in the Spirit of America.

And what could bring more fitting honor to all those innocents we lost.

I am also pleased that this bipartisan legislation enjoys the support of the Senators from New York, Mr. SCHUMER and Mrs. CLINTON, and the Senators from Virginia, Senators WARNER and ALLEN.

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. 1556

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 ''Unity in Service to America Act'' or the ''USA Act''.

SEC. 2. PROJECTS HONORING VICTIMS OF TERRORIST ATTACKS.

The National and Community Service Act of 1990 (42 U.S.C. 12501 et seq.) is amended by inserting before title V the following:

''TITLE IV—PROJECTS HONORING VICTIMS OF TERRORIST ATTACKS

''SEC. 401. PROJECTS.

''(a) DEFINITION.—In this section, the term 'Foundation' means the Points of Light Foundation funded under section 301, or another nonprofit private organization, that enters into an agreement with the Corporation to carry out this section.

''(b) IDENTIFICATION OF PROJECTS.—

''(1) ESTIMATED NUMBER.—Not later than December 1, 2001, the Foundation, after obtaining the guidance of the heads of appropriate Federal agencies, such as the Director of the Office of Homeland Security and the Attorney General, shall—

''(A) make an estimate of the number of victims killed as a result of the terrorist attacks on September 11, 2001 (referred to in this section as the 'estimated number'); and

''(B) compile a list that specifies, for each individual that the Foundation determines to be such a victim, the name of the victim and the State in which the victim resided.

''(2) IDENTIFIED PROJECTS.—The Foundation shall identify approximately the estimated number of community-based national and community service projects that meet the requirements of subsection (d). The Foundation shall name each identified project in honor of a victim described in subsection (b)(1)(A), after obtaining the permission of an appropriate member of the victim's family and the entity carrying out the project.

''(c) ELIGIBLE ENTITIES.—To be eligible to have a project named under this section, the entity carrying out the project shall be a political subdivision of a State, a business, or a nonprofit organization (which may be a religious organization, such as a Christian, Jewish, or Muslim organization).

''(d) PROJECTS.—The Foundation shall name, under this section, projects—

''(1) that advance the goals of unity, and improving the quality of life in communities; and

''(2) that will be planned, or for which implementation will begin, within a reasonable period after the date of enactment of the Unity in Service to America Act, as determined by the Foundation.

''(e) WEBSITE AND DATABASE.—The Foundation shall create and maintain websites and databases, to describe projects named under this section and serve as appropriate vehicles for recognizing the projects.''.

By Mr. SANTORUM (for himself and Mr. VOINOVICH):

S. 1558. A bill to provide for the issuance of certificates to social security beneficiaries guaranteeing their right to receive social security benefits under title II of the Social Security Act in full with an accurate annual cost-of-living adjustment; to the Committee on Finance.

Mr. SANTORUM. Mr. President, today I am pleased to join with my colleague, Senator GEORGE VOINOVICH of Ohio, in introducing the Social Security Benefits Guarantee Act, legislation aimed at conferring upon current Social Security beneficiaries an explicit property right to their benefits.

As the President's Commission to Strengthen Social Security and Congress continue to consider options about how best to put our most vital social program on sound financial footing, it is increasingly important to assure today's beneficiaries that they are not going to be adversely affected by any reform proposal that Congress may ultimately enact into law.

Although reasonable people can disagree about how best to restore Social Security to a path of long-term solvency, philosophical or political leanings should not obstruct us from meeting our moral obligation to preserve and protect the benefits of current beneficiaries.

Both basic fairness and practicality dictate that individuals and families who are currently receiving Social Security benefits should not be expected to adapt to any of the steps necessary to shore up Social Security's long-range financial health. Indeed, President Bush outlined as his very first

principle in the creation of the present Commission that ''Modernization must not change Social Security benefits for retirees or near-retirees.''

No matter what reform plan Congress may consider, one of the more productive interim steps we can undertake is to create an environment where constructive, bipartisan policy options can be pursued. Toward this end, I believe that it is important to remove the ''demagoguery factor'' from the Social Security reform discussion by ensuring seniors that they receive every cent that the government has promised them, including an accurate annual cost-of-living increase. That is why we are introducing the Social Security Benefits Guarantee Act today.

Unfortunately, current law affords no such protection for our nation's elderly. In the Supreme Court's 1960 decision *Flemming* v. *Nestor*, 363 U.S. 603, the Court held that Americans have no property right to their Social Security benefits, and that Congress has the power to change Social Security benefits at any time. One unfortunate byproduct of this case law is that current beneficiaries have fallen victim to scare tactics from politicians, interest groups and others stating or implying that sustainable long-term Social Security reform will lead to a reduction or endangerment of their benefits.

Social Security reform is too important to working Americans to allow short-term political demagoguery to drown out serious bipartisan efforts to put our most vital social program on sound fiscal and actuarial footing. By passing an explicit property right to Social Security benefits for those eligible for and receiving benefits, Congress can assure seniors that their benefits will be protected and focus the reform discussion on the future, where it belongs, and how we can best preserve Social Security's financial dependence at a cost that future generations can bear.

In closing, it is my sincere hope that our colleagues will join Senator VOINOVICH and me in supporting this commonsense legislation to provide America's seniors peace of mind during the inevitable policy challenges that lie ahead for Social Security's financing.

I again thank Senator VOINOVICH for working with me in this effort, and 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. 1558

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 Social Security Benefits Guarantee Act of 2001''.

SEC. 2. GUARANTEE OF FULL SOCIAL SECURITY BENEFITS WITH ACCURATE ANNUAL COST-OF-LIVING ADJUSTMENT.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Treasury shall issue a benefit guarantee certificate to each individual who is determined by the Commissioner of Social Security as of the date of the issuance of the certificate to be entitled to benefits under title II of the Social Security Act (42 U.S.C. 401 et seq.). The Secretary shall also issue such a certificate to any individual on the date such individual is determined thereafter to be entitled to benefits under such title.

(b) BENEFIT GUARANTEE CERTIFICATE.—The benefit guarantee certificate issued pursuant to subsection (a) shall represent a legally enforceable guarantee—

(1) of the timely payment of the full amount of future benefit payments to which the individual is entitled under title II of the Social Security Act (as determined under such title as in effect on the date of the issuance of the certificate); and

(2) that the benefits will be adjusted thereafter not less frequently than annually to the extent prescribed in provisions of such title (as in effect on the date of the issuance of the certificate) providing for accurate adjustments based on indices reflecting changes in consumer prices as determined by the Bureau of Labor Statistics or changes in wages as determined by the Commissioner of Social Security.

(c) OBLIGATION TO PROVIDE PAYMENTS AS GUARANTEED.—Any certificate issued under the authority of this section constitutes budget authority in advance of appropriations Acts and represents the obligation of the Federal Government to provide for the payment to the individual to whom the certificate is issued benefits under title II of the Social Security Act (42 U.S.C. 401 et seq.) in amounts in accordance with the guarantee set forth in the certificate.

STATEMENTS ON SUBMITTED RESOLUTIONS

SENATE CONCURRENT RESOLUTION 79—EXPRESSING THE SENSE OF CONGRESS THAT PUBLIC SCHOOLS MAY DISPLAY THE WORDS ''GOD BLESS AMERICA'' AS AN EXPRESSION OF SUPPORT FOR THE NATION

Mr. THURMOND submitted the following concurrent resolution, which was referred to the Committee on the Judiciary:

S. CON. RES. 79

Resolved, by the Senate (the House of Representatives concurring), That it is the sense of Congress that it is consistent with the Constitution for public schools to display the words ''God Bless America'' as an expression of support for the Nation.

Mr. THURMOND. Mr. President, I rise today to introduce a resolution that would demonstrate the support of Congress for the renewed public patriotism in our country. It would express the sense of the Congress that public schools should be free to post the phrase ''God Bless America'' without the misguided fear that it is illegal and violates the Constitution.

In response to the terrorist attacks of September 11, the patriotism of the American people can be seen everywhere. The American flag is being flown all across our country, from homes and cars to schools and playing fields. Patriotic songs are being sung with a renewed enthusiasm at all public places.

One such patriotic song is ''God Bless America,'' which was written during World War I and became part of American life. Members of Congress spontaneously sang it on the steps of the Capitol the night of the attacks, and it has been played countless times across the country in recent weeks.

The outpouring of unity and love that our Nation has expressed is inspiring. It is truly a fitting response to the terrorists. After all, their goal was to tear us apart, but what they have actually done is bring us together.

One small expression of unity came from Breen Elementary School in Rocklin, California, which posted the phrase ''God Bless America'' on a marquee in front of the school.

Given the patriotism all across our country, this small expression of resolve would not seem to be newsworthy. After all, these words are part of the history and fabric of our country. These words demonstrate the spirit of America.

Unfortunately, there are a few who do not agree, and do not support Breen Elementary's display of patriotism. The American Civil Liberties Union has demanded that the school remove the slogan, saying that the school is clearly violating the Constitution. It even referred to the display of ''God Bless America'' as ''hurtful'' and ''divisive.''

To say that ''God Bless America'' is ''hurtful'' and ''divisive'' is absolutely ridiculous. The phrase is also in no way unconstitutional. I have disagreed with the ACLU many times over the years, but their response here is even hard for me to believe. It simply wrong for the ACLU to try to bully this school into supporting its extreme interpretation of the Constitution.

Fortunately, the school is not intimidated. Rocklin Unified School District Superintendent Kevin Brown has made it plain that the school is standing firm in its decision to keep ''God Bless America'' posted. It is a decision that is principled, appropriate, and entirely in keeping with the Constitution. We all should be proud of the school for taking this courageous stand.

Simply put, the ACLU has no support in the law for its position. While there does not appear to be any Federal cases ruling on the phrase ''God Bless America,'' various challenges have been made to a similar slogan, ''In God We Trust.'' The Ninth Circuit Court of Appeals, arguably the most liberal federal appeals court, held in Aronow v. United States that the use of this phrase on currency and as the national motto does not violate the establishment clause of the Constitution. The court said, ''Its use is of a patriotic or ceremonial character and bears no true resemblance to a governmental sponsorship of a religious exercise.'' It also said that ''it is quite obvious'' that the phrase ''has nothing whatsoever to do with the establishment of religion.''

While the ninth circuit is the most relevant here because the school is located in California, other circuit courts

have reached the same conclusion. The tenth circuit explained in Gaylor v. United States that the national motto ''through historical usage and ubiquity cannot be reasonably understood to convey government approval of religious belief.'' In cases such as Lynch v. Donnelly, the Supreme Court has indicated its approval of these rulings. Even Justice William Brennan, one of the most liberal Supreme Court Justices of the modern era and one of the most strident advocates for the separation of church and state, even indicated his support for this view, saying that Americans have ''simply interwoven the motto so deeply into the fabric of our civil polity'' as to eliminate constitutional problems.

The same reasoning applies to Breen Elementary's use of ''God Bless America.'' Both of these phrases show the important role that religion plays in America, but they are not an establishment of religion or endorsement of religious belief.

It is also significant that even when the Supreme Court ruled that organized prayer in public schools was unconstitutional in Engel v. Vitale, it made it clear that the case did not apply to patriotic or ceremonial anthems that refer to God. While I have always viewed this case as misguided, and have for years introduced a constitutional amendment to reverse it, even this case supports Breen Elementary School.

The fact is that religion is central to our culture and our patriotic identity as a nation. As the Supreme Court said in Lynch v. Donnelly, there is an ''an unbroken history of official acknowledgement by all three branches of government of the role of religion in American life.''

This is not something we should ignore or hide. I have never understood why some have desperately tried to remove any acknowledgment of religion from American life.

Just the opposite should be the case. It is only fitting that we would turn to these expressions in times of great difficulty.

I hope that my colleagues will join me in supporting the patriotism displayed in Rocklin, California. Throughout the history of this great Nation, we have invoked the blessings of God without establishing religion. From prayers before legislative assembly meetings and invocations before college football games to the national motto embedded on our currency, our Constitution has allowed references to God. During this time of national tragedy and recovery, we should not allow extreme interpretations of the Constitution to dampen our patriotism and resolve.

This is an important matter that deserves our attention during these difficult times. A resolution very similar to this one has been introduced in the House by my friend, Representative HENRY BROWN. We should support Breen Elementary School and others like it as they personify the spirit of America.

NOTICES OF HEARINGS/MEETINGS

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. HARKIN. Mr. President, I would like to announce that the Committee on Agriculture, Nutrition, and Forestry will conduct a business meeting on October 18, 2001, in SR–328A at 11 a.m. The purpose of this business meeting will be to discuss the new Federal farm bill.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Dr. DORGAN. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on Tuesday, October 16, 2001, To conduct a hearing on ''The Failure of Superior Bank, FSB, Hinsdale, Illinois.''

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

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. DORGAN. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet on Tuesday, October 16, 2001, at 10 a.m., to conduct a hearing to review the Federal Emergency Management Agency's response to the September 11, 2001, attacks on the Pentagon and the World Trade Center. The hearing will be held in SD–406.

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

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. DORGAN. Mr. President, I ask unanimous consent that the Committee on Governmental Affairs be authorized to meet on Tuesday, October 16, 2001, following the first vote of the day for a business meeting to consider pending committee business, including the nomination of Mark Everson, to be Controller, Office of Federal and Financial Management, Office of Management and Budget.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. DORGAN. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet in executive session during the session of the Senate on Tuesday, October 16, 2001, at 3 p.m.

Agenda: Markup of S. 1379, a bill to amend the Public Health Service Act to establish an Office of Rare Diseases at the National Institutes of Health, and for other purposes; S. 727, a bill to provide grants for cardiopulmonary resuscitation (CPR) training in public schools; H.R. 717, to amend the Public Health Service Act to provide for research and services with respect to Duchenne muscular dystrophy; an original bill dealing with mental health and terrorism; and the nomination of Jean Scalia to be Solicitor General of the Department of Labor.

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

COMMITTEE ON SMALL BUSINESS

Mr. DORGAN. 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 confirmation hearing on the nomination of Thomas M. Sullivan to be Chief Counsel for Advocacy at the U.S. Small Business Administration on Tuesday, October 16, 2001, beginning at 10:15 a.m., in room 428A of the Russell Senate Office Building.

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

COMMITTEE ON VETERANS' AFFAIRS

Mr. DORGAN. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on Tuesday, October 16, 2001, for a hearing on the Department of Veterans Affairs' Fourth Mission: Caring for Veterans, Servicemembers, and the Public Following Conflicts and Crises. The meeting will take place in room 418 of the Russell Senate Office Building at 2:30 p.m.

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

SUBCOMMITTEE ON COMMUNICATIONS

Mr. DORGAN. Mr. President, I ask unanimous consent that the Subcommittee on Communications of the Committee on Commerce, Science, and Transportation be authorized to meet on Tuesday, October 16, 2001, at 10 a.m., on Emergency 911.

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

SUBCOMMITTEE ON READINESS AND MANAGEMENT

Mr. DORGAN. 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 Tuesday, October 16, 2001, at 2 p.m., in closed session to receive testimony on security of Department of Defense ammunition shipments.

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

SUBCOMMITTEE ON YOUTH VIOLENCE

Mr. DORGAN. Mr. President, I ask unanimous consent that the Committee on the Judiciary, Subcommittee on Youth Violence be authorized to meet to conduct a hearing on Tuesday, October 16, 2001, at 10:30 a.m., in Dirksen 226.

''Defending America's Transportation Infrastructure'' panel: The Honorable Mike Parker, Assistant Secretary for the Army (Civil Works), Department of the Army, Washington, DC; Brian M. Jenkins, Senior Advisory to the President, RAND Corporation, Santa Monica, CA; Donald E. Brown, Chair of the Department of Systems Engineering, University of Virginia,

Charlottesville, VA; Jeffrey K. Beatty, President and CEO, Total Security Services International, Marrietta, GA; and Tony Chrestman, President, Ruan Transport, Des Moines, IA.

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

NOTICE—REGISTRATION OF MASS MAILINGS

The filing date for 2001 third quarter mass mailings is October 25, 2001. If your office did no mass mailings during this period, please submit a form that states ''none.''

Mass mailing registrations, or negative reports, should be submitted to the Senate Office of Public Records, 232 Hart Building, Washington, DC 20510–7116.

The Public Records office will be open from 8 a.m. to 6 p.m. on the filing date to accept these filings. For further information, please contact the Public Records office at (202) 224–0322.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider Executive Calendar Nos. 452 through 463 and the nominations on the Secretary's desk; that the nominations be confirmed, the motions to reconsider be laid upon the table, any statements thereon be printed at the appropriate place in the RECORD, the President be immediately notified of the Senate's action, and the Senate return to legislative session.

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

The nominations, considered and confirmed, are as follows:

DEPARTMENT OF ENERGY

Linton F. Brooks, of Virginia, to be Deputy Administrator for Defense Nuclear Nonproliferation, National Nuclear Security Administration.

DEPARTMENT OF DEFENSE

William Winkenwerder, Jr., of Massachusetts, to be an Assistant Secretary of Defense.

AIR FORCE

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

To be brigadier general

Col. David F. Brubaker, 0000
Col. Michael W. Corbett, 0000

ARMY

The following named officer for appointment as the Assistant Judge Advocate General, United States Army and for appointment to the grade indicated under title 10, U.S.C. section 3037:

To be major general

Brig. Gen. Michael J. Marchand, 0000

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

To be lieutenant general

Maj. Gen. John M. Le Moyne, 0000

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

To be lieutenant general

Lt. Gen. Larry R. Jordan, 0000

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

To be lieutenant general

Lt. Gen. Kevin P. Byrnes, 0000

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

To be general

Lt. Gen. Paul J. Kern, 0000

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

To be lieutenant general

Maj. Gen, Joseph R. Inge, 0000

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

To be lieutenant general

Lt. Gen. John P. Abizaid, 0000

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601, and to be a Senior Member of the Military Staff Committee of the United Nations under title 10, U.S.C., section 711:

To be lieutenant general

Maj. Gen. George W. Casey, Jr., 0000

NAVY

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

To be rear admiral (lower half)

Capt. Richard K. Gallagher, 0000
Capt. Thomas J. Kilcline, Jr., 0000

AIR FORCE

PN1132 Air Force nominations (36) beginning Gino L. Auteri, and ending Jesus E. Zarate, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of October 10, 2001.

PN1133 Air Force nominations (2065) beginning Richard E. Aaron, and ending *Delia Zorrilla, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of October 10, 2001.

ARMY

PN1074 Army nominations (2) beginning George M. Gouzy, III, and ending Carrol H. Kinsey, Jr., which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of September 21, 2001.

PN1075 Army nominations (3) beginning Jeffrey E. Arnold, and ending Timothy L. Sheppard, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of September 21, 2001.

PN1101 Army nomination of Gregory A. Antoine, which was received by the Senate and appeared in the CONGRESSIONAL RECORD of October 2, 2001.

PN1124 Army nomination of Stephen C. Burritt, which was received by the Senate and appeared in the CONGRESSIONAL RECORD of October 9, 2001.

MARINE CORPS

PN1076 Marine Corps nomination of Henry J. Goodrum, which was received by the Senate and appeared in the CONGRESSIONAL RECORD of September 21, 2001.

NAVY

PN1077 Navy nominations (2) beginning Richard D. Anderson, III, and ending James P. Ingram, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of September 21, 2001.

PN1078 Navy nomination of Bradley J. Smith, which was received by the Senate and appeared in the CONGRESSIONAL RECORD of September 21, 2001.

PN1102 Navy nominations (2) beginning Richard A. Guerra, and ending Jeff B. Jorden, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of October 2, 2001.

PN1103 Navy nomination of Martin B. Harrison, which was received by the Senate and appeared in the CONGRESSIONAL RECORD of October 2, 2001.

PN1125 Navy nomination of Michael S. Speicher, which was received by the Senate and appeared in the CONGRESSIONAL RECORD of October 9, 2001.

PN1126 Navy nomination of Gary W. Latson, which was received by the Senate and appeared in the CONGRESSIONAL RECORD of October 9, 2001.

PN1127 Navy nomination of Robert S. Sullivan, which was received by the Senate and appeared in the CONGRESSIONAL RECORD of October 9, 2001.

PN1134 Navy nominations (1442) beginning Kevin T. Aanestad, and ending John J. Zuhowski, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of October 10, 2001.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will return to legislative session.

MEASURE READ THE FIRST TIME—H.R. 2646

Mr. REID. Further, I understand that H.R. 2646, which was received from the House, is at the desk. I ask for its first reading.

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

The legislative clerk read as follows:

A bill (H.R. 2646) to provide for the continuation of agricultural programs through fiscal year 2011.

Mr. REID. Mr. President, I now ask for its second reading and object to my own request.

The PRESIDING OFFICER. Objection is heard.

The bill will receive its second reading on the next legislative day.

ORDERS FOR WEDNESDAY, OCTOBER 17, 2001

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until the hour of 10 a.m., Wednesday, October 17; that following the prayer and the pledge, the Journal of

proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day; that the Senate resume consideration of the motion to proceed to the Foreign Operations Appropriations Act, with 1 hour of debate equally divided between the chairman and the ranking member, or their designees, prior to an 11 a.m. cloture vote on the motion to proceed.

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

ADJOURNMENT UNTIL 10 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 5:46 p.m., adjourned until Wednesday, October 17, 2001, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate October 16, 2001:

FEDERAL EMERGENCY MANAGEMENT AGENCY

R. DAVID PAULISON, OF FLORIDA, TO BE ADMINISTRATOR OF THE UNITED STATES FIRE ADMINISTRATION, FEDERAL EMERGENCY MANAGEMENT AGENCY, VICE CARRYE BURLEY BROWN.

DEPARTMENT OF COMMERCE

CONRAD LAUTENBACHER, JR., OF VIRGINIA, TO BE UNDER SECRETARY OF COMMERCE FOR OCEANS AND ATMOSPHERE, VICE D. JAMES BAKER, RESIGNED.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

CONSTANCE BERRY NEWMAN, OF ILLINOIS, TO BE AN ASSISTANT ADMINISTRATOR OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT, VICE VIVIAN LOWERY DERRYCK, RESIGNED.

DEPARTMENT OF STATE

CHRISTOPHER BANCROFT BURNHAM, OF CONNECTICUT, TO BE CHIEF FINANCIAL OFFICER, DEPARTMENT OF STATE, VICE BERT T. EDWARDS.

FOREIGN SERVICE

THE FOLLOWING-NAMED CAREER MEMBER OF THE SENIOR FOREIGN SERVICE TO THE CLASS INDICATED:

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF COUNSELOR, AND CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE.

INTERNATIONAL BROADCASTING BUREAU

TERENCE J. DONOVAN, OF FLORIDA

THE FOLLOWING-NAMED CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE AGENCY FOR INTERNATIONAL DEVELOPMENT FOR PROMOTION WITHIN THE SENIOR FOREIGN SERVICE TO THE CLASS INDICATED:

CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF CAREER-MINISTER:

KEITH E. BROWN, OF VIRGINIA
CHRISTOPHER D. CROWLEY, OF VIRGINIA

CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF MINISTER-COUNSELOR:

GLENN E. ANDERS, OF FLORIDA
DESAIX B. MYERS III, OF CALIFORNIA
CAROLE SCHERRER-PALMA, OF TEXAS
MARK I. SILVERMAN, OF VIRGINIA

THE FOLLOWING-NAMED CAREER MEMBERS OF THE FOREIGN SERVICE OF THE AGENCY FOR INTERNATIONAL DEVELOPMENT FOR PROMOTION INTO THE SENIOR FOREIGN SERVICE TO THE CLASS INDICATED:

CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF COUNSELOR:

CHARLES RICHARD AANENSON, OF WASHINGTON
HENRY LEE BARRETT, OF NORTH CAROLINA
JAMES ANDREW BEVER, OF VIRGINIA
JON HASKELL BRESLAR, OF VIRGINIA
MICHAEL FARBMAN, OF VIRGINIA
WILLIAM MICHAEL FREJ, OF CALIFORNIA
WILLARD L. GRIZZARD, OF FLORIDA
DEBORAH K. KENNEDY-IRAHETA, OF VIRGINIA
ERNA WILLIS KERST, OF CALIFORNIA
MARGARET ALISON NEUSE, OF THE DISTRICT OF COLUMBIA
DIANNE L. RAWL, OF VIRGINIA
ANDREW B. SISSON, OF NEW YORK
WILLIAM F. SUGRUE, OF CONNECTICUT
DIANA LEIGH SWAIN, OF VIRGINIA
CHARLES MAXWELL UPHAUS, OF VIRGINIA
LOUISE BERRY WISE, OF VIRGINIA

THE FOLLOWING-NAMED CAREER MEMBER OF THE FOREIGN SERVICE OF THE AGENCY FOR INTERNATIONAL DEVELOPMENT FOR PROMOTION INTO THE SENIOR FOREIGN SERVICE TO THE CLASS INDICATED:

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, AND CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

OLIVIER C. CARDUNER, OF VIRGINIA

THE FOLLOWING-NAMED CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE DEPARTMENT OF STATE FOR PROMOTION IN THE SENIOR FOREIGN SERVICE TO THE CLASSES INDICATED:

CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF CAREER MINISTER:

JAMES F. DOBBINS JR., OF NEW YORK
SHAUN EDWARD DONNELLY, OF MARYLAND
HOWARD FRANKLIN JETER, OF SOUTH CAROLINA
ANNE WOODS PATTERSON, OF ARKANSAS
C. DAVID WELCH, OF CALIFORNIA
MOLLY K. WILLIAMSON, OF CALIFORNIA

CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF MINISTER-COUNSELOR:

CATHERINE BARRY, OF ILLINOIS
GREGORY L. BERRY, OF OREGON
RAYMOND A. BONESKI, OF FLORIDA
DONALD E. BOOTH, OF NEW JERSEY
MARTIN G. BRENNAN, OF CALIFORNIA
KATHLEEN A. BRION, OF VIRGINIA
WARRINGTON E. BROWN, OF NEW JERSEY
ROLAND W. BULLEN, OF CALIFORNIA
CAREY CAVANAUGH, OF FLORIDA
PHILLIP T. CHICOLA, OF FLORIDA
CHRISTOPHER WILLIAM DELL, OF NEW JERSEY
ANNE E. DERSE, OF MICHIGAN
PATRICK DENNIS DUDDY, OF MAINE
DAVID B. DUNN, OF CALIFORNIA
JUDITH RYAN FERGIN, OF MAINE
JANET E. GARVEY, OF MASSACHUSETTS
DAVID HAAS, OF VIRGINIA
RICHARD CHARLES HERMANN, OF IOWA
RICHARD EUGENE HOAGLAND, OF THE DISTRICT OF COLUMBIA
JANICE LEE JACOBS, OF ILLINOIS
SUSAN S. JACOBS, OF MICHIGAN
SIDNEY L. KAPLAN, OF CONNECTICUT
SCOTT FREDERIC KILNER, OF CALIFORNIA
ANN KELLY KORKY, OF NEW JERSEY
PETER JOHN KOVACH, OF MASSACHUSETTS
JOSEPH EVAN LEBARON, OF OREGON
ROSE MARIE LIKINS, OF VIRGINIA
JOHN W. LIMBERT, OF VERMONT
CARMEN MARIA MARTINEZ, OF FLORIDA
MARGARET K. MCMILLION, OF PENNSYLVANIA
GILLIAN ARLETTE MILOVANOVIC, OF PENNSYLVANIA
MICHAEL C. MOZUR, OF VIRGINIA
STEPHEN D. MULL, OF PENNSYLVANIA
ROBERT K. NOVAK, OF WASHINGTON
LARRY LEON PALMER, OF GEORGIA
JO ELLEN POWELL, OF THE DISTRICT OF COLUMBIA
EVANS JOSEPH ROBERT REVERE, OF VIRGINIA
STEPHEN R. ROUNDS, OF NEW HAMPSHIRE
JANET A. SANDERSON, OF ARIZONA
RONALD LEWIS SCHLICHER, OF TENNESSEE
CHARLES N. SILVER, OF VIRGINIA
PAUL E. SIMONS, OF NEW JERSEY
STEPHEN T. SMITH, OF NEBRASKA
DORIS KATHLEEN STEPHENS, OF ARIZONA
GREGORY MICHAEL SUCHAN, OF OHIO
FRANK CHARLES URBANCIC, OF INDIANA
EDWARD H. VAZQUEZ, OF NEW JERSEY
STEVEN J. WHITE, OF FLORIDA
SHARON ANDERHOLM WIENER, OF OHIO
NICHOLAS M. WILLIAMS, OF NEW YORK
LAURENCE D. WOHLERS, OF WASHINGTON
WILLIAM BRAUCHER WOOD, OF NEW YORK
MARY CARLIN YATES, OF THE DISTRICT OF COLUMBIA

THE FOLLOWING-NAMED CAREER MEMBERS OF THE FOREIGN SERVICE FOR PROMOTION INTO THE SENIOR FOREIGN SERVICE, AND FOR APPOINTMENT AS CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE, AS INDICATED:

CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF COUNSELOR:

EDWARD M. ALFORD, OF VIRGINIA
JAY NICHOLAS ANANIA, OF CONNECTICUT
TIMOTHY DUANE ANDREWS, OF MISSOURI
EDMUND EARL ATKINS, OF CALIFORNIA
ANNE V. STENZEL BARBARO, OF CALIFORNIA
ROBERT O. BLAKE JR., OF THE DISTRICT OF COLUMBIA
MERRIE D. BLOCKER, OF FLORIDA
STUART VAUGHAN BROWN, OF THE DISTRICT OF COLUMBIA
LYNN L. CASSEL, OF ALASKA
KATHLEEN M. CAYER, OF MASSACHUSETTS
CATHY TAYLOR CHIKES, OF VIRGINIA
MARJORIE COFFIN, OF TEXAS
STEVEN P. COFFMAN, OF TEXAS
THOMAS MORE COUNTRYMAN, OF WASHINGTON
BARBARA CECELIA CUMMINGS, OF VIRGINIA
ROBERT E. DAVIS JR., OF WASHINGTON
PAUL DENIG, OF NEW JERSEY
ELIZABETH LINK DIBBLE, OF THE DISTRICT OF COLUMBIA
ROBERT WILLIAM DRY, OF FLORIDA
PHILIP HUGHES EGGER, OF TENNESSEE
ROBERT BRUCE EHRNMAN, OF NEW JERSEY
STEPHEN C. ENGELKEN, OF OHIO
GERALD MICHAEL FEIERSTEIN, OF PENNSYLVANIA
JANE CATHERINE GAFFNEY, OF MARYLAND
ROBERT F. GODEC, OF VIRGINIA
ANDREW LEWIS ALLEN GOODMAN, OF VIRGINIA
GORDON GRAY III, OF NEVADA
ELIZABETH P. HINSON, OF TEXAS
ERIC GRANT JOHN, OF THE DISTRICT OF COLUMBIA
SUSAN ROCKWELL JOHNSON, OF NEW YORK
DEBORAH K. JONES, OF CALIFORNIA
FRANCES THORNTON JONES, OF NORTH CAROLINA
PETER GRAHAM KAESTNER, OF MARYLAND
J. CHRISTIAN KENNEDY, OF INDIANA
SUSAN E. KEOGH-FISHER, OF CALIFORNIA
MICHAEL DAVID KIRBY, OF OHIO
ROBERT B. LAING, OF WASHINGTON
ALAN BRYAN CEDRICK LATIMER, OF GEORGIA
ALICE C. LEMAISTRE, OF ALABAMA
AN THANH LE, OF FLORIDA
JEFFREY DAVID LEVINE, OF CALIFORNIA
PATRICK JOSEPH LINEHAN, OF MAINE
KATHERINE J. M. MILLARD, OF THE DISTRICT OF COLUMBIA
LUIS G. MORENO, OF NEW YORK
JOHN D. MORRIS, OF GEORGIA
PATRICIA A. MURPHY, OF VIRGINIA
WAYNE EDWARD NEILL II, OF NEVADA
WILLIAM GREGORY PERETT, OF VIRGINIA
LISA A. PIASCIK, OF FLORIDA
ROBERT A. POLLARD, OF VIRGINIA
RONALD J. POST, OF CALIFORNIA
DOUGLAS K. RASMUSSEN, OF CALIFORNIA
JOHN ROBERT RIDDLE, OF TEXAS
CHRISTOPHER R. RICHE, OF WASHINGTON
LESLIE V. ROWE, OF WASHINGTON
ROBIN RENEE SANDERS, OF NEW YORK
DANIEL SANTOS, SANTOS JR., OF FLORIDA
FRANCIS T. SCANLAN JR., OF LOUISIANA
KYLE R. SCOTT, OF ARIZONA
FLORITA INDIRA SHEPPARD, OF TEXAS
JOSIE SLAUGHTER SHUMAKE, OF MISSISSIPPI
MARK JAY SMITH, OF CALIFORNIA
KAREN BREVARD STEWART, OF FLORIDA
CURTIS A. STONE, OF WASHINGTON
ANN SANBORN SYRETT, OF WASHINGTON
DONALD E. TERPSTRA, OF TEXAS
HARRY KEELS THOMAS JR., OF NEW YORK
LINDA THOMAS-GREENFIELD, OF LOUISIANA
D. BRUCE WHARTON, OF TEXAS
DANIEL FRANK WHITMAN, OF OHIO
PENELOPE ANN WILLIAMS, OF FLORIDA
MARK S. WOERNER, OF ILLINOIS
DAVID THOMAS WOLFSON, OF TEXAS
KARL EDWIN WYCOFF, OF CALIFORNIA

CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, AND CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

PLABAN K. BAGCHI, OF VIRGINIA
PATRICIA A. BEITH, OF CALIFORNIA
STANLEY BIELINSKI JR., OF VIRGINIA
JEAN ALDRIDGE BONILLA, OF CALIFORNIA
MARK C. BOYETT, OF TEXAS
PATRICIA A. HARTNETT-KELLY, OF MARYLAND
STEVE A. LAUDERDALE, OF TEXAS
BARRETT G. LEVINE, OF CALIFORNIA
NANCY LEE MANAHAN, OF FLORIDA
SANDRA M. MUENCH, OF FLORIDA
JOHN G. RENDEIRO JR., OF PENNSYLVANIA
GEORGE ROVDER, OF VIRGINIA
ELIZABETH U. SINES, OF CALIFORNIA
AGU SUVARI, OF RHODE ISLAND
LEVIA F. SWAIN JR., OF WEST VIRGINIA
KENNETH EDWARD SYKES, OF FLORIDA
CHARLES R. WILLS, OF WASHINGTON

IN THE AIR FORCE

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

GEN. HAL M. HORNBURG, 0000

IN THE ARMY

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY, ARMY JUDGE ADVOCATE GENERAL'S CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

DONALD W. DAWSON III, 0000

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY, ARMY JUDGE ADVOCATE GENERAL'S CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

DANIEL M. MACGUIRE, 0000

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY, ARMY JUDGE ADVOCATE GENERAL'S CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

CHRISTOPHER M. MURPHY, 0000

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY, ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

DANIEL F. LEE, 0000

CONFIRMATIONS

Executive nominations confirmed by the Senate October 16, 2001:

DEPARTMENT OF ENERGY

LINTON F. BROOKS, OF VIRGINIA, TO BE DEPUTY ADMINISTRATOR FOR DEFENSE NUCLEAR NONPROLIFERATION, NATIONAL NUCLEAR SECURITY ADMINISTRATION.

DEPARTMENT OF DEFENSE

WILLIAM WINKENWERDER, JR., OF MASSACHUSETTS, TO BE AN ASSISTANT SECRETARY OF DEFENSE.

THE ABOVE NOMINATIONS WERE APPROVED SUBJECT TO THE NOMINEES' COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

IN THE AIR FORCE

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE, TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

AIR FORCE NOMINATION OF COL. DAVID F. BRUBAKER.

AIR FORCE NOMINATION OF COL. MICHAEL W. CORBETT.

IN THE ARMY

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT AS THE ASSISTANT JUDGE ADVOCATE GENERAL, UNITED STATES ARMY AND FOR APPOINTMENT TO THE GRADE INDICATED UNDER TITLE 10, U.S.C. SECTION 3037:

To be major general

ARMY NOMINATION OF BRIG. GEN. MICHAEL J. MARCHAND.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C. SECTION 601:

To be lieutenant general

ARMY NOMINATION OF MAJ. GEN. JOHN M. LE MOYNE.

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

ARMY NOMINATION OF LT. GEN. LARRY R. JORDAN.

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

ARMY NOMINATION OF LT. GEN. KEVIN P. BYRNES.

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

ARMY NOMINATION OF LT. GEN. PAUL J. KERN.

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

ARMY NOMINATION OF MAJ. GEN. JOSEPH R. INGE.

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

ARMY NOMINATION OF LT. GEN. JOHN P. ABIZAID.

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601, AND TO BE A SENIOR MEMBER OF THE MILITARY STAFF COMMITTEE OF THE UNITED NATIONS UNDER TITLE 10, U.S.C., SECTION 711:

To be lieutenant general

ARMY NOMINATION OF MAJ. GEN. GEORGE W. CASEY JR.

IN THE NAVY

THE FOLLOWING-NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

NAVY NOMINATION OF CAPT. RICHARD K. GALLAGHER.

NAVY NOMINATION OF CAPT. THOMAS J. KILCLINE JR.

AIR FORCE NOMINATIONS BEGINNING GINO L AUTERI AND ENDING JESUS E ZARATE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 10, 2001.

AIR FORCE NOMINATIONS BEGINNING RICHARD E AARON AND ENDING *DELIA ZORRILLA, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 10, 2001.

ARMY NOMINATIONS BEGINNING GEORGE M. GOUZY III AND ENDING CARROL H. KINSEY JR., WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 21, 2001.

ARMY NOMINATIONS BEGINNING JEFFREY E. ARNOLD AND ENDING TIMOTHY L. SHEPPARD, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 21, 2001.

ARMY NOMINATION OF GREGORY A. ANTOINE.

ARMY NOMINATION OF STEPHEN C. BURRITT.

MARINE CORPS NOMINATION OF HENRY J. GOODRUM.

NAVY NOMINATIONS BEGINNING RICHARD D. ANDERSON III AND ENDING JAMES P. INGRAM, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 21, 2001.

NAVY NOMINATION OF BRADLEY J. SMITH.

NAVY NOMINATIONS BEGINNING RICHARD A. GUERRA AND ENDING JEFF B. JORDEN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 2, 2001.

NAVY NOMINATION OF MARTIN B. HARRISON.

NAVY NOMINATION OF MICHAEL S. SPEICHER.

NAVY NOMINATION OF GARY W. LATSON.

NAVY NOMINATION OF ROBERT S. SULLIVAN.

NAVY NOMINATIONS BEGINNING KEVIN T AANESTAD AND ENDING JOHN J. ZUHOWSKI, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 10, 2001.

EXTENSIONS OF REMARKS

IN HONOR OF THE NEW YORK CITY FIREMEN

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 2001

Mr. KUCINICH. Mr. Speaker, I rise today to honor the New York City Firemen, and to submit for the record a brief article written by one of my constituents, Mr. Matthew T. Fitzsimmons. Mr. Fitzsimmons truly captures the selfless nature of the hundreds of firemen that have risked their lives since September 11th, and those that continue to put themselves in harm's way. It is my hope that this article inspires you to realize the true American spirit embodied by ''New York's Bravest.''

CLIMBING A STAIRWAY TO HEAVEN

(By Matthew T. Fitzsimmons)

I have always been proud to be the son of a retired New York City fireman (Marine Co. 9) and brother of a current New York City fireman (Ladder Co. 77). I was born and raised in the tradition and culture of the New York City Fire Department. I am now a lawyer in Cleveland.

Last Tuesday morning at the World Trade Center, New York City firefighters demonstrated to the world, in the most graphic manner imaginable, why they are called New York's Bravest. As tens of thousands evacuated the Twin Towers in mass hysteria, the firefighters, with complete and utter disregard for their own safety, ran into and up the buildings to rescue the injured and others in need of help. It was an extraordinary act of bravery.

Up thirty, forty, fifty, sixty, seventy floors, and higher, with full gear. A height at which you could almost reach out and touch the face of God. Unbeknownst to them, they were climbing a stairway to heaven.

There have been many words used to describe last week's attack on our country: horrific, horrendous, barbaric, tragic, and surreal. For me, there was nothing more horrific, horrendous, barbaric, tragic, surreal—and sickening—than Tuesday's TV graphic that approximately three hundred New York City firefighters were missing, and presumed dead. It is a number that is beyond comprehension—beyond comprehension. It is numbing. Three hundred firefighters—about fifty companies—are significantly more than are on duty in the entire City of Cleveland on any given day.

My thoughts this past week have not been on the faraway lands of Afghanistan, Pakistan, or the Middle East, but on the neighborhoods of Brooklyn, Queens, Staten Island, and the closer in suburbs of Long Island, where families of many firefighters live. The sense of loss and grief in those neighborhoods must be unbearable and unspeakable. I am very sorry for their loss, and mourn with them. To paraphrase Will Rogers' eulogy of President Woodrow Wilson, last Tuesday the world lost three hundred of its greatest friends. Tellingly, it now appears that about ten percent of those who died at the World Trade Center died trying to rescue others.

Firefighters in all cities share many admirable qualities. They are, for the most part, good family men and women. They love kids, and are good with, and make time for, them. They make great Little League coaches, pee-wee football coaches, and CYO basketball coaches—much more so than doctors, lawyers, investment bankers, and the dotcom crowd. Because they face death with the ring of every alarm bell, they appreciate how valuable and precious life is—each life. Above all else, they are extraordinarily brave.

When my father died in 1996, a reporter from one of the New York newspapers asked if he could deliver the eulogy at his funeral Mass. In the early 1970's, this reporter had witnessed my father, then the pilot of the Firefighter (the world's largest and most powerful fireboat), make a rescue in New York Harbor after a freighter and a container cargo ship collided near the Verrazano-Narrows Bridge. Scores of people were incinerated in the collision. My father had maneuvered the Firefighter between the two burning ships and rescued about twenty-five crewmen, who were trapped and jumping overboard. The heat was so intense that it melted the paint off the Firefighter's decks. The reporter, a safe distance away on a tugboat, thought the Firefighter was going to catch on fire, explode, and sink. The reporter recounted this rescue in the eulogy, and concluded by saying: ''Your father was the bravest man I ever knew.'' My brothers and sisters and I were very proud to hear this tribute to our father.

In the upcoming days and weeks, there will be funeral Masses and services for all of these fallen heroes. I hope that at these Masses and services someone will tell the children of each one of these deceased firefighters that their father or mother ''was the bravest person I ever knew.''

Although America can be, at times, a country with a short memory, I am sure that America—indeed the entire world—will never, ever forget the bravery which the men and women of the New York City Fire Department displayed last Tuesday. I am confident that when those firefighters reached the top of that stairway to heaven, Our Lord and St. Peter were likewise in awe of their bravery.

100th ANNIVERSARY OF SS. PETER AND PAUL UKRAINIAN CATHOLIC CHURCH IN AUBURN, NY

HON. JAMES T. WALSH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 2001

Mr. WALSH. Mr. Speaker, I rise today in recognition of the 100th anniversary of SS. Peter and Paul Ukrainian Catholic Church in Auburn, NY. The congregation gathered to recognize this important milestone during a Centennial Jubilee celebration on Sunday, September 30, 2001.

It was during the pontificate of Pope St. Pius X that the first Ukrainian Catholic Bishop was appointed in the United States. An occasion such as the Centennial Jubilee was an appropriate time for the parish to reaffirm their loyalty to the currently reigning Pope Paul VI.

Many Ukrainian Catholic priests served the Parish during the past 100 years as visitors, pastors/administrators, assistant pastors, missionaries, and substitutes. There were also many parochial projects that the pastors directed throughout the years.

This celebration was a time for reflecting on the love and dedication by members of the parish. Gratitude was given to those who devoted time and effort toward the well-being of the parish and also those who used their talents in special fields for the benefit of the parish.

On the occasion of its 100th anniversary, it is my honor to recognize the people of SS. Peter and Paul Ukrainian Catholic Church and to extend best wishes for many more successful years of faith-based ministry to follow.

PATRIOT ACT OF 2001

SPEECH OF

HON. MARTIN T. MEEHAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 12, 2001

Mr. MEEHAN. Mr. Speaker, I have been proud to serve as a member of the House Judiciary Committee over the past month. In the past, our committee has had a reputation for confrontation—not consensus. But when terrorists destroyed the World Trade Center and assaulted the Pentagon, the Judiciary Committee beat its swords into plowshares.

Under the leadership of JIM SENSENBRENNER and JOHN CONYERS, we came together to produce a bipartisan bill that updates law enforcement's arsenal against terrorism without casting aside our fundamental liberties.

Our efforts produced a balanced bill that received a unanimous vote—a historic accomplishment. I wish it were the Judiciary Committee bill on the floor today.

Unfortunately, today's floor debate has tainted that accomplishment. The short-circuiting of the regular order clouds what should have been a day of unanimity.

Nonetheless, I rise in support of the antiterrorism legislation before us. While the bill is not perfect, it does maintain an acceptable balance between bolstering law enforcement powers and protecting our civil liberties.

In fact, when I read the Senate bill, I see much of the House Judiciary Committee's work reflected in that product.

Since our surveillance laws were first enacted, the terrorists have gotten smarter, faster, and richer. The technology that brings us unprecedented convenience has brought them unprecedented opportunities to wreak havoc. It's time for law enforcement to catch up.

I only regret that today's action won't have quite the bipartisan shine it should.

TRIBUTE TO CELIA CRUZ

HON. JOSÉ E. SERRANO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 2001

Mr. SERRANO. Mr. Speaker, I rise today to pay tribute to Ms. Celia Cruz, known as the ''Queen of Salsa,'' who is being presented with the James Smithson Bicentennial Medal for her countless contributions to American culture and music for more than 40 years. I would also like to thank Ms. Cruz for her generous donation of a marvelous gown to the National Museum of American History which will be included in the exhibit ''Moda y Musica: Stage, Fashion and Style'' in commemoration of Hispanic Heritage Month.

Throughout her childhood in Havana, Cuba, Ms. Cruz's passion for music was well-known. As a young adult she became more serious about this passion. Already noted for her pregón singing (a vocal style which evolved from the calls, chants, and cries of street vendors) and various songs that had earned her local fame, Cruz enrolled at the Conservatory of Music to study voice and theory. Ms. Cruz has always appreciated the power of music, particularly the power of salsa and other forms of Hispanic music. Salsa music is the pulse of many Hispanic cultures and has in recent years been discovered and revered by people throughout the world.

Mr. Speaker, Ms. Cruz left Cuba in 1960 and began recording with the legendary Tito Puente and his band in the United States, where they brought the heat and rhythm of Cuba and Puerto Rico to the streets of New York City, Puente's birth city. Ms. Cruz went on to marry her long-time friend and colleague Pedro Knight on July 14, 1962. Knight was the first trumpeter of Cruz's famed orchestra, La Sonora Matancera, and had known the singer for over 14 years. Knight has served as Cruz's protector, manager, and musical director ever since and gave her the golden ''Salsa'' engraved earrings she still wears.

Throughout Ms. Cruz's illustrious career, she has toured the world and appeared in numerous films, most notably the 1992 release, ''Mambo Kings.'' She also played the role of La Gracia Divina in the goundbreaking opera ''Hommy'' at Carnegie Hall in 1973. Ms. Cruz has recorded over 70 albums. Many fans say that while her albums are among their most treasured, nothing compares to hearing the singer live in concert. Critics around the world have noted that she electrifies the stage. These accomplishments have earned Ms. Cruz the prestigious James Smithson Bicentennial Medal, awarded under the authorization of the Secretary of the Smithsonian to people who have made distinguished contributions to the advancement of society and culture.

After nearly half a century of high-energy concerts, album recordings, interviews and other speaking engagements, Ms. Cruz is still in high demand. To illustrate that fact, Mr. Speaker, I should mention that Ms. Cruz took home the 2000 Latin Grammy award for Best Salsa Performance. I ask my colleagues to Join me in congratulating Celia Cruz on earning the James Smithson Bicentennial Medal and in thanking her for decades of legendary music and for her terrific spirit.

TERRITORIAL CONCESSIONS TO YASSER ARAFAT—UTTERLY UNACCEPTABLE

HON. ERIC CANTOR

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 2001

Mr. CANTOR. Mr. Speaker, I rise today in response to a series of recent news reports indicating that the State Department is developing a plan to pressure Israel to make territorial concessions to Yasser Arafat. The latest indications point to Israel even having to give up part of Jerusalem.

Mr. Speaker, such a proposal is utterly unacceptable.

I find it hard to believe that anyone would choose now as the time to put pressure on our only democratic friend in the Middle East, a friend that has been at the mercy of terrorists for decades.

According to a recent poll, the vast majority of Palestinians oppose the American air strikes against Afghanistan, and one in four believes terrorism against the United States is okay.

Terrorism is terrorism wherever it occurs: New York, Washington, Jerusalem, or Tel Aviv. Until Yasser Arafat rids himself of his ties to terrorism, he should not be rewarded with statehood.

INTRODUCTION OF THE ''VIETNAM VETERANS BILL FOR ALASKA NATIVES''

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 2001

Mr. YOUNG of Alaska. Mr. Speaker, I am pleased to introduce legislation to provide for the equitable treatment of Alaska Native Vietnam veterans. My bill will amend Section 41 of the Alaska Native Claims Settlement Act (ANCSA). This section applies to the Native Allotments for Alaska Native Vietnam veterans.

In 1998, P.L. 105–276 (Section 432) amended the Alaska Native Claims Settlement Act (ANCSA) to provide Alaska Native Vietnam veterans an opportunity to obtain an allotment of up to 160 acres of land under the Native Allotment Act. There are approximately 2,800 Alaska Natives who served in the military during the Vietnam conflict who did not have an opportunity to apply for their Native allotment. When P.L. 105–276 became law, many Alaska Native Vietnam veterans were encouraged with the belief that they would finally receive recognition for their military service to the United States. Many Alaska Native Vietnam veterans saw this as their last opportunity to obtain land which had been used by their families for generations for subsistence purposes. That opportunity was lost to 1,700 Alaska Native Vietnam veterans who were excluded by the terms of P.L. 150–276 (which was harshly enforced by the previous Administration).

P.L. 105–276 contains three major obstacles which prohibit Alaska Native Vietnam veterans an opportunity to select and obtain their Native allotment. These obstacles are so formidable that 48% of the total Alaska Native Vietnam veteran allotment applications which have been filed (as of September 27, 2001) have been rejected [according to the Bureau of Land Management (BLM)]. The BLM also reports that only 116 applications for Alaska Native Vietnam veterans' allotments have been filed and 56 of those applications have been rejected. The reasons for all but 16 of the rejections are for one of the following reasons: (1) the land applied for is not available; and/or (2) the dates that the Alaska Native Vietnam veteran served during the Vietnam conflict did not coincide with those required under P.L. 105–276.

P.L. 105–276's first obstacle is: Alaska Native Vietnam veterans can only apply for land that was vacant, unappropriated, and unreserved when their use of the land first began. Land that is available to Alaska Native Vietnam veterans for allotments is extremely limited or non-existent. For example, out of the 116 applications filed thus far, 36% have been rejected because the land applied for is not available under P.L. 105–276. Most land in Alaska is out of reach for Alaska Native Vietnam veteran allotments. Lands that are expressly not available for allotments are lands in a National Forest, selected by the State of Alaska or Alaska Native Claims Settlement Act Native Corporations or under a public land law, camping sites, designated wilderness, and acquired by the federal government through gift, purchase, or exchange.

The second obstacle is: Alaska Native Vietnam veterans can only apply if they served in active military duty from January 1, 1969 to December 31, 1971 (even though the Vietnam conflict began August 5, 1964 and ended May 7, 1975). The dates of January 1969 to December 1971 were adamantly required by the previous Administration because they did not want to give up any additional federal lands in Alaska. Approximately 1,700 Alaska Native Vietnam veterans who served during the Vietnam conflict are not eligible for an allotment under existing law because they do not meet the military service date's requirement. Many of those 1,700 veterans did not even apply, but those who did have been rejected. Of all of the applications rejected, 13% were rejected because the Alaska Native Vietnam veteran's military service dates did not meet the existing requirements.

The third obstacle is: Alaska Native Vietnam veterans must prove they used the land (applied for in their native allotment application) in a substantially continuous and independent manner, at least potentially exclusive of others, for five or more years. This requirement was not in the original Native Allotment Act, nor has it been required of other Alaska Native allotment applicants. This requirement further penalizes our Alaska Native Vietnam veterans and will certainly cause many applications to be rejected. Further, adjudication of use and occupancy issues will take years and will be very costly.

My proposed legislation will increase the available land by authorizing Alaska Native Vietnam veterans to apply for land that is federally owned and vacant. The lack of available land under existing law nullifies the very purpose of granting Alaska Native Vietnam veterans an allotment benefit. This is true because most land in Alaska is not available for Alaska Native Vietnam veteran allotment applications under existing laws. For example,

there is no land available in southeast Alaska because it either is within the Tongass National Forest or has been selected or conveyed to the State of Alaska or ANCSA Native Corporations. In addition, vast areas of land in Alaska were withdrawn before most Alaska Native Vietnam veterans could have made qualifying use of the land. In contrast, federally owned ''vacant'' land is still available throughout Alaska and should be made available for Alaska Native Vietnam veteran allotments.

My legislation will also expand the military service dates to the dates that coincide with the entire Vietnam era conflict: beginning August 5, 1964 and ending on May 7, 1975. The expansion of military service dates to include all Alaska Natives Vietnam veterans who served in the military during the Vietnam conflict is consistent with the federal government's policy of providing benefits to all veterans of the Vietnam conflict and not just to some of those veterans. This provision also fulfills the trust obligation to Alaska Natives. The limited military service dates have excluded many Alaska Native Vietnam veterans who bravely served during the Vietnam conflict. Never before has the United States given veteran land benefits to only a portion of those who served their country. The federal government has given public land benefits to all veterans (or their widows or heirs) of every war beginning with the Indian Wars of 1790 and ending with the Korean conflict in 1955. As Members will recall, Alaska Native veterans were not eligible for these public land benefits until 1924 because the courts had determined Alaska Natives were not United States citizens.

My legislation will also replace existing use and occupancy requirements with legislative approval of allotment applications. The provision assures the legislative approval process affords due process protections of valid existing interests in the land a veteran claims. The use and occupancy requirements would be replaced with legislative approval for several reasons. First, Congress has made legislative approval available to all other allotment applicants under 43 U.S.C. Section 1634(a)(1)(A)—[Section 905 of the Alaska National Interest Lands Conservation Act (ANILCA) which extends the legislative approval of Native allotments that were pending at the time of passage of ANILCA]. Second, legislative approvals of allotments prevent costly and lengthy adjudication of use and occupancy issues. Legislative approval also prevents lengthy delays that will impede many Alaska Native Vietnam veteran applicants from ever receiving land during their lifetime. Third, there are many Alaska Native Vietnam veterans that could not meet use and occupancy requirements as a result of their service to their country, One example that illustrates this point is that a deserving Alaska Native Vietnam veteran who was paralyzed during the Vietnam conflict would be rejected if that veteran was unable to complete the five years of use of the claimed land and had not used the land for five years before the Vietnam conflict.

My legislation addresses the formidable barriers that deserving Alaska Native Vietnam veterans face when applying for a Native allotment under P.L. 105–267. For many years, Alaska Natives have had a unique legal relationship with the United States. Because of this unique relationship, Alaska Natives have steadfastly answered a call to duty when the United States called during a conflict or an act of war. Alaska Natives did so in disproportionately high numbers during the Vietnam conflict. Those who answered the call during the entire Vietnam conflict should not be penalized for their service to their country.

My proposed legislation will correct those inequities imposed by the last Administration in allowing all of the Alaska Native Vietnam veterans to apply for their Native allotment under the Native Allotment Act. I urge America's support of this legislation and of the Alaska Native Vietnam veterans who bravely served this great country during the Vietnam conflict. Fulfill our promise to all Alaska Native Vietnam veterans and allow them to obtain their Native allotment under the Native Allotment Act.

IMPORTANCE OF BINATIONAL HEALTH WEEK

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 2001

Mr. RADANOVICH. Mr. Speaker, I come before the House today to highlight the importance of Binational Health Week, BHW, as proclaimed by the Fresno California County Board of Supervisors. Binational Health Week takes place this week, October 12–19, and it marks the beginning of the California-Mexico Health Initiative (CMHI) action plan. The CMHI is a cooperative working group between a number of local organizations in the Central Valley, and it works as a cultural bridge between migrants' health needs and available health care services in selected Mexican states as well as selected regions of California.

The Binational Health Week promotes and reinforces healthy behavior among migrant families. It will reinforce California's vaccination campaigns by specifically targeting migrant families, and reinforce Mexican vaccination efforts. BHW will promote flu vaccination among high-risk migrant adults and provide migrant families with information on health resources and services available in selected counties in California. Finally, healthcare providers will be given an updated directory containing information on migrant health resources in California and Mexico and disseminate current research on migrant health issues by promoting bilateral collaboration among researchers, health care providers and administrators to address service gaps and unmet needs.

This first Binational Health Week in California is conceived as a demonstration project to improve health care for migrants and will serve as the basis for future bilateral efforts. I certainly extend my support for Binational Health Week in California and urge members to become familiar of the cutting edge bilateral working group, the California-Mexico Health Initiative.

DOUGLAS H. PIERSON, RHODE ISLAND'S PRINCIPAL OF THE YEAR

HON. JAMES R. LANGEVIN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 2001

Mr. LANGEVIN. Mr. Speaker, I rise today to pay tribute to Douglas Pierson, principal of North Kingstown's Hamilton Elementary School who was recently named a National Distinguished Principal by the U.S. Department of Education and the National Association of Elementary School Principals.

Mr. Pierson was selected for this honor for his outstanding leadership, and inter-personal and management skills. Throughout his tenure at Hamilton Elementary, Mr. Pierson has created a trusting environment where students, teachers, staff, and parents are encouraged to reflect, learn from their mistakes, and be thoughtful and creative about every aspect of their educational experience.

While Federal officials are just beginning to fully recognize the value of continuous learning for teachers and staff, Mr. Pierson has been encouraging it among his faculty for years. By modeling teaching strategies and disseminating research on innovative education practices, Mr. Pierson has improved instruction for each and every student at Hamilton. It was Mr. Pierson's leadership that led Hamilton Elementary to conduct a study of its effectiveness, and it is his guidance that allows time for each teacher to consider his or her instructional methods in light of the study's conclusions.

In addition to being an outstanding administrator, Mr. Pierson is an extraordinary teacher. From playing the ukulele to demonstrating mime to first-graders to dressing up as ''Zero the Hero,'' complete with tights, a cape and hood, Mr. Pierson shows that he values students above all else.

Mr. Pierson was selected for this honor from among nominees of schools all over the State. U.S. Education Secretary Rod Paige will recognize him at a ceremony here in Washington on October 19. I am very much looking forward to welcoming Mr. Pierson to our Nation's Capitol and congratulating him on this impressive honor in person.

Mr. Speaker, we all know the immense challenges associated with true leadership. True leadership inspires people to be their best, to collaborate, and to work together toward long-term and often intangible goals. Mr. Douglas Pierson consistently displays true leadership, and, on behalf of the Second Congressional District of Rhode Island, I would like to extend a heartfelt thank you for his efforts.

HONORING THE BUCKS COUNTY HOUSING GROUP AND BUCKS COUNTY COMMUNITY COLLEGE (BCCC) STUDENTS IN FREE ENTERPRISE FOR OUTSTANDING ACHIEVEMENT OF WHEELZ 2 WORK PROGRAM FOR HOUSING CLIENTS

HON. JAMES C. GREENWOOD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 2001

Mr. GREENWOOD. Mr. Speaker, I would like to take this opportunity to pay tribute to the Bucks County Housing Group and the Bucks County Community College Students in Free Enterprise for the remarkable achievements of the Wheelz 2 Work Program. This innovative program provides donated cars to clients receiving services through the Bucks County's Homeless Assistance Program.

As many of you are well aware, reliable transportation is critical to clients pursuing education, training, and employment as a means of securing self-sufficiency and permanent housing. The Wheelz 2 Work Program fills this need in addition to providing the community a tangible opportunity to be involved in a family's success. The program helps establish a long-term solution by providing a key element that allows people to maintain employment and/or advance in education.

Of significant achievement is the donation of the program's 100th car this October 2001. Nancy Lawrence of Pipersville is donating her 1985 Honda Accord to Housing Group client Michelle Heintz. Ms. Heintz, a single mother with a 3-year-old child, recently graduated from a medical assistant training program. Thanks to the highly successful Wheelz to Work Program, Ms. Heintz will now have a reliable way to get to work.

Students in Free Enterprise (SIFE) is a nonprofit organization that gives students the tools to learn the free enterprise system in a real working situation. SIFE challenges students on more than 700 college campuses worldwide to take what their learning in the classroom and use this knowledge to better local communities. Bucks County Community College SIFE students launched the Wheelz 2 Work in 1995 as an integral part of its community outreach activities. These students have brought extraordinary energy and leadership to the partnership with the Bucks County Housing Group on behalf of the agency's housing clients.

The Bucks County Housing Group is a private, nonprofit social service agency that provides comprehensive continuum of housing programs for homeless and low-income families throughout Bucks County. Founded in 1979 in response to the increase in the number of homeless families in the county, the Housing Group has worked cooperatively with both the public and private sectors to develop and expand essential services. At present, the Housing Group operates four homeless shelters, two transitional housing programs, a food pantry program and owns and operates three apartment complexes. In addition, the agency offers a First-time Homebuyers' Program and a Homeowners' Emergency Mortgage Assistance Program.

The Bucks County Housing Group and the BCCC Students in Free Enterprise have substantially improved the quality of life for 100 families in their county through their exemplary collaborative efforts. They will continue their important effort to reach out to many others. For this I ask my colleagues to join me in honoring these two organizations for outstanding service to the community.

HONORING BLUE RIBBON SCHOOL RECIPIENTS

HON. RANDY "DUKE" CUNNINGHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 2001

Mr. CUNNINGHAM. Mr. Speaker, I am proud to rise today to recognize that seven blue ribbon schools in my 51st Congressional District of California are being honored as National Blue Ribbon Schools for 2001.

In alphabetical order, these schools are:

Chaparral Elementary School, Poway, CA. The principal is Holly Brommer, and the superintendent of the Poway Unified School District is Donald Phillips.

Del Mar Hills School, Del Mar, CA. The principal is Gary Wilson, and the superintendent of the Del Mar Union School District is Thomas Bishop.

Los Penasquitos School, San Diego, CA. The principal is Jeffrey King, and the superintendent of the Poway Unified School District is Donald Phillips.

Olivenhain Pioneer Elementary School, Carlsbad, CA. The principal is Emily Andrade, and the superintendent of the Encinitas Union School District is Doug DeVore.

Park Village Elementary School, San Diego, CA. The principal is Kathy Cleveland, and the superintendent of the Poway Unified School District is Donald Phillips.

Solana Highlands School, San Diego, CA. The principal is Brian McBride, and the superintendent of the Solana Beach School District is Ellie Topolovac.

Westwood Elementary School, San Diego, CA. The principal is Suzanne Roy, and the superintendent of the Poway Unified School District is Donald Phillips.

The National Blue Ribbon Schools program evaluates schools based upon their effectiveness in meeting local, state and national educational goals. In 2001, 264 elementary schools are being recognized as National Blue Ribbon Schools, including the seven above in California's 51st Congressional District, and 43 in the State of California. Blue Ribbon status is awarded to schools that have strong leadership, clear vision and mission, excellent teaching and curriculum, policies and practices that keep the schools safe for learning, expanded involvement of families, evidence that the school helps all students achieve high standards, and a commitment to share best practices with other schools.

I am immensely proud of the men and women whose outstanding and tireless work in the interest of better education has now been recognized through the National Blue Ribbon Schools program. This is particularly close to my heart, because, as a former teacher and coach, and as a father, one of my passions is improving education so that every American can have a fighting chance to achieve the American dream.

And while these seven schools in my district have now been recognized as National Blue Ribbon Schools, the real winners are all of the children, parents, teachers and citizens who have all been challenged through this recognition to successfully improve education in all of their local communities.

PATRIOT ACT OF 2001

SPEECH OF

HON. PATSY T. MINK

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Friday, October 12, 2001

Mrs. MINK of Hawaii. Mr. Speaker, on September 11, 2001 our national tranquility was shattered by terrorists dedicated to violence at a scale we have not seen before. All of us watched in horror as airplanes were used as weapons of mass murder.

Following the attacks, the administration warned us that the terrorists operated within the United States. The Attorney General came to Congress and asked for broad powers to rout out the terrorists who may remain among us.

Fear has crept over our nation. Many Americans across the nation look with suspicion at their Muslim and Arab neighbors. People refuse to touch letters from far away countries. Passengers are denied access to planes because they have last names that sound Arabic. Mosques and businesses owned by Arab American have been attacked by vandals. Some Arab Americans have tragically lost their lives in acts of racial hatred.

As legislators, we need to ensure that any measure designed to strengthen federal investigative powers do not go too far. We must not let fear entice us to toss away the civil liberties that are the centerpiece of our democratic society.

I agree that America must pursue the villains who conspired to kill innocent Americans and to bring our country to a grinding halt. But we must not violate constitutional principles in our search for the conspirators.

The measures included in the USA Act go too far. We tossed away the bipartisan compromise painstakingly passed unanimously by the House Judiciary Committee. We were denied legislative due process. The Committee decision was trashed.

H.R. 2975 allows law enforcement agencies to wiretap and monitor Internet use whenever intelligence gathering constitutes a ''significant purpose'' of the surveillance. We should not expose citizens to invasions of privacy under vague phrases such as ''significant purpose.''

The bill H.R. 2975 does not include adequate safeguards to prevent the government from monitoring the communications of innocent people. Citizens may be monitored simply by using a pay phone frequented by terrorists. People may have the shadow of suspicion cast over them by calling a suspected terrorist. Guilt by association will take us back to the dark days of the baseless inflammatory accusations made by the House Un-American Activities Committee.

H.R. 2975 gives the Immigration and Naturalization Service unchecked ability to detain aliens for up to seven days without charges. If the Attorney General continues to detain an individual after seven days, the bill limits the suspect's ability to appeal their detention.

We do not need to expand existing powers the government has used to detain 698 people

during its terrorist investigations. At least 165 people have been held for violating immigration laws and can be detained indefinitely if the government begins deportation proceedings. The government does not even need to prove that they are suspects. Many are detained merely because they are material witnesses.

The bill H.R. 2975 allows grand jury and other sensitive information to be shared with other agencies. It will allow law enforcement and intelligence agencies to share information without a court order. Absent judicial oversight, a key element that prevents significant abuses of power by our law enforcement agencies is removed.

Under H.R. 2975, the government will define ''federal terrorism offense'' as the intent to influence or affect the conduct of government by intimidation or coercion, or to retaliate against government conduct. This unclear definition may include groups such as Green Peace along with the terrorists.

These measures will take us back to the time when the FBI and CIA investigated citizens such as Martin Luther King and his associates simply because they were deemed a threat to the nation.

Does anyone want to live in a country where you must hide your thoughts and avoid associations for fear of becoming tainted as a terrorist sympathizer?

We must not allow the terrorists to scare us into destroying our cherished values and rights.

I urge my colleagues to listen to the voices of moderation and reason. Do not toss away our sacred civil liberties.

Vote ''No'' on H.R. 2975 to protect the constitutional principles that have protected the citizens of this nation for more than 200 years.

PATRIOT ACT OF 2001

SPEECH OF

HON. DIANA DeGETTE

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, October 12, 2001

Ms. DEGETTE. Mr. Speaker, I rise to vehemently oppose H.R. 3081, the Anti-Terrorism bill. In this time of national emergency, Congress must work to provide law enforcement with the necessary capabilities to fight terrorists in the 21st century. However, Congress must also remember that we are dealing with very precious civil liberties that we must not trample.

Today, Congress is considering greatly expanding the power of the federal government to access information and listen to the conversations of people in the United States. We are considering providing greater authority for law enforcement to tap phone lines, to track email and internet addresses, and to swap sensitive information. Issues with this magnitude require cautious consideration with ample time to ponder the consequences.

After careful deliberation, House Judiciary Committee on October 11, 2001 passed H.R. 2975, the ''Provide Appropriate Tools Required to Implement and Obstruct Terrorism (PATRIOT) Act.'' In fact, the committee recognized the importance of the subject matter and the potential consequences of the bill and passed H.R. 2975 unanimously. This bill enjoyed broad bipartisan support from the Judiciary Committee and members of the full House.

However, in an end run around bipartisanship and the committee process, the House majority leadership brought a different and controversial bill to the floor without allowing time for committee consideration and without even giving Members time to figure out what the bill does. Actually, this new bill was being written at the same time that the House was supposed to be debating the bipartisan PATRIOT Act.

The new 187-page bill contained some very distressing provisions. Under current law, search warrants must include very specific information including what is to be searched, who must cooperate, and who is the target of the search. A provision in the new bill would allow federal investigators to obtain search warrants without specifically naming each person who is involved. Another provision would allow federal authorities to obtain information like credit card numbers and bank account numbers with a subpoena, not a court order, as is the case under current law. Also, many of the provisions that expand the government's search and surveillance powers would not allow Congress to review the new powers until 2006.

Yet, instead of bringing up a bipartisan bill that has worked its way through the committee process, the House Majority hastily brought a very large and complicated bill to the floor that could have serious consequences for the liberties of the American public. Congress must update its anti-terrorism laws for the 21st century, however, we must not sacrifice our civil liberties in a rush to vote on potentially dangerous legislation that has not been adequately reviewed by lawmakers.

HONORING THE 50TH ANNIVERSARY OF THE LITHUANIAN AMERICAN COMMUNITY

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 2001

Mr. KUCINICH. Mr. Speaker, I rise today to honor the 50th anniversary of the Lithuanian American Community, Inc. on this great day, the 12th of October, 2001.

The Lithuanian American Community celebrates Lithuanian heritage and provides educational, cultural, and social services to its membership. Founded in 1951, LAC, Inc. has kept Lithuanian heritage and religious traditions alive in America through its network of Lithuanian Heritage and Language Schools, which provide classes to Lithuanian Americans of all ages.

In the United States today, there are approximately 800,000 people of Lithuanian descent. LAC, Inc. offers a variety of services to Lithuanian Americans. The Human Services Council of the Lithuanian American Community provides legal aid, medical assistance, and other services to Lithuanian Americans across the country.

This organization educates the general public about Lithuanian heritage and seeks to spread their rich culture. The Lithuanian American Community sponsors events such as folk dances, art and science symposiums, and theater festivals.

The Lithuanian American Community has long remained focused on sharing their cultural history through events open to the public, and educating other citizens of their rich and deep culture. They have done an excellent job of supporting cultural interaction between the United States and Lithuania.

Mr. Speaker, please join me in recognizing the 50th anniversary of the Lithuanian American Community, a great organization that has provided support for Lithuanian Americans, and enriched Cleveland with the contribution of their culture and heritage.

TRIBUTE TO HON. ROBERT A. CONTIGUGLIA

HON. JAMES T. WALSH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 2001

Mr. WALSH. Mr. Speaker, I rise today to pay tribute to a man who has dedicated his life to serving our nation, the 25th District of New York, Cayuga County, and the city of Auburn. From the day he enlisted in the U.S. Army, until today, as he steps down as Judge of Cayuga County Surrogate Court, he has exemplified nothing but dedication to our country and local community. I am honored to congratulate and thank the Honorable Robert A. Contiguglia for his ongoing support and devotion to our community.

Throughout his distinguished career, Judge Contiguglia has embraced several leadership roles with spirit and loyalty. He has served as Chairman of the city of Auburn Zoning Board, Cayuga County Supervisor, Chairman of Cayuga County Legislature, Assistant United States Attorney for the Northern District of New York, and Assistant Attorney General for the State of New York. He has been an attorney for 45 years and practiced law with his father Anthony J. and brother Louis.

Today we celebrate Judge Contiguglia's lifetime of achievements to express our gratitude for his 23 years of service on the Cayuga County Surrogate Court bench. On behalf of the people of the 25th District of New York, I am honored to congratulate Judge Contiguglia for his well-deserved retirement from public life, and thank him for his years of service to Central New York. We wish him and his family the very best.

THE MENTAL HEALTH COMMUNITY PARTNERSHIP ACT

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 2001

Ms. WOOLSEY. Mr. Speaker, Sonoma County, which I represent, as well as Stanislaus County in California, currently face a potential crisis in their mental health communities. In order for these County staffed inpatient psychiatric units to keep their Medicare provider status, under last year's HCFA rule, the hospitals would have to take over employment of County health care workers who currently provide the psychiatric care. Today I am introducing legislation that will enable the hospitals to keep their Medicare provider status

while allowing the health care workers to remain County employees. This is an avenue the counties and hospitals currently don't have under the HCFA rules. Under my bill, everyone wins: County employees keep their job status, the hospitals retain their Medicare provider status, and Medicare patients will continue to receive the high quality treatment that they deserve.

This predicament began when the agency formerly known as the Health Care Financing Administration (HCFA) issued the Provider-Based Rules (PBR) as part of the ''Outpatient Prospective Payment System'' final rule last year. The regulations were issued in an attempt to curb abuses and manipulation in the Medicare reimbursement system. However, it created an unintended consequence for my constituents.

The concept behind the PBR was to regulate hospital acquisitions of off-site physicians' offices to ensure these outpatient sites were sufficiently integrated with a hospital in order to receive the higher cost-based reimbursement available only to hospitals. HCFA's rule also stated that this applied to inpatient services. In effect, the PBR prohibits management companies from employing the health care workers who provide the care at its inpatient hospital units. While this may seem reasonable on the surface, this employment requirement presents a serious problem that HCFA did not intend when it issued the PBR. In the case of Sonoma and Stanislaus counties, the counties employ both the management staff and the health care workers at local Sutter hospitals' inpatient psychiatric units. In my district, Sonoma County currently manages and employs the staff at the former Oakerest psychiatric unit (now the ''Norton Center'') through a contract with Sutter Medical Center of Santa Rosa. Preserving this management contract arrangement between Sutter and the County is critical because current County health care workers have the necessary expertise to deliver this specialized type of care to patients. My bill will allow this type of public-private management contract arrangement to continue without threatening a hospital's Medicare provider status.

In accordance with the PBR, the Norton Center can meet the seven requirements that demonstrate it is an integrated part of the Hospital. However, it cannot meet HCFA's additional requirements for entities operating through management contracts. Unless it can comply with all the regulations, the Norton Center will not receive any reimbursement under the Medicare and Medicaid programs. If the Norton Center has to forfeit its role as a Medicare and Medicaid provider, it may have to stop providing services altogether since it serves a high percentage of Medicare and Medicaid beneficiaries. HCFA's recommendation is that entities in violation of the management contract requirements just employ the County health care workers directly. This is not a realistic remedy for Sonoma County because it would result in the termination of approximately 60 County employees. That's why I am pleased to offer the ''Mental Health Community Partnership Act,'' because I agree that the regulations were never intended to eliminate this form of public-private management contract arrangements or threaten access to essential health care services. Specifically, this bill allows a hospital to contract with a public entity to provide inpatient psychiatric services, if the health facility is operated or managed by a state or local government. It's a win-win for everyone because it preserves the rule's original goal to curb Medicare abuse, the Norton Center will keep its Medicare provider status, County workers will keep their job status, and Medicare and Medicaid patients will continue to enjoy access to inpatient psychiatric services. Congress should take this opportunity to protect quality jobs and provide access to comprehensive health care for our most needy.

HONORING JERRY POOLE ON HIS RECEPTION OF THE DOROTHY RICHARDSON AWARD FOR RESIDENT LEADERSHIP

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 2001

Ms. DELAURO. Mr. Speaker, it is with great pleasure that I rise today to pay tribute to an outstanding member of the New Haven, Connecticut community and my dear friend, Jerry Poole. Jerry was recently honored here in Washington by the Neighborhood Reinvestment Corporation with the Dorothy Richardson Award for Resident Leadership.

Dorothy Richardson emerged as a community resident leader in the mid-1960s in response to an urban renewal effort that threatened her neighborhood. Her diligent work with lenders city officials, foundation heads, community organizers, and her neighbors served as the vehicle to improve her neighborhood's housing stock. She later founded the first Neighborhood Housing Service in Pittsburgh and served as a model for the development of NHS partnerships across the nation. Each year the Neighborhood Reinvestment Corporation honors individuals who reflect the character and spirit of Dorothy Richardson. Jerry is one of only nine selected from thousands of volunteers in the 1,800 communities across the country served by the NeighborWorks network of nonprofit organizations for this prestigious national recognition.

Jerry has been the Executive Director of New Haven's Opportunities Industrialization Centers of America for the last fifteen years. He has dedicated his professional career to ensuring that the unemployed find work. His incredible dedication has opened up employment opportunities for thousands throughout Greater New Haven. In addition to his professional career, Jerry has spent innumerable hours working with his neighbors and community leaders to change the face of the West River neighborhood—giving residents a renewed sense of pride and hope in this community.

A dynamic neighborhood leader, Jerry's vision and tenacity has not only made a real difference in the West River Neighborhood but across the State of Connecticut. It was only eight short years ago that he joined the West River Neighborhood Association, a group of residents dedicated to improving their community. When they first started, the Association was a group of neighbors who met regularly at each others homes and never had much more than one hundred dollars in their checking account. Based on Jerry's simple belief that residents should give ten percent of their time to their neighbors, the group developed a strategic plan that is now coming to fruition. Under his leadership, the West River Neighborhood Association focused their attention on an ambitious plan. Partnering with the City of New Haven and the Mutual Housing Association of Southern Connecticut, the group worked hard on plans for the West River Memorial Park and to rehabilitate housing along George Street—a section of their neighborhood that had lacked attention for years. I had the opportunity to work closely with Jerry and his group to bring federal funding to the West River Memorial Park project and earlier this year, the West River neighborhood Association joined Mutual housing in breaking ground on a $1.3 million rehabilitation project on blighted properties.

The commitment and dedication Jerry has shown to our community and to the State of Connecticut is unquestionable. His advocacy and strong voice have gone a long way in enriching the lives of his neighbors and their families. I am honored to stand today to join with his wife, Joyce, daughter, Summerleigh, family, friends, and the New Haven community in congratulating Jerry Poole on this very special occasion.

HONORING KAREN MATHEWS' RETIREMENT

HON. GARY A. CONDIT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 2001

Mr. CONDIT. Mr. Speaker, I rise today to honor Karen Mathews on the occasion of her retirement.

First elected Stanislaus County Clerk-Recorder in 1990, her retirement on September 30, 2001, capped a 17-year career of dedicated public service. Perhaps most compelling is the price she paid for that public service.

In 1994, tax protesters assaulted Karen in her home because of her refusal to file fraudulent tax liens against local officials. Earlier, she had been subjected to repeated threats of violence but not once, for one moment, did she succumb to these threats.

Nine people were subsequently indicted by a federal grand jury, tried, and on May 1, 1997, convicted of conspiracy and obstruction of the Internal Revenue Service, assault on an elected official and federal racketeering. This trial signified the first prosecution of a sexual assault on an elected official by an anti-government splinter group. Sentencing ranged from six months in-home detainment, to approximately seven years in federal prison. On November 10, 1997, Roger Steiner, the assailant, was convicted and sentenced to 21 years, 10 months in federal prison.

Karen is the chairwoman of a special committee formed by the California State Recorder's Association to develop legislation to protect recorders dealing with threatening anti-government criminal extremists. Karen was instrumental in the passage of legislation, resulting in two California laws; one to protect public officials from general threats and harassment; and the other to expedite court resolution of frivolous documents.

She has testified twice before congressional committees regarding domestic terrorism. She is now working to pass federal legislation protecting victims from frivolous lawsuits brought

by inmates. Over the past three years she has been featured on NBC Dateline, periodicals such as People, The New York Times, Klanwatch, and a soon to be published article in The Ladies Home Journal. With this exposure, she hopes to help educate America on the danger and cowardice of anti-government extremists.

I want to commend and recognize Karen Mathews for her courage and outstanding service and dedication to the citizens of Stanislaus County. It is a privilege to call her my friend and I ask my colleagues to rise and join me in honoring her as she retires from public life.

HISPANIC HERITAGE MONTH

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 2001

Mr. RANGEL. Mr. Speaker, I rise today to emphasize the importance of Hispanic Heritage Month, September 15th–October 15th. A culture that began over 500 years ago as a fusion between Spanish and indigenous societies across the Americas, the Hispanic community has helped forge our Nation's identity and today the Latino population is the largest minority group in the United States. The Hispanic community enriches the ethnic diversity that makes our Nation unique, contributing greatly to the cultural, artistic, economic and political life of this country.

Like many other immigrants who came to this country in pursuit of the American dream, Hispanics have struggled to overcome adversity, fighting stereotypes and discrimination. This battle has not been easy and I salute all those that have worked to advance the prosperity of our Latino population. While this fight is far from over, we can see the results of our efforts throughout the Country, beginning with our Congress. Today, I am joined by a constantly growing number of Hispanic colleagues, each with a strong work ethic and committed to public service and the preservation of our democracy.

At home in New York City, I am proud to represent a district that reflects a cultural mosaic of Hispanic groups such as people of Puerto Rican, Dominican, Mexican and Cuban heritage. The influence of Latin culture is seen throughout the streets of Upper Manhattan from Washington Heights to El Barrio. It is an essential part of the cultural Mecca that defines the 15th congressional district and I am honored to speak for one of the Nation's most distinct groups.

More than our fellow citizens, Latinos are our brothers and sisters. I would like to honor and thank the entire Hispanic community its contributions to the past, present, and future of the United States.

IN HONOR OF THE 150TH ANNIVERSARY OF THE PARISH CHURCH OF OUR LADY OF GRACE

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 2001

Mr. MENENDEZ. Mr. Speaker, I rise today to honor and celebrate the 150th Anniversary of Our Lady of Grace Church. This church has served the community of Hoboken, New Jersey for many generations. The church will celebrate its anniversary on Saturday, October 20, 2001, at the Casino-In-The-Park Restaurant in Jersey City, New Jersey.

Our Lady of Grace Church is one of the largest Roman Catholic Churches in New Jersey. It was founded in 1851. Today, Our Lady of Grace Church stands as the focal point of Hoboken's Church Square Park. Its cornerstone was laid in 1875, construction of this grand edifice was completed in 1878 and dedicated by Bishop Corrigan.

Francis G. Himpler, a well-known 19th Century architect, designed this grand gothic structure. After the church dedication in 1878, members of the Italian and French royal families donated ceremonial works of art to decorate this magnificent dwelling.

This Church is well known for its kindness, charity, and for its involvement in the parish. Our Lady of Grace Church stands poised to continue to make invaluable contributions to the ongoing success of the Hoboken community.

Today, I ask my colleagues to join me in honoring Our Lady of Grace Church on its 150th Anniversary.

REMARKS OF SECRETARY OF DEFENSE DONALD RUMSFELD

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 2001

Mr. SKELTON. Mr. Speaker, I am proud to share with the Members of the House the excellent remarks of Secretary of Defense Donald H. Rumsfeld yesterday at the Memorial Service in Remembrance of Those Lost on September 11th. The fine statement is set forth as follows:

We are gathered here because of what happened here on September 11th. Events that bring to mind tragedy—but also our gratitude to those who came to assist that day and afterwards, those we saw at the Pentagon site everyday—the guards, police, fire and rescue workers, the Defense Protective service, hospitals, Red Cross, family center professionals and volunteers and many others.

And yet our reason for being here today is something else.

We are gathered here to remember, to console and to pray.

To remember comrades and colleagues, friends and family members—those lost to us on Sept. 11th.

We remember them as heroes. And we are right to do so. They died because—in words of justification offered by their attackers—they were Americans. They died, then, because of how they lived—as free men and women, proud of their freedom, proud of their country and proud of their country's cause—the cause of human freedom.

And they died for another reason—the simple fact they worked here in this building—the Pentagon.

It is seen as a place of power, the locus of command for what has been called the greatest accumulation of military might in history. And yet a might used far differently than the long course of history has usually known.

In the last century, this building existed to oppose two totalitarian regimes that sought to oppress and to rule other nations. And it is no exaggeration of historical judgment to say that without this building, and those who worked here, those two regimes would not have been stopped or thwarted in their oppression of countless millions.

But just as those regimes sought to rule and oppress, others in this century seek to do the same by corrupting a noble religion. Our President has been right to see the similarity—and to say that the fault, the evil is the same. It is the will to power, the urge to dominion over others, to the point of oppressing them, even to taking thousands of innocent lives—or more. And that this oppression makes the terrorist a believer—not in the theology of God, but the theology of self—and in the whispered words of temptation: ''Ye shall be as Gods.''

In targeting this place, then, and those who worked here, the attackers, the evildoers correctly sensed that the opposite of all they were, and stood for, resided here.

Those who worked here—those who on Sept. 11 died here—whether civilians or in uniform,—side by side they sought not to rule, but to serve. They sought not to oppress, but to liberate. They worked not to take lives, but to protect them. And they tried not to preempt God, but see to it His creatures lived as He intended—in the light and dignity of human freedom.

Our first task then is to remember the fallen as they were—as they would have wanted to be remembered—living in freedom, blessed by it, proud of it and willing—like so many others before them, and like so many today, to die for it.

And to remember them as believers in the heroic ideal for which this nation stands and for which this building exists—the ideal of service to country and to others.

Beyond all this, their deaths remind us of a new kind of evil, the evil of a threat and menace to which this nation and the world has now fully awakened, because of them.

In causing this awakening, then, the terrorists have assured their own destruction. And those we mourn today, have, in the moment of their death, assured their own triumph over hate and fear. For out of this act of terror—and the awakening it brings—here and across the globe—will surely come a victory over terrorism. A victory that one day may save millions from the harm of weapons of mass destruction. And this victory—their victory—we pledge today.

But if we gather here to remember them—we are also here to console those who shared their lives, those who loved them. And yet, the irony is that those whom we have come to console have given us the best of all consolations, by reminding us not only of the meaning of the deaths, but of the lives of their loved ones.

''He was a hero long before the eleventh of September,'' said a friend of one of those we have lost—''a hero every single day, a hero to his family, to his friends and to his professional peers.''

A veteran of the Gulf War—hardworking, who showed up at the Pentagon at 3:30 in the morning, and then headed home in the afternoon to be with his children—all of whom he loved dearly, but one of whom he gave very special care, because she needs very special care and love.

About him and those who served with him, his wife said: ''It's not just when a plane hits their building. They are heroes every day.''

''Heroes every day.'' We are here to affirm that. And to do this on behalf of America.

And also to say to those who mourn, who have lost loved ones: Know that the heart of America is here today, and that it speaks to each one of you words of sympathy, consolation, compassion and love. All the love that the heart of America—and a great heart it is—can muster.

Watching and listening today, Americans everywhere are saying: I wish I could be there to tell them how sorry we are, how much we grieve for them. And to tell them too, how thankful we are for those they loved, and that we will remember them, and recall always the meaning of their deaths and their lives.

A Marine chaplain, in trying to explain why there could be no human explanation for a tragedy such as this, said once: ''You would think it would break the heart of God.''

We stand today in the midst of tragedy—the mystery of tragedy. Yet a mystery that is part of that larger awe and wonder that causes us to bow our heads in faith and say of those we mourn, those we have lost, the words of scripture: ''Lord now let Thy servants go in peace, Thy word has been fulfilled.''

To the families and friends of our fallen colleagues and comrades we extend today our deepest sympathy and condolences—and those of the American people.

We pray that God will give some share of the peace that now belongs to those we lost, to those who knew and loved them in this life.

But as we grieve together we are also thankful—thankful for their lives, thankful for the time we had with them. And proud too—as proud as they were—that they lived their lives as Americans.

We are mindful too—and resolute that their deaths, like their lives, shall have meaning. And that the birthright of human freedom—a birthright that was theirs as Americans and for which they died—will always be ours and our children's. And through our efforts and example, one day, the birthright of every man, woman, and child on earth.

CONGRATULATIONS TO AZERBAIJAN

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 2001

Mr. BURTON of Indiana. Mr. Speaker, I would like to present my most sincere congratulations to President Aliyev on the occasion of the 10th anniversary of the restoration of Azerbaijan's independence. The past several years have proven your nation's commitment to democracy, and I encourage you to continue your efforts aimed at strengthening Azerbaijan's independence, territorial integrity, and sovereignty. We, in the U.S. Congress, appreciate Azerbaijan's friendship and support, especially in these times of the international campaign against terrorism. Please, accept, Mr. President, my best wishes to yourself and the Azerbaijani people on this anniversary.

RURAL EXEMPTION ENHANCEMENT ACT OF 2001

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 2001

Mr. RADANOVICH. Mr. Speaker, I rise today to introduce the ''Rural Exemption Enhancement Act of 2001'' (REEA). This modest proposal would ensure greater regulatory certainty for many of our nation's rural telephone companies as they continue their efforts to bring quality and affordable advanced telecommunications services to our communities. I am pleased that this legislation has been endorsed by the Organization for the Promotion and Advancement of Small Telecommunications Companies as well as Sierra Telephone Company in my home district.

More than five years ago, Congress passed comprehensive legislation to reform our nation's telecommunications laws—the Telecommunications Act of 1996. In crafting this legislation, Congress wisely included provisions which exempt rural telephone companies from the collocation, unbundling and resale obligations imposed upon incumbent local exchange carriers. Congress understood that these obligations would not serve the best interests of rural consumers and would deter investment in high-cost areas that are already challenging to serve due to a lack of economies of scale.

Mr. Speaker, it is important to note that the rural exemption accorded to rural telephone companies is not permanent and can be lifted by a State commission. Under section 251(f) of the Telecommunications Act, a new entrant may make a bona fide request to a State commission to lift a rural ILEC's exemption. Following a 120 day evaluation of the request, a State commission may lift the exemption if the request from the competing carrier is not found to be unduly economically burdensome, is technically feasible, and is consistent with the universal service provisions of the Act.

I am very concerned, however, that the lifting of a rural telephone company exemption by a State commission currently applies to both voice grade and advanced services. The current process for evaluating a petition to lift a rural exemption provides disincentive for small, rural carriers to make costly investment in advanced telecommunications service infrastructure. For these reasons, I am introducing the ''Rural Exemption Enhancement Act.

My legislation should not in any way be interpreted to be a competing proposal to H.R. 1542, the ''Internet Freedom and Broadband Deployment Act of 2001'' passed by the House Energy and Commerce Committee. I am proud to be a cosponsor and active supporter of that proposal. The bill that I am introducing today would simply make it clear that a request to lift the voice grade exemption should be made and evaluated separately from the advanced services exemption.

Mr. Speaker, this Congress and the President will spend the remainder of this session developing legislation that is vital to our nation's economy and national security. I look forward to working with my colleagues to move this legislation forward next year before the 107th Congress adjourns sine die.

IN HONOR OF CELIA CRUZ, RECIPIENT OF THE JAMES SMITHSON BICENTENNIAL MEDAL

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 2001

Mr. MENENDEZ. Mr. Speaker, I rise today to honor and pay tribute to musical legend Celia Cruz. On Tuesday, October 16, 2001, Ms. Cruz will be awarded the James Smithson Bicentennial Medal for her distinguished musical career and invaluable contributions to our nation's cultural heritage. The award ceremony will take place at the Smithsonian Institution in Washington, DC.

Celia Cruz was born and raised in the Santa Suárez neighborhood of Havana, Cuba. As a young girl, she spent much of her spare time entertaining her peers, friends, and neighbors by singing lullabies and melodies. In the 1940's, she officially began her musical career by singing on numerous Cuban radio programs. She expanded her musical aptitude by studying at Havana's Conservatory of Music from 1947 to 1950.

In 1950, Celia Cruz gained international acclaim by becoming the lead singer for Cuba's top dance band, La Sonora Matancera. For over fifteen years, La Sonora Matancera electrified sold-out audiences with their vibrant and catchy Afro-Cuban melodies and rhythms.

Throughout much of her career, Celia Cruz has been hailed as the ''Queen of Salsa'' due to herr energetic and animated musical performances. Cruz, a Grammy Award winner and Latina musical icon, has enjoyed a dynamic career that has spanned over five decades, recorded countless albums, and has often performed with musical great Tito Puente.

Today, I ask my colleagues to join me in honoring Celia Cruz, for her immeasurable contributions throughout her illustrious career. The James Smithson, Bicentennial Medal could not have been awarded to a more deserving human being—Celia Cruz, a living legend, who continues to inspire the world.

THE INTRODUCTION OF THE FAIR TAX TREATMENT FOR INSURANCE AGENTS' TERMINATION PAYMENTS ACT OF 2001

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 2001

Mr. SAM JOHNSON of Texas. Mr. Speaker, I rise today in order to introduce a small business tax relief measure that will assist thousands of insurance agents throughout this country as they prepare for retirement.

Many exclusive insurance agents who leave or retire from their jobs receive what is known as a ''termination payment'' under a contractual agreement with their respective insurance companies. These payments are paid for intangible assets, including the agent's ''book of business'' and goodwill, and are usually spread out over a series of years.

Currently, there is confusion about the tax treatment of these termination payments, which has caused some IRS field agents to question the capital gains treatment of these payments. My bill, the ''Fair Tax Treatment for Insurance Agents'' Termination Payments Act of 2000,'' will make it clear that these termination payments are for the sale or other disposition of intangible capital assets and therefore should be subject to capital gains treatment. A clarification of current law is needed to ensure the correct result and prevent unknowing IRS agents from subjecting innocent insurance agents around the country to attack and audit on an Issue that has no basis for controversy.

I urge my colleagues to support my bill and work with me to clarify the law to ensure that insurance agent ''termination payments'' are subject to capital gains treatment for Federal income tax purposes.

PERSONAL EXPLANATION

HON. JOHN M. McHUGH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 2001

Mr. McHUGH. Mr. Speaker, I was called away from Washington on the evening of October 11th to attend to an ill family member. Due to my absence that evening and on Friday, October 12, I missed votes on the floor of the House of Representatives, including the vote on H.R. 2975, the Provide Appropriate Tools Required to Intercept and Obstruct Terrorism (PATRIOT) Act. Had I been present, I would have voted in support of the legislation and its worthy objective of providing law enforcement officials with additional tools to detect, apprehend, and prosecute terrorists.

The horrific events of September 11th have demonstrated that more needs to be done to protect Americans from terrorism. At the same time, my colleagues and I are quite cognizant of our responsibilities in safeguarding the fundamental constitutional rights of the American people. The PATRIOT Act recognizes these concerns and strikes a balance between security enhancements and tools for law enforcement and civil liberties.

TRIBUTE TO MAJOR GENERAL JOHN D. HAVENS

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 2001

Mr. SKELTON. Mr. Speaker, let me take this means to congratulate and pay tribute to General John Havens, who recently retired as the Adjutant General of the Missouri National Guard. He has distinguished himself, the Missouri National Guard, and our nation with dedicated service.

General Havens began his military career as an ROTC cadet at the Missouri School of Mines, now the University of Missouri-Rolla. Upon graduation, he was commissioned as a Second Lieutenant and attended the Army's engineer school at Fort Belvoir, Virginia. Next, General Havens served as a Platoon Leader and Engineer Supply Officer in France and Assistant S4 at Fort Ord, California. General Havens was then released from active duty in 1963.

General Havens' distinguished career with the Missouri National Guard began in 1963 as a Platoon Leader in Rolla, Missouri. He held the same position in Fredericktown, Missouri, and Salem, Missouri, before serving as a Maintenance Officer at Jefferson Barracks, Missouri. General Havens continued to serve at Jefferson Barracks for 11 years, serving as Assistant Operations Officer, Construction Engineer, Engineer Plans Officer, and Facility Engineer. The next position General Havens held was Chief Facility Engineer at Nevada, Missouri, and was then promoted to Commander, Camp Clark Training Site in Nevada. General Havens then served as Director of Facilities at the Missouri National Guard Headquarters.

In July of 1993, General Havens was appointed Assistant Adjutant General, Army, of the Missouri National Guard. He served in this position until 1997 when he was appointed, by Governor Mel Carnahan, Adjutant General of the Missouri National Guard. As the Adjutant General, he was responsible to the Governor for the command and control of 10,000 Missouri Army and Air National Guard personnel. He was also responsible to the Governor for the State Emergency Management Agency and the Civil Air Patrol.

Mr. Speaker, General Havens has had an impressive career in the military. As he prepares for this next stage in his life, I am certain that my colleagues will join me in wishing General Havens all the best. We thank him for his 40 years of service to the United States of America.

INDIA FIRING ON KASHMIR OPPORTUNITY TO BRING FREEDOM TO SOUTH ASIA

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 2001

Mr. TOWNS. Mr. Speaker, last year when former President Clinton visited India, 35 Sikhs were massacred in the village of Chithisinghpora. Two independent investigations have shown that the Indian government carried out this massacre. Now Secretary of State Powell is visiting India and Indian troops are firing on Kashmir. I can't help but wonder why the sudden outbreak. It seems odd these incidents occur when American officials visit the country.

Mr. Speaker, this could be an opportunity for the people and nations seeking freedom in South Asia. The Council of Khalistan has put out an open letter saying that now is the ideal time for the people of Kashmir, Khalistan, Nagaland, and the other minority nations of South Asia to claim their freedom.

Clearly, India is taking advantage of the U.S. war on terrorism to advance its own hegemonic agenda. The fact that Sikhs, Kashmiri Muslims, and other minorities are going to be casualties of this strategy is apparently of no importance to them. It's just another opportunity to take down their enemy, Pakistan, which has been an active supporter and participant in the U.S. antiterrorist coalition.

America was founded on the idea of freedom. It is that freedom that the terrorists are trying to destroy. One of the best ways to fight the terrorists is to help spread freedom to new corners of the world.

Mr. Speaker, the time has come to cut off U.S. aid to India in light of its human-rights abuses and its opportunistic use of the antiterrorist effort to promote its narrow interest. It is also time to put the U.S. Congress on record in support of the freedom movements around South Asia in the form of a free and fair plebiscite on their political status. These measures will help spread freedom and undermine the efforts of the terrorists to destroy our principles.

Mr. Speaker, I would like to place the Council of Khalistan's open letter on the Indian attack on Kashmir into the RECORD for the information of my colleagues.

INDIAN ATTACK ON KASHMIR PROVIDES OPPORTUNITY FOR FREEDOM; INDIA IS NOT ONE NATION

Taking advantage of the U.S. war on terrorism to advance its own agenda, India has begun shelling Azad (Free) Kashmir. This action brings the war over Kashmir out into the open just as Secretary of State Colin Powell is arriving in South Asia. Unfortunately, there will undoubtedly be casualties, and most of them will be Kashmiris, Sikhs, and other minorities. The only party that benefits from this is the Indian government, which has murdered over 250,000 Sikhs since 1984, over 200,000 Christians in Nagaland since 1947, more than 75,000 Kashmiri Muslims since 1988, and tens of thousands of Dalits (dark-skinned ''Untouchables,'' the aboriginal people of South Asia), Tamils, Bodos, Assamese, Manipuris, and others.

This act by India shows who America's real allies are, and which country is the real supporter of terrorism. Once again, India is claiming that it is going after terrorism, despite India's own record of terrorism.

In November 1994, the Indian newspaper Hitavada reported that the Indian government paid the late governor of Punjab, Surendra Nath, approximately $1.5 billion to organize and support covert state terrorism in Punjab Khalistan, and in Kashmir. The book Soft Target, written by journalists from the Toronto Star and the Toronto Globe and Mail, shows that the Indian government blew up its own airliner in 1985, killing 329 innocent people. According to India Today, the Indian government created the Liberation Tigers of Tamil Eelam (LTTE) and put up LTTE leaders in New Delhi's finest hotel. The LTTE were created to stop a U.S. broadcast tower in Sri Lanka. Then the Indian government turned on the LTTE because the LTTE seeks an independent country for Tamils.

The Indian government sentenced Devinder Singh Bhullar to death because he advocated Khalistan, yet Ribeiro, Ray, K.P.S. Gill, Swaran Singh Ghotna, and the other police and political officials who committed genocide against the Sikhs are not punished. In June a train carrying Sikh religious pilgrims was attacked by militant Hindu fundamentalists. On May 27, several Indian soldiers were caught red-handed trying to set fire to a Gurdwara and some Sikh homes in Kashmir. Sikh and Muslim residents of the village overwhelmed the troops and stopped them from carrying out this atrocity.

A report issued in April by the Movement Against State Repression (MASR) shows that India admitted that it held 52,268 political prisoners under the repressive ''Terrorist and Disruptive Activities Act'' (TADA). These Sikh political prisoners must be released immediately. These prisoners continue to be held under TADA even though it expired in 1995. Persons arrested under TADA are routinely re-arrested upon their release. Cases were routinely registered against Sikh activists under TADA in states other than Punjab to give the police an excuse to continue holding them. The MASR report quotes the Punjab Civil Magistracy as writing ''if we add up the figures of the last few years the number of innocent persons killed would run into lakhs [hundreds of thousands.]'' As General Narinder Singh has said, ''Punjab is a police state.'' U.S. Congressman Dana Rohrabacher has said that for minorities like the Sikhs, the Muslims of Kashmir, and others, ''India might as well be Nazi Germany.''

It is not just Sikhs who are being targeted by Indian terrorism. In 1997, a Christian religious festival was broken up by police gunfire. Since Christmas 1998, Christians have

been subjected to a reign of terror which has seen the murder of priests, the rape of nuns, the burning of churches, attacks on Christian schools and prayer halls, and other incidents carried out by supporters of the pro-Fascist Rashtriya Swayamsewak Sangh (RSS), the parent organization of the ruling BJP, which was formed in support of the Nazis. RSS activists also burned missionary Graham Staines and his two young sons, ages 8 and 10, to death while they slept in their jeeps. The killers gathered around the jeep chanting ''Victory to Hannuman,'' a Hindu god. Prime Minister Atal Behari Vajpayee told an audience in New York last year, ''I will always be a Swayamsewak.''

India is also anti-American. According to the May 18, 1999 issue of the Indian Express, the Indian Defense Minister met with the Ambassadors from terrorist countries Iraq, Libya, and Cuba, as well as Red China, Russia, and Serbia, to set up a security alliance ''to stop the U.S.'' India voted with the dictatorships to throw the United States off the UN Human Rights Commission. It votes against America at the United Nations more often than any country except Cuba. It voted to suppress a U.S.-sponsored resolution critical of China's human-rights violations. It was a strong Soviet ally.

This is an ideal opportunity to begin a Shantmai Morcha and form a Khalsa Raj party to achieve independence for Khalistan and to liberate the other countries seeking their freedom from Indian occupation. Remember the words of former Akal Takht Jathedar Professor Darshan Singh: ''If a Sikh is not Khalistani, he is not a Sikh.'' Self-determination is the right of all people and nations.

Pro-Khalistan handbills were handed out at the Golden Temple on June 7 during the commemoration of Gallughara Divas and Sant Bhindranwale's martyrdom. Ajmer Singh Lakhowal, the head of the Bharat Kisan Union, has called for self-determination for the Sikhs. The flame of freedom bums bright in the hearts of the Sikhs.

When we liberate Khalistan, we will be more respected, appreciated, and understood by Americans and throughout the world. We must take this occasion to renew our commitment to free Khalistan. Every Sikh should put a bumper sticker on his or her car saying ''INDIA FREE KHALISTAN.'' This sticker is available from this office

In 1947, when India was divided, the cunning and deceitful Hindu leadership promised that Sikhs would have the glow of freedom in Punjab and that no law affecting Sikh rights would be passed without Sikh consent. As soon as the transfer of power had occurred and India was free, those promises were broken. Instead, India began its effort to wipe out the Sikh people, the Sikh Nation, and the Sikh religion.

Sikhs gave over 80 percent of the sacrifices to free India from the British. At that time, they were only 1.6 percent of the population. Sikhs are the ones who suffered the most after the freedom and partition of India. Fifty percent of the Sikh population had to migrate from the Pakistan side of Punjab to the Indian side of Punjab. Sikhs were prosperous farmers in West Punjab. They lost their fertile farming land. When they were allotted lands in Indian Punjab, everyone got a cut between 25 and 95 percent of their acreage.

In a free Khalistan, there will be economic prosperity. The Punjab farmers will be able to sell their produce at high prices in the international market and buy cheaper fertilizers, insecticides, and seeds. Farm produce will not lie in the market for weeks without buyers as it did during the sale of the rice crop last year.

We must have a full, free, and fair plebiscite on the status of Khalistan and we must launch a Shantmai Morcha to liberate our homeland. India is not one nation. It has 18 official languages. Let us take this opportunity to bring freedom to our homeland and all the countries of South Asia.

IN REMEMBRANCE OF ROGER HERNON

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 2001

Mr. TRAFICANT. Mr. Speaker, today, I was deeply saddened to hear of the passing of Roger Hernon.

Roger Hernon was a great American, and is to be commended for his accomplishments as the city of Warren Fire Chief and City Councilman. He leaves behind a wife, Norma; nine sons; 18 grandchildren; and two great-grandchildren.

Roger first began his firefighting career in May of 1960 when he was hired as a Warren firefighter. He was then promoted to fire chief in 1978. Roger was also a founding member of the Irish Heritage Society, where he earned the ''Erin Go Bragh Irishman'' of the Year Award in 1985. Not only did Roger serve his community as a Warren City Councilman-At-Large, but he also served his country in the Korean war where he was awarded the Purple Heart.

Roger Hernon will be sorely missed, and I extend my deepest sympathy to his family.

TRIBUTE TO JUSTICE JAMES H. BRICKLEY

HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 2001

Mr. LEVIN. Mr. Speaker, yesterday a memorial service was held to honor and remember an exceptional distinguished citizen of our State of Michigan.

Jim Brickley life's work spanned all three branches of government. Early in his career, he served as a legislator on the Detroit Common Council. He served in the Executive Branch, in state government twice as Lieutenant Governor and much earlier in the FBI after he graduated law school in 1954. His legal career encompassed work in early years as an assistant prosecutor, later as a U.S. attorney and at the end of his public career as a Justice and Chief Justice of the Michigan Supreme Court.

The public careers of few individuals ever achieve such a broad scope. What is even more remarkable is the talent and integrity which Jim Brickley brought to each segment of his life's work. He also brought a decency and humanity into public life that reflected his numerous, diverse relationships in his private life cutting across all racial, religious and ethnic lines.

Michigan will miss Jim Brickley. He was an exceptional public servant. We send our deepest condolences to his wife Joyce Braithwaite and the entire family.

A TRIBUTE TO DR. RUTH GRUBER

HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 2001

Mrs. LOWEY. Mr. Speaker, I rise in tribute to Dr. Ruth Gruber who recently celebrated her ninetieth birthday on September 30th, 2001. A courageous leader, devoted humanitarian, acclaimed journalist, and loving grandmother, Dr. Gruber's contribution to New York and our nation is immeasurable.

At the age of 20, Dr. Gruber became the youngest Ph.D. in the world. That, a remarkable achievement in and of itself, was only the first of many unprecedented accomplishments. In 1944, at the request of then Secretary of the Interior Harold Ickes, Dr. Gruber was sent on a top secret mission to escort 1,000 refugees from war-torn Europe to America. After safely arriving back in the United States, she immediately led the charge to ensure that the refugees be allowed to stay in the country permanently.

Dr. Gruber's talents as a journalist took her to all corners of the globe. She was the first foreign correspondent to enter the Soviet gulag, an experience which she chronicled in her book, I Went to the Soviet Arctic. She visited Korea and Vietnam to write They Came to Stay, a book about 10 Korean children who had been adopted by families in the United States. Through her many books and articles Dr. Gruber has been our eyes on the world. We are fortunate that she went to places she knew we needed to see and told such compelling stories.

In February, CBS will air Haven, a four hour documentary chronicling Dr. Gruber's exceptional life. At age ninety, she still has plans to write more books, although much of her time is spent with her precious grandchildren. It is my privilege to thank Dr. Gruber for all she has done for our society, and of course, to wish her a happy ninetieth birthday.

HONORING THELMA HERMAN

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 2001

Mr. McINNIS. Mr. Speaker, it brings me great pleasure to have the opportunity to congratulate Thelma Herman, who recently celebrated her 103rd birthday. It isn't often that one encounters a person with such longevity and, according to her friends at Belmont Senior Care, she is still going strong.

Thelma has spent much of her life living in Pueblo, Colorado. As a young adult, she worked as a telephone operator and at a pharmacy. She has outlived both of her siblings and has only one surviving relative. Thelma cannot quite nail down exactly why she has survived so long, but she has always been relatively healthy. Thelma has developed a wide variety of healthy habits throughout her life including drinking a glass of water with every meal, taking a walk each day, never snacking between meals and brushing her teeth several times per day. Her advice to young Americans today is to be a good citizen. Thelma has been a good role model and citizen who has voted nearly her entire life.

Mr. Speaker, it brings me great pleasure to congratulate Thelma for this phenomenal achievement. She is an exceptional individual and I wish her only the best and continued prosperity. Happy Birthday Thelma!

OPPRESSION OF AFGHAN WOMEN

HON. EARL F. HILLIARD

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 2001

Mr. HILLIARD. Mr. Speaker, I rise today to express my distress over the oppression of Afghan women. These women, who only won their freedom for a few years in all of history, have been driven back into oppression by a brutal, violent and blindly ignorant regime. Forced by the Taliban out of the schools allowed by former ruler Nur Mohammed Taraki, women are now uneducated. Women cannot work, but can be forced to beg for bread.

Women are forbidden to sing or listen to music, and will be viciously beaten if seen in public with men who are not relatives. Women in today's Afghanistan cannot be treated by a male doctor., and will be killed if they are treated by one. The life expectancy of Afghan women is 43, almost half that of American women. This vicious oppression is not the will of God or of any decent man.

Women have been oppressed throughout the ages by every society on earth, but have gone a long way toward gaining freedom and dignity. Afghanistan's brutal rulers and their fundamentalist counterparts in other religions must not be allowed to destroy the lives, the futures, and the honor of women.

This Congress must support these desperate victims and any counterparts they have in any other part of the world. People of faith from every nation and every religion must unite to end all use of twisted religious rhetoric, to oppress any person. We must apply this principle to Afghanistan now, and to our own lives everyday.

TRIBUTE TO BOB LARSON, FOUNDER OF NORTHWOODS AIRLIFELINE

HON. BART STUPAK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 2001

Mr. STUPAK. Mr. Speaker, I rise today to pay tribute to Michigan resident Bob Larson, a man who turned his own passion for flying into a non-profit, lifesaving organization that serves the Upper Peninsula of Michigan.

Bob is the prime mover behind Northwoods Airlifeline, an organization of pilots who volunteer their time and aircraft to help obtain medical assistance unavailable in Upper Michigan. Since Bob conceived the service in 1989, Northwoods Airlifeline has flown more than 1,100 missions—all free of charge, Mr. Speaker—to destinations all around the Midwest.

Northwoods Airlifeline fills a gap in critical services by transporting patients who may be financially distressed, who may be unable to travel by car or commercial transportation, or who for medical reasons may face severe time constraints.

The primary need of individuals served by Northwoods Airlifeline has been organ transplants, since there is no facility in Upper Michigan to perform this procedure. The service has also met the needs of chronically-ill people who cannot afford to fly or drive long distances, and it has transported medical patients who are beyond medical help to be with their loved ones.

Bob Larson, a native of Minneapolis, Minnesota, and a World War II Navy veteran, took flying lessons after he left the service and went to work in Chicago, where he bought his first plane in 1958.

But Bob, along with Ruth, his wife of 57 years, who is a registered nurse, eventually moved back to the North Woods, settling in the small town of Witch Lake in the Upper Peninsula of Michigan. The Larsons shared a dream of forming an air medical service to assist friends and neighbors in times of medical emergency.

From these two caring, giving, loving individuals Northwoods Airlifeline was born, and it is still coordinated by Bob today. The organization recruits volunteer pilots, operates a dispatching network to receive and fill requests for transportation, and conducts community education and fund raising programs for its services. There are no salaried personnel or rental expenses. Pilots and volunteers absorb fuel costs and other expenses, and all donations go toward the administrative costs of transporting those in need.

The high regard in which the service is held can be summed up in the comments of a man who was flown out of state for a surgical procedure, ''Well, I have met some real-life angels, wings included,'' he said, ''only their wings are attached to the airplanes they fly.''

Bob Larson is being honored on Oct. 20 by Iron Mountain Chapter #44, Order of the Eastern Star, which has selected him as the 13th recipient of the annual Eastern Star Community Service Award. The purpose of the award is to recognize an individual, not affiliated with any Masonic or Masonic-related organization, who has shown unselfish dedication for the betterment of the community and the world in general.

Mr. Speaker, I encourage you and all our House colleagues to go on the World Wide Web at *www.northwoodsairlifeline.org* and read about the other men and women who make this vital service possible, and read the wonderful stories of the families that Northwoods Airlifeline has assisted.

We say that dreamers have their heads in the clouds, Mr. Speaker, but maybe it's up in the clouds, where Bob Larson spent so much time, that one gains the best perspective of the world and the place of each individual in it. So I ask you to join me in celebrating the accomplishments of two dreamers, Bob and Ruth Larson, and the wonderful volunteer organization they have brought into being.

ON INTRODUCTION OF THE TERRORIST RESPONSE TAX EXEMPTION ACT

HON. J. RANDY FORBES

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 2001

Mr. FORBES. Mr. Speaker, tonight, I rise with my colleague, Congressman VITO FOSSELLA of New York, to introduce the Terrorist Response Tax Exemption Act, which would provide our first responders with the tax benefits that they deserve for serving on the front lines of our war against terrorism.

As we speak, men and women are putting their lives at risk to fight terrorist threats both abroad and at home. For the American military personnel who are overseas, the federal government currently excludes from taxable income the salary they receive in any month they serve in a combat zone. This is a suitable recognition of the increased risk in which they place themselves to protect our freedoms and of the increased burdens on their families given that risk.

But, today, we know that the men and women who serve as fire, rescue, and police personnel can be just as much at risk. Terrorists have brought the frontlines into our communities, and it is these first responders that are first on the scene, first to assess the situation, and first to respond to the needs of the victims. As the World Trade Center attack has proven, they are just as much in jeopardy of losing their lives as the soldiers and sailors engaged overseas—perhaps even more so as our military technology advances. They and their families deserve the same tax benefits for serving in terrorist attack zones.

That is precisely what the Terrorist Response Tax Exemption Act does. It exempts from federal income the basic pay that a uniformed civilian employee earns for any month in which they serve the public in a terrorist attack zone. It provides well-deserved recognition of the hard and dangerous work that these individuals perform. The Senate companion bill, S. 1446, has already been endorsed by the Fraternal Order of Police, the International Association of Fire Chiefs, and other organizations that represent our public safety personnel.

It is not that we anticipate that this tax incentive will encourage this kind of heroic public service. In fact, we know for a fact that these men and women perform their duties out of a sense of honor and an overwhelming desire to help others in need. But, we should show them our gratitude with more than words of thanks. I encourage my colleagues to join us in cosponsoring this legislation.

HONORING THE LIFE OF ANTHONY T. CAPOZZOLO

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 2001

Mr. MCINNIS. Mr. Speaker, I would like to take this opportunity to honor the life and memory of Anthony T. ''Capps'' Capozzolo, a man who always sought to brighten the horizons for others, especially through increasing educational opportunities.

Born at his father's dairy farm in Pueblo, Colorado, Capps learned what hard work was at a very early age. At one time, he sold newspapers while attending school and tending to the chores of his family's farm. Capps followed his heart, however, and proved to be a fantastic dancer. At the age of 18, Capps left Pueblo and joined his brother in California where he pursued his passion for dancing. It was here that he met his dance partner, Theresa Harmon, who would eventually become

his wife. The couple performed in numerous reputable studios like Columbia Pictures and MGM. Capps and Theresa also worked to help raise money for charitable contributions.

Beyond his dancing performances, Capps served his community whenever he could. He was a charter member of the Assistance League in Palm Springs, California, the Desert Hospital Auxiliary and the Opera Guild of the Desert to name only a few. Upon the death of his wife Theresa, he founded a gallery of art at St. Martin's Abbey and College in Lacy, Washington. Furthermore, Capps became a generous donor to the performing arts at the University of Southern Colorado and funded a scholarship and various activities of the University. In August of 1998, his honorable service to others was recognized with the 1998 Pope John XXIII award offered by the Italian Catholic Federation, which recognizes community achievements, civic involvement and religious vitality.

Mr. Speaker, Anthony Capozzolo was an honorable man who will be remembered by many. At this time, I would like to acknowledge the outstanding contributions that Capps made and recognize his selfless acts of kindness. He truly was an example for others to emulate. I would like to extend my deepest sympathies to the Capozzolo family during this time of remembrance and I would like them to know that my thoughts and prayers are with them now and for years to come.

IN RECOGNITION OF THE ACCOMPLISHMENTS OF ONE EARTH ONE PEOPLE ON ITS 10TH ANNIVERSARY

HON. ROB PORTMAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 2001

Mr. PORTMAN. Mr. Speaker, I rise today to recognize One Earth One People, an organization in Cincinnati, Ohio that will celebrate its 10th Anniversary on October 26, 2001.

One Earth One People was founded by Jane Church in October, 1990. Jane continues to serve as its president, and she has played a key role in making this innovative nonprofit environmental education organization such a success.

The vision of One Earth One People is to ''network youth around the world via Interactive Telecommunications to prepare them to preserve their local and global environment.'' And, its mission is to work with all sectors and ethnic groups, ''offering students hands-on educational experiences to increase their scientific knowledge, enhance their communication, leadership and other lifelong skills and attitudes to protect the environment through sharing, cooperation and cultural understanding.''

Although One Earth One People is based in Cincinnati, its work can be seen throughout Ohio, across our nation and around the world. Some of its activities and accomplishments include: running 21 student workshops in local elementary, middle and high schools; publishing ''The OEOP Newsletter,'' which is read by over 1,500 area teachers, students, community organizations and supporters; and attending several seminars and conferences held by Earth Day USA and the United Nations Environment Programme.

One Earth One People's work also includes the Youth Cloth Bag Project, which encourages consumers to use reusable cloth bags when they shop. Just this year, the Youth Cloth Bag Project was expanded so that schools that sell cloth bags can use the proceeds to help preserve wildlife habitats in Adams County, Ohio and in the Maya Mountain Marine Corridor in Belize.

I have enjoyed meeting with the participants involved in One Earth One People. It provides young people with valuable knowledge about the environment and how to work together as team players and communicators. It also offers hands-on experience in organizing, problem solving, decision making and other important life skills.

Mr. Speaker, One Earth One People has been an effective organization in the Cincinnati area. I hope my colleagues will join me in thanking its members for their dedication to our environment and in congratulating the organization on 10 years of community service.

PATRIOT ACT OF 2001

SPEECH OF

HON. GERALD D. KLECZKA

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, October 12, 2001

Mr. KLECZKA. Mr. Speaker, on Friday, the House was scheduled to take up H.R. 2975, a bill to give law enforcement greater latitude in finding and combating terrorism. The version that was scheduled to come to the floor was the result of bipartisan negotiations between the Republicans and Democrats on the House Judiciary Committee. The Committee was careful in crafting this bill, since any effort to give law enforcement these greater investigatory powers has an impact on the civil liberties of all Americans.

However, Friday morning, the House Rules Committee reported a measure providing for debate of H.R. 2975 that inserted a substitute measure still warm from printing. With the exception of the Members of Congress directly involved in the substitute's drafting, the majority of the Members of the House had little idea what the 175 pages of this bill would do to our laws. It is crucial that our legislative branch of government has adequate time to scrutinize and debate legislation that could have a drastic effect on the privacy and civil rights of our people.

This bill would dramatically alter our existing wiretap laws under the Foreign Intelligence Surveillance Act (FISA). FISA sets the bar for obtaining a wiretap order to investigate foreign agents much lower than laws governing regular domestic criminal investigations. In the past, the courts have held that the Fourth Amendment's prohibition on unreasonable search and seizure protects our citizens from surveillance without probable cause, except in cases concerning foreign intelligence operations. Surveillance under FISA is granted by a secret court whose decisions and proceedings are not part of the public record, and those being wiretapped never know that such an order has been granted, and have no way to appeal the court's decision.

Presently, a wiretap under FISA can be obtained if the target is suspected of being an agent of a foreign power, without probable cause. The bill passed by the House would allow a person to be secretly wiretapped under the easier FISA rules as long as foreign intelligence is at least one component of the investigation. This means that Americans not suspected of being spies can now be placed under surveillance as if they are foreign agents, without the usual protections of the Fourth Amendment. So, without probable cause, the government would be able to secretly authorize wiretaps to trace the calls made to the person being monitored, as well as monitor their Internet activity. Although the bill says that the Internet surveillance is limited to the address visited but not the content, all a government agency has to do to capture content is to use the Internet address information gathered and visit the site in question.

Not only does this allow American intelligence agencies to spy on Americans, but the bill authorizes the sharing of information gathered with other federal agencies without judicial authorization. This means American intelligence agencies like the Central Intelligence Agency would be able to collect information from other agencies about the activities of our citizens. Also, under this bill's more relaxed rules, FISA can be used to authorize ''black bag'' searches, which would allow the government to secretly enter a person's home without their knowledge and remove or copy documents and other items.

Another troubling provision grants the authority to the secret court established by FISA to allow the Federal Bureau of Investigation to obtain individuals' financial and personal records without that person's consent or knowledge. Because this would be done under the relaxed requirements of FISA, the judge's order is sufficient to allow the FBI to obtain personal information without probable cause, yet another instance where the bill goes around the Fourth Amendment.

The bill the House was scheduled to consider would sunset most surveillance provisions in 2003, when Congress could review and then renew these changes if necessary. The bill that was actually taken up would sunset its surveillance provisions in 2004, and allow the President to further extend the sunset provisions by an additional two years, which would effectively be a five-year sunset provision.

It has been said that extraordinary times call for extraordinary measures. While this may be true, it is also true that our civil liberties are what sets America apart from other nations. Although the House-passed measure contained language to sunset some of the bill's provisions, I fear that once this line is crossed, we will never be able to go back. Without adequate discussion of this bill's merits and effects on our rights, I could not support this measure. I hope that the House-Senate conference committee will carefully consider the impact this legislation could have on our lives, and make corrections so that I can support the final version of this bill that we send to the President to become the law of the land.

INTEL ACHIEVES ENVIRONMENTAL SUCCESS

HON. TOM UDALL

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 2001

Mr. UDALL of New Mexico. Mr. Speaker, I am pleased to inform my colleagues that Intel New Mexico has become the first Excellence Award winner as part of my home state's Green Zia Environmental Excellence program. This is a significant achievement.

The Green Zia program was launched three years ago, but no business had ever been named an Excellence Award winner, which is the program's highest honor. For the past two years, Intel New Mexico had won the program's Achievement Award.

This award would not have been possible without the support of every employee of Intel New Mexico. Indeed, the company has a fully-integrated, prevention-based environmental management system in place throughout their site in New Mexico. Some of the company's major environmental achievements include: a water conservation rate of more than 50 percent; a recycling rate of 78 percent for solid waste with only 22 percent going to a landfill; and a 20 percent reduction in volatile organic compound emissions from last year.

The company also has strong environmental programs for employees, including commute reduction, recycling, and several volunteer programs in which employees directly contribute.

Mr. Speaker, Intel is one of the largest employers in my state, and I am pleased at the fine example they have set for other businesses. The crowning achievement of Intel New Mexico's efforts in environmental stewardship is proving that environmental protection is good business, that sound environmental practices are good for business, and that the environment is everyone's business.

HONORING THE LIFE OF RICHARD MIUCCIO

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 2001

Mr. McINNIS. Mr. Speaker, the vicious attack unleashed on our country on September 11, 2001 left tears in many American's eyes. Many people were victims in this tragedy and as the recovery efforts continue, many innocent citizens are being uncovered amidst the bricks and steel of the collapsed buildings. On that day, Richard Miuccio was killed at the hands of this terrible and malicious assault. I would like to take a moment to pay tribute and recognize the life of Richard.

Richard was born on May 23, 1946 and was raised on Staten Island in New York. This city served as his residence for his entire life. Thirty-four years ago he married his childhood sweetheart, Joyce Black, and they became the proud parents of three children—Owen, Laura and Thomas. Rich was employed for thirty-five years with the New York State Department of Taxation and Finance and served as the Auditor Supervisor in the last years of his employment. He served honorably in the United States Army and from 1967 to 1968 Rich served in active duty in the war in Vietnam.

St. Mary's Church on Staten Island always held a special place in Rich's heart and he was a member of the church for 20 years. Faith played an integral part for Richard and his family and they routinely attended services for solace. Richard was battling prostate cancer and his fight proved victorious. He credited much of this to his faith and his family.

Mr. Speaker, Rich will always be remembered as a man who had a quick smile and a gentle spirit. His passing leaves an emptiness in the lives of those who knew and loved him. Rich will always remain in our hearts and in our prayers. While the flag of our great nation flies high, the lives of those who were lost in this incident will never be forgotten. I would like to stand together with this body and offer our deepest sympathies to Richard's family at this time of remembrance. Our thoughts and prayers are with them.

HONORING THE LIFE OF HOUSTON FIRE DEPARTMENT CAPTAIN JAY JAHNKE

HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 2001

Mr. GREEN of Texas. Mr. Speaker, I rise today in honor of the life of Houston Fire Department Captain Jay H. Jahnke. A 20-year veteran of the department, Jahnke, aged 40, died in the line of duty on the morning of Saturday, October 13, 2001.

Captain Jahnke and the three other fire fighters were attempting to help residents trapped by choking smoke and flames escape a fire that had broken out in a high-rise apartment building. After carrying over 100 pounds of equipment up five flights of stairs, in full gear including breathing apparatus, they found themselves trapped by the blaze. The crew sent in to rescue Capt. Jahnke and his men were also temporarily trapped by the fury and intensity of this fire before being rescued. While no other fire fighters were killed, several others were injured.

Due to the rapid response and quick action of the Houston Fire Department, only one resident died in this fire. Three fire fighters and 12 residents were hospitalized for smoke inhalation or burns. 300 residents were left homeless by this fierce blaze.

As the grandson and nephew of fire fighters myself, I am familiar with the Jahnke name. For many years, Jahnkes have served in the Houston Fire Department with distinction. Currently, over a dozen Jahnkes answer the call and lay their lives on the line as fire fighters. Numerous other fire fighters are part of the Jahnke extended family through marriage.

His father, Claude Jahnke, was a District Chief who died of a heart attack while training for the departmental Olympics. Three uncles, former District Chief Marvin ''Roe'' Jahnke, who died in 1991; retired Assistant Chief Eugene ''Duke'' Jahnke; and former District Chief in charge of cadet training, and namesake for the department's training center Val Jahnke, all protected our community for many years.

Jay Jahnke died doing his job, trying to protect and evacuate Houstonians whose lives were in danger. The words of his cousin, District Chief Steve Jahnke, say it best: ''That early in the morning, you know there are people sleeping in. They had to get them out, so they took a calculated risk. That's what the job's about. We don't ever go in trying to commit suicide, but we do take calculated risks, and that's what Jay did. It's what all firemen do.''

Jahnke is survived by his wife, Dawn; daughter, Jayne, 11; son, Hunter, 8; mother, Katherine; brother, Jeff; and sisters Karen and Mary Ann.

Mr. Speaker, across our nation every day, people like Capt. Jahnke put their lives on the line. Later this week, I plan to introduce legislation that would help not just the Houston Fire Department, but departments across America protect our lives and homes by providing Federal assistance for hiring additional fire fighters.

The SAFER Act of 2001, which would be modeled after the successful Community Oriented Policing Services (COPS), will provide direct funding in the form of grants to States or communities for the hiring of additional fire fighters. It will help fire departments meet industry minimum standards for staffing and enhance the ability of fire fighters to save lives, property, and effectively respond to emergencies.

We can never replace Houston Fire Captain Jay Jahnke, loving father and husband, skilled fire fighter, and loyal friend. It is my hope, though, that we can provide the residents of Houston with a greater level of fire protection, and prevent incidents like this one from happening in the future.

HONORING THE 10TH ANNIVERSARY OF ARMENIAN INDEPENDENCE

HON. ERIC CANTOR

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 2001

Mr. CANTOR. Mr. Speaker, recently, Armenia celebrated its 10th anniversary of independence from the Soviet Union. This anniversary reminds us of the strong bond that the people of the United States and Armenia share. As we grieve for the victims of the terrorist attacks on September 11, so do the Armenian people. The Armenian people have expressed their solidarity with the American people. Armenian President Robert Kocharian has offered rescue aid to help in the recovery efforts. Moreover, Armenia has joined with the United States and the world in the fight against terrorism.

Earlier this year in a House Resolution, I joined with the people of Armenia, the Armenian Church in America, and His Holiness Karekin II in celebrating the ideals and values they share with the people of the United States. These values are essential to the continued stability and economic prosperity in the region. In a letter to President Kocharian of Armenia, President George W. Bush echoed these ideals. President Bush states, ''our countries continue to work together to achieve our common goal of establishing peace and stability and seeing Armenia prosper. Peace in this region will provide Armenia with great opportunities to ensure the economic prosperity and security of future generations.''

Traces of Armenian heritage are evident in the United States and worldwide. Throughout the United States, and in my state of Virginia, there are multiple monuments, towns, and mountains celebrating Armenian heritage. One of Virginia's own search and rescue teams aided the Armenian people during the unfortunate earthquake of 1988.

The close bonds between Armenia and the United States are constantly being strengthened. I am confident that the people of Armenia and America will flourish together in the spirit of freedom and democracy.

COMMENDING DELTA AIRLINES

HON. CYNTHIA A. McKINNEY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 2001

Ms. MCKINNEY. Mr. Speaker, I rise today to express my admiration to a Good Corporate Citizen. I would like to call attention to the thoughtful actions being performed by Delta Airlines in response to the attacks of September 11, 2001.

The airline industry in this country has suffered a catastrophe with the events of September 11, along with the rest of the country. However the tragedy was not a license to treat people poorly. Other airlines ejected passengers from their seats because fellow passengers were scared to fly with people of Middle Eastern descent. While others committed vicious acts like these, Delta took another road and sent out a memo from the president Fred Reid saying: ''Delta has an uncompromising policy never to discriminate against customers on the basis of race, gender, age, national origin, disability, sexual orientation, or similar classifications. The law mandates this policy—discrimination is not only illegal, it is wrong and will not be tolerated''.

If only the rest of this nation's airline carriers could follow Delta's lead.

Instead other airline carriers ignored the law and punished innocent people just trying to fly during a difficult time. But what do you expect from airlines that blindly cut jobs and not executive salaries?

I stand today to commend Delta for the careful cost cutting measures it has taken to preserve jobs and morale as the airlines weather these uncertain times. Delta has put the needs of their workers first. No employee at Delta will be left out in the cold this winter. You can tell a lot about a corporation by the way they act when the going gets tough.

Finally I want to commend Delta for providing complimentary tickets to New York City on behalf of volunteer relief workers who are giving so much to the recovery effort. Delta has been a true Corporate Good Citizen and on behalf of a grateful nation we thank you!

HONORING ROBERTA BARR

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 2001

Mr. MCINNIS. Mr. Speaker, I would like to take this opportunity to recognize a person who truly understands the importance of education. Roberta Barr has spent a majority of her life dedicated to helping others and ensuring that all who cross her path receive only the best education possible. Even after retiring from her formal role as an educator, she has continued in her quest and has remained diligent to helping others.

Roberta Barr, now 87, grew up in La Plata County, Colorado. She graduated from Durango High School in 1931 and went on to receive her teaching certificate from Fort Lewis College. From 1933 to 1979 Roberta taught at many different local schools and was appointed Principal of Mason Elementary School in 1962. Roberta returned to school earning a Master's Degree at Western State. She has been retired from teaching for the last 22 years, but continues to contribute to educating others in her community.

Roberta and her husband Robert never had any children of their own, so after her husband passed away she established the Robert and Roberta Armstrong Barr Foundation. This foundation has been set up to provide up to ten thousand dollars in scholarships each year to students from the State of Colorado who attend Fort Lewis College or Western College and plan to become teachers. The foundation provides financial assistance to future educators and is designed so that the funds do not diminish, even after Roberta is gone.

Mr. Speaker, I am honored to have this opportunity to recognize Roberta Barr for the significant contributions that she has made to educating her community. She has spent her life teaching others and through her foundation will now be able to continue her life's ambition indefinitely. Her selfless dedication certainly deserves the praise and admiration of this body.

POEM BY AMY FARLEY

HON. JIM DeMINT

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 2001

Mr. DEMINT. Mr. Speaker, I would like to call to your attention a poem written by one of my constituents, Amy Farley. Amy is one of the many youth in our nation who are struggling to deal with the tragedy surrounding the September 11 attacks. As the children of today are our nation's brightest hope for the future, we should reach out to console them and encourage them to express themselves as they cope with these unfamiliar times. I would like to commend Amy and her effort to honor and remember the events of September 11, 2001 by highlighting the poem she submitted to Mauldin High School:

A POEM OF TRIBUTE . . . . AND WARNING

(By Amy Farley, Age 16, Junior at Mauldin High School)

For the mothers, fathers, sisters, and brothers,
For the colleagues, friends, children, and lovers,
For the three brave men of flight 93,
For the 200 fighters under Trade Center debris.

For Father Michael, the FDNY chaplain
For the thousands who will never see our flag again
For the students who ran, their lives in danger
For our president who acts with quiet anger
For astronauts who see dust and fire from space
For each battered, broken, and bloody face
For the Muslims who have been beaten by racists
For the FBI, as they search for the terrorists
For all of America as they watch in horror,
For Britain, as she watches her crippled daughter
For France, as they stand in a moment of silence
For the UN, who condemns such acts of violence

For Iraqis, who have never known freedom
For the Afghanistans, trusting the men that lead them
For the women there who live in fright,
For the young men coerced by bin Laden to fight
For the Pentagon, once thought impenetrable
For those trapped in crevices rendered unreachable
For the thousands of innocents maimed or killed,
For the pain and suffering New Yorkers feel
For the rescuers, convinced that hell's not this bad,
For the children at home without moms and dads
For the people who have to clean up the mess,
For the volunteers who do just as much for less
For those so hurt that they can't see the light
For the tables with empty seats tonight,
For those who eventually have to go back
For those who saw the sky turn black.

For all the world, because we've all been affected
Because of the attack that could not be deflected
We pray for you all, and hold you near
As our hearts ache and our eyes tear

Because of a few violent people out there
Who just by chance caught the US unaware
The whole world has been turned upside down
And now, nothing seems it will ever be sound

So hear this, world, countrymen and foes
America will not be disrupted by those
Who attack viciously in the broad daylight
We will not surrender this terrible fight

We will punish who did these heinous crimes
We will scrape together our nickels and dimes
So know that we will stand together,
With liberty and justice for all . . . . FOREVER.

PERSONAL EXPLANATION

HON. NEIL ABERCROMBIE

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 2001

Mr. ABERCROMBIE. Mr. Speaker, on Friday, October 12, 2001 it was unavoidable that I missed two roll call votes. Had I been present, I would have voted: Roll Call 385—Motion to Recommit H.R. 2975, the anti-terrorism initiative—Yes. Roll Call 386—Passage of H.R. 2975, the anti-terrorism initiative.—No.

PAYING TRIBUTE TO BECKY SMITH

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 2001

Mr. MCINNIS. Mr. Speaker, I would like to take this moment to acknowledge an extraordinary individual who resides in Colorado's Third Congressional District. Becky Smith, who will be stepping down from the Board of Education in the Bayfield School District, has dedicated her life to education in her community. It is my privilege to have the opportunity to thank her for twelve years of exceptional service.

Ms. Smith has made considerable efforts to support education and children's athletics both inside and outside of the classroom. She is a computer teacher in a neighboring school district and volunteers for numerous school related activities while teaching quilting and sewing classes in her free time. During her tenure on the Board of Education, Becky has held several positions and accomplished many initiatives. As President, Vice-President and Director of the Board, she has helped in acquiring funding for a new elementary school addition, renovating the middle school, building a new high school which included a new athletic facility for the students and surrounding community. Becky is a role model for others who will succeed her on the Board of Education.

Mr. Speaker, Becky Smith has been a true asset to the Bayfield Board of Education. Her contributions to education in her community and her selflessness deeds will not be forgotten. The Bayfield School District and the surrounding communities are grateful for the guidance and leadership that she has displayed. I would like to thank Becky and wish her the all the best in her future endeavors.

Daily Digest

HIGHLIGHTS

The House agreed to H. Con. Res. 248, expressing the sense of the Congress that public schools may display the words "God Bless America" as an expression of support for the Nation.

Senate

Chamber Action

Routine Proceedings, pages S10745–S10778

Measures Introduced: Seven bills and one resolution were introduced, as follows: S. 1552–1558, and S. Con. Res. 79. **Page S10769**

Foreign Operations Appropriations: Senate continued consideration of the motion to proceed to consideration of H.R. 2506, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2002. **Pages S10747–65**

A unanimous-consent agreement was reached providing for further consideration of the motion to proceed to consideration of the bill on Wednesday, October 17, 2001, with a vote on a motion to close further debate on the motion to proceed to consideration of the bill to occur at 11 a.m. **Pages S10776–77**

Nominations Confirmed: Senate confirmed the following nominations:

Linton F. Brooks, of Virginia, to be Deputy Administrator for Defense Nuclear Nonproliferation, National Nuclear Security Administration. (New Position)

William Winkenwerder, Jr., of Massachusetts, to be an Assistant Secretary of Defense.

2 Air Force nominations in the rank of general.

8 Army nominations in the rank of general.

2 Navy nominations in the rank of admiral.

Routine lists in the Air Force, Army, Marine Corps, Navy. **Page S10778**

Nominations Received: Senate received the following nominations:

R. David Paulison, of Florida, to be Administrator of the United States Fire Administration, Federal Emergency Management Agency.

Conrad Lautenbacher, Jr., of Virginia, to be Under Secretary of Commerce for Oceans and Atmosphere.

Constance Berry Newman, of Illinois, to be an Assistant Administrator of the United States Agency for International Development.

Christopher Bancroft Burnham, of Connecticut, to be Chief Financial Officer, Department of State.

1 Air Force nomination in the rank of general.

Routine lists in the Army, Foreign Service. **Pages S10777–78**

Measures Referred: **Page S10768**

Measures Read First Time: **Pages S10768, S10776**

Executive Communications: **Pages S10768–69**

Additional Cosponsors: **Pages S10769–70**

Statements on Introduced Bills/Resolutions: **Pages S10770–75**

Additional Statements: **Pages S10767–68**

Notices of Hearings/Meetings: **Page S10775**

Authority for Committees to Meet: **Pages S10775–76**

Adjournment: Senate met at 10 a.m., and adjourned at 5:46 p.m., until 10 a.m., on Wednesday, October 17, 2001. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S10777.)

Committee Meetings

(Committees not listed did not meet)

DOD AMMUNITION SECURITY

Committee on Armed Services: Subcommittee on Readiness and Management Support concluded closed hearings to examine the security of the Department of Defense ammunition shipments, after receiving testimony from Diane K. Morales, Deputy Under Secretary of Defense for Logistics and Materiel Readiness; Gen. John G. Coburn, USA, Commanding General, U.S. Army Materiel Command; Lt. Gen.

Daniel G. Brown, USAF, Deputy Commander in Chief, U.S. Transportation Command; Maj. Gen. Kenneth L. Privratsky, USA, Commander, Military Traffic Management Command; and Gregory D. Kutz, Director, Financial Management and Assurance, and John Ryan, Assistant Director, Office of Special Investigations, both of the General Accounting Office.

SUPERIOR BANK, HINSDALE, ILLINOIS

Committee on Banking, Housing, and Urban Affairs: Committee concluded hearings to examine the failure and implications of Superior Bank, FSB, Hinsdale, Illinois, focusing on the need for continued regulatory vigilance, more stringent accounting, and capital standards for retained assets, after receiving testimony from Ellen Seidman, Director, Office of Thrift Supervision, Department of the Treasury; John Reich, Director, Federal Deposit Insurance Corporation; Bert Ely, Ely and Company, Inc., Alexandria, Virginia; George G. Kaufman, Loyola University School of Business Administration, Chicago, Illinois; and Karen Shaw Petrou, Federal Financial Analytics, Inc., Washington, D.C.

E–911 COMPLIANCE

Committee on Commerce, Science, and Transportation: Subcommittee on Communications concluded oversight hearings to examine the implementation of the Wireless Communications and Public Safety Act (P.L. 106–81) and the integration of emergency–911 technologies, after receiving testimony from Thomas J. Sugrue, Chief, Wireless Telecommunications Bureau, Federal Communications Commission; Michael Amarosa, TruePosition, Inc., New York, New York; Jenny Hansen, Montana State E 9–1–1 Program, Helena; John Melcher, National Emergency Number Association, Houston, Texas; Brett Sewell, SnapTrack, Inc., Campbell, California; and Thomas E. Wheeler, Cellular Telecommunications and Internet Association, Washington, D.C.

FEMA ATTACK RESPONSE

Committee on Environment and Public Works: Committee concluded hearings to review the Federal Emergency Management Agency's response to the September 11, 2001 attacks on the Pentagon and the World Trade Center in coordinating the rescue and recovery effort, and the continuing efforts at both locations to coordinate federal relief efforts and to administer federal assistance programs, after receiving testimony from Joe M. Allbaugh, Director, Federal Emergency Management Agency (FEMA); Edward P. Plaugher, Arlington County Fire Department, Arlington, Virginia; Jeffrey L. Metzinger, Sacramento Metropolitan Fire District, Sacramento, California, on behalf of FEMA's California Task Force 7; and Robert Hessinger and Michael Kenney, both of FEMA's Ohio Task Force One, Kettering.

BUSINESS MEETING

Committee on Health, Education, Labor, and Pensions: Committee ordered favorably reported the following business items:

S. 1379, to amend the Public Health Service Act to establish an Office of Rare Diseases at the National Institutes of Health, with an amendment in the nature of a substitute;

S. 727, to provide grants for cardiopulmonary resuscitation (CPR) training in public schools;

H.R. 717, to amend the Public Health Service Act to provide for research and services with respect to Duchenne muscular dystrophy, with an amendment in the nature of a substitute;

An original bill to provide assistance with respect to the mental health needs of individuals affected by the terrorist attacks of September 11, 2001; and

The nomination of Eugene Scalia, of Virginia, to be Solicitor for the Department of Labor.

TRANSPORTATION INFRASTRUCTURE

Committee on the Judiciary: Subcommittee on Youth Violence held hearings to examine the defense of America's surface transportation infrastructure, focusing on analysis to evaluate terrorist threats and increased security measures for public transportation, receiving testimony from Mike Parker, Assistant Secretary of the Army for Civil Works; Brian M. Jenkins, RAND Corporation, Santa Monica, California; Donald E. Brown, University of Virginia School of Engineering and Applied Science, Charlottesville; Jeffrey K. Beatty, Total Security Services, International, Marrietta, Georgia; and Tony Chrestman, Ruan Transportation Management Systems, Des Moines, Iowa.

Hearings recessed subject to call.

NOMINATION

Committee on Small Business: Committee concluded hearings on the nomination of Thomas M. Sullivan, of Massachusetts, to be Chief Counsel for Advocacy, Small Business Administration, after the nominee, who was introduced by Hector V. Barreto, Administrator, Small Business Administration, testified and answered questions in his own behalf.

CARE FOR VETERANS

Committee on Veterans' Affairs: Committee concluded hearings to examine the Department of Veterans Affairs' Fourth Mission, which is to preserve the VA's ability to accept military casualties while continuing to care for veterans, servicemembers, and the public

following conflicts and crises, after receiving testimony from Anthony J. Principi, Secretary of Veterans Affairs; Fran Murphy, Deputy Under Secretary of Veterans Affairs for Health; Claude A. Allen, Deputy Secretary of Health and Human Services; David S. C. Chu, Under Secretary of Defense for Personnel and Readiness; and Bruce P. Baughman, Director, Planning and Readiness Division, Readiness, Response and Recovery Directorate, Federal Emergency Management Agency.

House of Representatives

Chamber Action

Measures Introduced: 20 public bills, H.R. 3129–3148; and 2 resolutions, H. Con. Res. 250, and H. Res. 266 were introduced. **Pages H6918–19**

Reports Filed: Reports were filed today as follows:

H.R. 1408, to safeguard the public from fraud in the financial services industry, to streamline and facilitate the antifraud information-sharing efforts of Federal and State regulators, amended (H. Rept. 107–192, Pt. 2);

H.R. 1552, to extend the moratorium enacted by the Internet Tax Freedom Act through 2006, amended (H. Rept. 107–240);

H.R. 2716, to amend title 38, United States Code, to revise, improve, and consolidate provisions of law providing benefits and services for homeless veterans, amended (H. Rept. 107–241, Pt. 1);

H.R. 2792, to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to make service dogs available to disabled veterans and to make various other improvements in health care benefits provided by the Department of Veterans Affairs, amended (H. Rept. 107–242);

H.R. 2481, to improve maritime safety and the quality of life for Coast Guard personnel, amended (H. Rept. 107–243);

H.R. 3008, to reauthorize the trade adjustment assistance program under the Trade Act of 1974 (H. Rept. 107–244);

H.R. 3010, to amend the Trade Act of 1974 to extend the Generalized System of Preferences until December 31, 2002 (H. Rept. 107–245);

Conference report on H.R. Conference report on H.R. 2904, making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2002 (H. Rept. 107–246);

H. Res. 267, waiving points of order against the conference report on H.R. 2217, making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2002 (H. Rept. 107–247); and

H. Res. 268, waiving points of order against the conference report on H.R. 2904, making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2002 (H. Rept. 107–248). **Page H6918**

Speaker Pro Tempore: Read a letter from the Speaker wherein he appointed Representative Kirk to act as Speaker pro tempore for today. **Page H6783**

Guest Chaplain: The prayer was offered by the guest Chaplain, His Eminence, Theodore Cardinal McCarrick, Archbishop of Washington. **Page H6789**

Recess: The House recessed at 1:12 p.m. and reconvened at 2 p.m. **Page H6789**

Private Calendar: Agreed to dispense with the call of the Private Calendar business of Tuesday, Oct. 16. **Page H6789**

Late Report—Military Construction Conference Report: The conferees received permission to have until midnight to file a conference report on H.R. 2904, making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2002. **Pages H6789–90, H6831–72**

National Council on the Arts: The Chair announced the Speaker's appointment of Representatives Ballenger and McKeon to the National Council on the Arts. **Page H6790**

Suspensions: The House agreed to suspend the rules and pass the following measures:

God Bless America: H. Con. Res. 248, expressing the sense of the Congress that public schools may display the words "God Bless America" as an expression of support for the Nation (agreed to by a yea-and-nay vote of 404 yeas with 10 voting "present", Roll No. 387); **Pages H6790–92, H6872**

Tribute to the United States-Australia Relationship and Recognizing the 50th Anniversary of the ANZUS Treaty: H. Con. Res. 217, amended, 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 (agreed to by a yea-and-nay vote of 413 yeas to 1 nays, Roll No. 388). Agreed to amend the title; **Pages H6792–95, H6873**

Assistance to Pakistan: S. 1465, to authorize the President to exercise waivers of foreign assistance restrictions with respect to Pakistan through September 30, 2003—clearing the measure for the President; **Pages H6795–98**

Coral Reef and Coastal Marine Conservation Act of 2001: H.R. 2272, amended, to amend the Foreign Assistance Act of 1961 to provide for debt relief to developing countries who take action to protect critical coral reef habitats (agreed to by a yea-and-nay vote of 382 yeas to 32 nays, Roll No. 389); **Pages H6799–H6803, H6873–74**

Internet Tax Nondiscrimination Act: H.R. 1552, amended, to extend the moratorium enacted by the Internet Tax Freedom Act through 2006. Agreed to amend the title; **Pages H6803–08**

Consequences for Juvenile Offenders Act: H.R. 863, amended, to provide grants to ensure increased accountability for juvenile offenders; **Pages H6808–13**

Redaction of Financial Disclosure Statements: H.R. 2336, to make permanent the authority to redact financial disclosure statements of judicial employees and judicial officers; **Pages H6813–14**

Francis Bardanouve Post Office, Harlem, Montana: H.R. 2876, to designate the facility of the United States Postal Service located in Harlem, Montana, as the ''Francis Bardanouve United States Post Office Building;'' **Pages H6823–24**

Earl T. Shinhoster Post Office, Decatur, Georgia: H.R. 2261, to designate the facility of the United States Postal Service located at 2853 Candler Road in Decatur, Georgia, asthe ''Earl T. Shinhoster Post Office;'' **Pages H6824–27**

Congressman Julian C. Dixon Post Office, Los Angeles, California: H.R. 2454, amended, to redesignate the facility of the United States Postal Service located at 5472 Crenshaw Boulevard in Los Angeles, California, as the ''Congressman Julian C. Dixon Post Office Building.'' Agreed to amend the title; and **Pages H6827–31**

Homeless Veterans Assistance: H.R. 2716, amended, to amend title 38, United States Code, to revise, improve, and consolidate provisions of law providing benefits and services for homeless veterans (Representative Smith of New Jersey asked unanimous consent to vacate the earlier ordering of the yeas and nays on the motion to suspend the rules. Subsequently, the motion was agreed to by voice vote). **Pages H6814–23**

Recess: The House recessed at 5:31 p.m. and reconvened at 6:33 p.m. **Page H6831**

Order of Business: Agreed that it be in order on Wednesday, October 17 for the Speaker to entertain a motion to suspend the rules and pass H.R. 3004, Financial Anti-Terrirorism Act of 2001, with an amendment placed at the desk. **Pages H6902–15**

Senate messages: Messages received today from the Senate appear on page 6783.

Referrals: S. 1447 was held at the desk.

Quorum Calls—Votes: Three yea-and-nay votes developed during the proceedings of the House today and appear on pages H6872, H6873, H6873–74. There were no quorum calls.

Adjournment: The House met at 12:30 p.m. and adjourned at 11:59 p.m.

Committee Meetings

ECONOMIC RECOVERY AND ASSISTANCETO WORKERS

Committee on Education and the Workforce: Held a hearing on Economic Recovery and Assistance to Workers. Testimony was heard from Elaine L. Chao, Secretary of Labor.

WELFARE REFORM

Committee on Education and the Workforce: Subcommittee on the 21st Century Workforce held a hearing on Welfare Reform: Success in Moving Toward Work. Testimony was heard from public witnesses.

HEALTH CARE INFLATION—IMPACT ONTHE FEHBP

Committee on Government Reform: Subcommittee on Civil Service and Agency Organization held a hearing on ''Health Care Inflation and Its Impact on the FEHBP.'' Testimony was heard from William E. Flynn III, Associate Director, Retirement and Insurance Services, OPM; Lawrence Mirel, Commissioner, Department of Insurance and Securities Regulation, District of Columbia; former Representative Tom A. Coburn, M.D., State of Oklahoma; and public witnesses.

NATURAL GAS INFRASTRUCTUREAND CAPACITY CONSTRAINTS

Committee on Government Reform: Subcommittee on Energy Policy, Natural Resources and Regulatory Affairs held a hearing on ''Natural Gas Infrastructure

and Capacity Constraints.'' Testimony was heard from Patrick Wood III, Chairman, Federal Energy Regulatory Commission, Department of Energy; from the following officials of the State of California: Loretta Lynch, President, Public Utilities Commission; and Michael C. Moore, Commissioner, Energy Commission; and public witnesses.

DEEP CREEK WILDERNESS ACT

Committee on Resources: Subcommittee on Forests and Forest Health held a hearing on H.R. 2963, Deep Creek Wilderness Act. Testimony was heard from Abigail Kimbell, Acting Associate Deputy Chief, Forest Service, USDA; and public witnesses.

NATIONAL TRAILS SYSTEM ACTAMENDMENTS

Committee on Resources: Subcommittee on National Parks, Recreation and Public Lands held a hearing on: H.R. 1963, to amend the National Trails System Act to designate the route taken by American soldier and frontiersman George Rogers Clark and his men during the Revolutionary War to capture the British forts at Kaskaskia and Cahokia, Illinois, and Vincennes, Indiana, for the study for potential addition to the National Trails System. Testimony was heard from Michael Soukup, Associate Director, Natural Resource Stewardship and Science, National Park Service, Department of the Interior; and Bob Coomer, Superintendent of Historic Sites, Historic Preservation Agency, State of Illinois.

CONFERENCE REPORT—INTERIORAPPROPRIATIONS

Committee on Rules: Granted, by voice vote, a rule waiving all points of order against the conference report to accompany H.R. 2217, making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2002, and against its consideration. Testimony was heard from Representatives Skeen and Dicks.

CONFERENCE REPORT—MILITARYCONSTRUCTION

Committee on Rules: Granted, by voice vote, a rule waiving all points of order against the conference report to accompany H.R. 2904, making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2002, and against its consideration. The rule provides that the conference report shall be considered as read. Testimony was heard from Representatives Hobson and Olver.

Joint Meetings

APPROPRIATIONS—MILITARY CONSTRUCTION

Conferees agreed to file a conference report on the differences between the Senate and House passed versions of H.R. 2904, making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2002.

COMMITTEE MEETINGS FOR WEDNESDAY, OCTOBER 17, 2001

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Banking, Housing, and Urban Affairs: to hold hearings on the nominations of Susan Schmidt Bies, of Tennessee, and Mark W. Olson, of Minnesota, each to be a Member of the Board of Governors of the Federal Reserve System, 9:30 a.m., SD–538.

Committee on Commerce, Science, and Transportation: business meeting to consider S. 1550, to provide for rail safety and security assistance; the nomination of Phillip Bond, of Virginia, to be Under Secretary of Commerce for Technology; the nomination of John H. Marburger III, of New York, to be Director of the Office of Science and Technology Policy; and pending nominations in the U.S. Coast Guard, 9:30 a.m., SR–253.

Committee on Environment and Public Works: to hold hearings on the nomination of William Baxter, of Tennessee, to be a Member of the Board of Directors of the Tennessee Valley Authority; the nomination of Kimberly Terese Nelson, of Pennsylvania, to be an Assistant Administrator of the Environmental Protection Agency; and the nomination of Steven A. Williams, of Kansas, to be Director of the United States Fish and Wildlife Service, Department of the Interior, 9:30 a.m., SD–406.

Committee on Foreign Relations: to hold a closed briefing on the recent international campaign against terrorism, 11 a.m., S–407, Capitol.

Full Committee, to hold hearings on the nomination of Brian E. Carlson, of Virginia, to be Ambassador to the Republic of Latvia; the nomination of Joseph M. DeThomas, of Pennsylvania, to be Ambassador to the Republic of Estonia; the nomination of Bonnie McElveen-Hunter, of North Carolina, to be Ambassador to the Republic of Finland; the nomination of John Malcolm Ordway, of California, to be Ambassador to the Republic of Armenia; the nomination of John N. Palmer, of Mississippi, to be Ambassador to the Republic of Portugal; and the nomination of Clifford M. Sobel, of New Jersey, to be Ambassador to the Kingdom of the Netherlands, 2:30 p.m., SD–419.

Committee on Governmental Affairs: with the Subcommittee on International Security, Proliferation and

Federal Services, to hold hearings to examine federal efforts to coordinate and prepare the United States for bioterrorism, 9:30 a.m., SD–342.

Subcommittee on International Security, Proliferation and Federal Services, with the Committee on Governmental Affairs, to hold hearings to examine federal efforts to coordinate and prepare the United States for bioterrorism, 9:30 a.m., SD–342.

Select Committee on Intelligence: to hold closed hearings to examine pending intelligence matters, 2:30 p.m., SH–219.

Committee on the Judiciary: Subcommittee on Immigration, to hold hearings to examine effective immigration controls to deter terrorism, 10:30 a.m., SD–226.

House

Committee on Education and the Workforce, Subcommittee on Select Education, hearing on Prevention and Treatment of Child Abuse and Neglect: Policy Directions for the Future, 10 a.m., 2175 Rayburn.

Committee on Energy and Commerce, Subcommittee on Commerce, Trade and Consumer Protection, hearing on the State of the U.S. Tourism Industry, 10 a.m., 2123 Rayburn.

Subcommittee on Health, to mark up H.R. 3046, Medicare Regulatory, Appeals, Contracting, and Education Reform Act of 2001, 10 a.m., 2123 Rayburn.

Committee on Financial Services, Subcommittee on Financial Institutions and Consumer Credit, hearing on deposit insurance reform, 10 a.m., 2128 Rayburn.

Committee on Government Reform, Subcommittee on Criminal Justice, Drug Policy, and Human Resources, hearing on "Keeping a Strong Federal Law Enforcement Work Force," 1 p.m., 2247 Rayburn.

Subcommittee on Technology and Procurement Policy, hearing on "Turning the Tortoise Into the Hare: How Federal Government Can Transition From Old Economy Speed to Become a Model for Electronic Government," 2 p.m., 2154 Rayburn.

Committee on International Relations, hearing on Coercive Population Control in China: New Evidence of Forced Abortion and Forced Sterilization, 10:30 a.m., 2172 Rayburn.

Subcommittee on the Middle East and South Asia, hearing on Developments in the Middle East, 2 p.m., 2172 Rayburn.

Committee on the Judiciary, Subcommittee on Immigration and Claims, oversight hearing on Immigration and Naturalization Service Performance Issues, 10 a.m., 2237 Rayburn.

Committee on Resources, to mark up the following bills: H.R. 483, regarding the use of the trust land and resources of the Confederated Tribes of the Warm Springs Reservation of Oregon; H.R. 1491, Utah Public Lands Artifact Preservation Act of 2001; H.R. 1913, to require the valuation of nontribal interest ownership of subsurface rights within the boundaries of the Acoma Indian Reservation; H.R. 2115, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the design, planning and construction of a project to reclaim and reuse within and outside of the service area of the Lakehaven Utility District, Washington; and H.R. 2585, Chiloquin Dam Fish Passage Facility Study Act of 2001; followed by a hearing on H.R. 1239, to establish a moratorium on approval by the Secretary of the Interior of relinquishment of a lease of certain tribal lands in California; and H.R. 2742, to authorize the construction of a Native American Cultural Center and Museum in Oklahoma City, Oklahoma; 10 a.m., 1324 Longworth.

Committee on Rules, to consider H.R. 3090, Economic Security and Recovery Act of 2001, 3 p.m., H–313 Capitol.

Committee on Science, hearing on Cyber Terrorism, a View from the Gilmore Commission, 10 a.m., 2318 Rayburn.

Committee on Small Business, hearing on "Depreciation Schedules: How Can Congress Provide Relief for America's Small Businesses," 2 p.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, Subcommittee on Aviation, hearing on Restrictions on General Aviation Flying in Class B Airspace, 1:30 p.m., 2167 Rayburn.

Subcommittee on Coast Guard and Maritime Transportation, hearing on Drug Interdiction, 10 a.m., 2167 Rayburn.

Committee on Ways and Means, to mark up the following measures: H.R. 2873, Promoting Safe and Stable Families Amendments of 2001; and H.R. 3129, Customs Border Security Act of 2001, 4 p.m., 1100 Longworth.

Joint Meetings

Conference: meeting of conferees on H.R. 1, to close the achievement gap with accountability, flexibility, and choice, so that no child is left behind, 3:30 p.m., SD–106.

Joint Economic Committee: to hold hearings to examine monetary policy in the context of the current economic situation, 10 a.m., 311 Cannon Building.

Next Meeting of the SENATE

10 a.m., Wednesday, October 17

Senate Chamber

Program for Wednesday: Senate will continue consideration of the motion to proceed to consideration of H.R. 2506, Foreign Operations Appropriations, with a vote on a motion to close further debate on the motion to proceed to consideration of the bill to occur at 11 a.m.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, October 17

House Chamber

Program for Wednesday: Consideration of the Conference Report on H.R. 2217, Interior and Related Agencies Appropriations (rule waiving points of order); and

Consideration of H.R. 2904, Military Construction Appropriations (rule waiving points of order).

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