The House met at 2 p.m. and was called to order by the Speaker pro tempore (Mr. Mckeen).

DESIGNATION OF THE SPEAKER PRO TEMPORE
The Speaker pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,

I hereby appoint the Honorable Howard P. "Buck" Mckeen to act as Speaker pro tempore on this day.

J. Dennis Hastert,
Speaker of the House of Representatives.

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

O Lord of the universe, during Ramadan both Christians and Jews have prayed with our Islamic brothers and sisters during their holy fast. Together we hunger and thirst for justice.

May the emptiness that comes from fasting create within us a greater dependence upon You, Almighty God and Divine Provider for us all. May our prayers bring us strength during our struggles; wisdom in our negotiations; and comfort in our seeking peace.

In our father Abraham, You call all of us, Jew, Christian, and Muslim, to be children of one faith and one God.

Deepen in our hearts our holy traditions, O Lord, that we may find new levels of understanding and build multiple dialogues of peace.

By Your holy covenant and commandments, make us Your people of hope for the world, both now and forever. Amen.

THE JOURNAL
The Speaker pro tempore. The Chair has examined the Journal of the last day’s proceedings and announces to the House his approval thereof.

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

PLEDGE OF ALLEGIANCE
The Speaker pro tempore. The Chair will lead the House in the Pledge of Allegiance.

The Speaker pro tempore led the Pledge of Allegiance as follows:

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

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

H.R. 2657. An act to amend title 11, District of Columbia Code, to redesignate the Family Division of the Superior Court of the District of Columbia as the Family Court of the Superior Court, to recruit and retain trained and experienced judges to serve in the Family Court, to promote consistency and efficiency in the assignment of judges to the Family Court and in the consideration of actions and proceedings in the Family Court, and for other purposes.

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

S. 1762. An act to amend the Higher Education Act of 1965 to establish fixed interest rates for student and parent borrowers, to extend current law with respect to special allowances for lenders, and for other purposes.

S. 1793. An act to provide the Secretary of Education with specific waiver authority to respond to conditions in the national emergency declared by the President on September 14, 2001.

S. Con. Res. 86. Concurrent resolution expressing the sense of Congress that women from all ethnic groups in Afghanistan should participate in the economic and political reconstruction of Afghanistan.

S. Con. Res. 93. Concurrent resolution recognizing and honoring the National Guard on the occasion of the 365th anniversary of its historic beginning with the founding of the militia of the Massachusetts Bay Colony.

NOTICE
Effective January 1, 2002, the subscription price of the Congressional Record will be $422 per year or $211 for six months. Individual issues may be purchased for $5.00 per copy. The cost for the microfiche edition will remain $141 per year with single copies remaining $1.50 per issue. This price increase is necessary based upon the cost of printing and distribution.

Michael F. DiMario, Public Printer
COMMUNICATION FROM THE CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,

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

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on December 14, 2001 at 12:07 p.m.

That the Senate agreed to conference report S. 1438.

That the Senate passed without amendment H.R. 2873.

That the Senate agreed to Senate Amendments H.R. 1291.

That the Senate agreed to conference report S. 1437.

That the Senate passed without amendment H.R. 483.

That the Senate passed without amendment H.R. 1291.

That the Senate passed without amendment H.R. 2873.

That the Senate agreed to conference report H.R. 288.

That the Senate passed without amendment H.R. 287.

That the Senate agreed to House amendment H.R. 2321.

That the Senate agreed to conference report H.R. 461.

That the Senate passed without amendment H.R. 288.

That the Senate passed without amendment H.R. 1291.

That the Senate passed without amendment H.R. 2873.

DEAR MR. SPEAKER, Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on December 14, 2001 at 12:07 p.m.

Was there no objection.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore. The Chair laid before the House a further communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,

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

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on December 14, 2001 at 12:07 p.m.

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That the Senate passed without amendment H.R. 1291.

That the Senate passed without amendment H.R. 2873.

DEAR MR. SPEAKER, Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on December 14, 2001 at 12:07 p.m.

Was there no objection.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports and amended reports concerning the foreign currencies and U.S. dollars utilized for official foreign travel during the second and third quarters of 2001, by Committees of the House of Representatives, as well as a consolidated report of foreign currencies and U.S. dollars utilized for speaker-authorized official travel during the first and third quarters of 2001, pursuant to Public Law 95–384, are as follows:

AMENDED REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ARMED SERVICES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2001

<table>
<thead>
<tr>
<th>Name of Member or employee</th>
<th>Date</th>
<th>Country</th>
<th>Per diem 1</th>
<th>Transportation</th>
<th>Other purposes</th>
<th>Total</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>Arrival</td>
<td>Departure</td>
<td>Foreign currency</td>
<td>1 U.S. dollar equivalent or U.S. currency</td>
<td>Foreign currency</td>
<td>2 U.S. dollar equivalent or U.S. currency</td>
</tr>
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<td>6/19</td>
<td>France</td>
<td></td>
<td>3,815.10</td>
<td></td>
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</tbody>
</table>

1 Per diem constitutes lodging and meals.
2 If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

AMENDED REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON SCIENCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2001

<table>
<thead>
<tr>
<th>Name of Member or employee</th>
<th>Date</th>
<th>Country</th>
<th>Per diem 1</th>
<th>Transportation</th>
<th>Other purposes</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Arrival</td>
<td>Departure</td>
<td>Foreign currency</td>
<td>1 U.S. dollar equivalent or U.S. currency</td>
<td>Foreign currency</td>
<td>2 U.S. dollar equivalent or U.S. currency</td>
</tr>
<tr>
<td>Hon. Sherwood Boehlert</td>
<td>6/15</td>
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</tr>
</tbody>
</table>

1 Per diem constitutes lodging and meals.
2 If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON AGRICULTURE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2001

<table>
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<th>Name of Member or employee</th>
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<td>Foreign currency</td>
<td>1 U.S. dollar equivalent or U.S. currency</td>
<td>Foreign currency</td>
<td>2 U.S. dollar equivalent or U.S. currency</td>
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</tbody>
</table>

1 Per diem constitutes lodging and meals.
2 If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair desires to announce that pursuant to clause 4 of rule I, the Speaker signed the following enrolled joint resolution on Friday, December 14, 2001.

House Joint Resolution 78, making further continuing appropriations for the fiscal year 2002, and for other purposes.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 2 o’clock and 5 minutes p.m.), the House stood in recess subject to the call of the Chair.

Sincerely,
JEFF TRANDAHL,
Clerk of the House.
<table>
<thead>
<tr>
<th>Name of Member or employee</th>
<th>Arrival</th>
<th>Departure</th>
<th>Country</th>
<th>Per diem 1</th>
<th>Transportation</th>
<th>Other purposes</th>
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1 Per diem constitutes lodging and meals.
2 If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
3 Military air transportation.
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1 Per diem constitutes lodging and meals.
2 If foreign currency is used, enter U.S. dollar equivalent, if U.S. currency is used, enter amount expended.
## REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON FINANCIAL SERVICES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2001—Continued

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### Notes
1. Per diem constitutes lodging and meals.
2. If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
3. Dependent on Appropriations Committee Code.

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**BILLY TAUZIN,** Chairman.

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### REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON GOVERNMENT REFORM, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2001

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1. Per diem constitutes lodging and meals.
2. If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

### REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON INTERNATIONAL RELATIONS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2001

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1. Per diem constitutes lodging and meals.
2. If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

**DAN BURTON, Chairman, Oct. 30, 2001.**
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[December 17, 2001, CONGRESSIONAL RECORD — HOUSE]

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON INTERNATIONAL RELATIONS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2001—Continued

1. U.S. dollar equivalent

2. U.S. dollar or U.S. currency

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The table above includes a list of members and employees who traveled abroad, along with the dates of their travel and the countries they visited. It also shows the foreign currency amounts and their U.S. dollar equivalents for foreign currency, transportation, and other purposes. The table is part of a report on expenditures for official foreign travel by the Committee on International Relations, House of Representatives, for the period between July 1 and September 30, 2001.
<table>
<thead>
<tr>
<th>Name of Member or employee</th>
<th>Arrival</th>
<th>Departure</th>
<th>Country</th>
<th>Per diem ¹</th>
<th>Transportation</th>
<th>Other purposes</th>
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<td>684.50</td>
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</table>

¹ Per diem constitutes lodging and meals.
² If foreign currency is used, enter U.S. dollar equivalent, if U.S. currency is used, enter amount expended.
³ Military air transportation.
⁴ Indicates delegation costs.
## REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON SMALL BUSINESS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2001 — Continued

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<tr>
<th>Name of Member or employee</th>
<th>Arrival</th>
<th>Departure</th>
<th>Country</th>
<th>Per diem 1</th>
<th>Transportation</th>
<th>Other purposes</th>
<th>Total</th>
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<td>U.S. dollar equivalent or U.S. currency 2</td>
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1 Per diem constitutes lodging and meals.
2 If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
3 Military air transportation.

JAMES V. HANSEN, Chairman, Nov. 15, 2001.

## REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON RULES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2001

<table>
<thead>
<tr>
<th>Name of Member or employee</th>
<th>Arrival</th>
<th>Departure</th>
<th>Country</th>
<th>Per diem 1</th>
<th>Transportation</th>
<th>Other purposes</th>
<th>Total</th>
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1 Per diem constitutes lodging and meals.
2 If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
3 Estimate due to refunds in tickets from 7/5/01.
4 Military air transportation.


## REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON SCIENCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2001

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<th>Transportation</th>
<th>Other purposes</th>
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</table>

1 Per diem constitutes lodging and meals.
2 If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.


## REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON SMALL BUSINESS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2001

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<th>Name of Member or employee</th>
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<th>Per diem 1</th>
<th>Transportation</th>
<th>Other purposes</th>
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<td>U.S. dollar equivalent or U.S. currency 2</td>
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<td>FOR HOUSE COMMITTEES</td>
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</tbody>
</table>

1 Per diem constitutes lodging and meals.
2 If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.


## REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2001

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<th>Name of Member or employee</th>
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<th>Departure</th>
<th>Country</th>
<th>Per diem 1</th>
<th>Transportation</th>
<th>Other purposes</th>
<th>Total</th>
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<tr>
<td>FOR HOUSE COMMITTEES</td>
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</tr>
</tbody>
</table>

1 Per diem constitutes lodging and meals.
2 If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

# REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2001

<table>
<thead>
<tr>
<th>Name of Member or employee</th>
<th>Arrival</th>
<th>Departure</th>
<th>Country</th>
<th>Per diem</th>
<th>Transportation</th>
<th>Other purposes</th>
<th>Total</th>
</tr>
</thead>
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<tr>
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<td>U.S. dollar equivalent or U.S. currency</td>
<td>U.S. dollar equivalent or U.S. currency</td>
<td>U.S. dollar equivalent or U.S. currency</td>
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</tr>
<tr>
<td>Hon. Christopher Smith, Chairman</td>
<td>7/5</td>
<td>7/10</td>
<td>France</td>
<td>2,177.46</td>
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<td></td>
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</tr>
<tr>
<td>Hon. Steny Hoyer</td>
<td>7/5</td>
<td>7/10</td>
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<td></td>
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</tr>
<tr>
<td>Hon. Benjamin Cardin</td>
<td>7/5</td>
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<td>France</td>
<td>2,177.46</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hon. Louise Slaughter</td>
<td>7/5</td>
<td>7/10</td>
<td>France</td>
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<td></td>
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<tr>
<td>Hon. Michael McCulley</td>
<td>7/5</td>
<td>7/10</td>
<td>France</td>
<td>2,177.46</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

1 Per diem constitutes lodging and meals.
2 If foreign currency is used, enter U.S. dollar equivalent, if U.S. currency is used, enter amount expended.

## REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO FRANCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 4 AND JULY 10, 2001

<table>
<thead>
<tr>
<th>Name of Member or employee</th>
<th>Arrival</th>
<th>Departure</th>
<th>Country</th>
<th>Per diem</th>
<th>Transportation</th>
<th>Other purposes</th>
<th>Total</th>
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<tr>
<td>Hon. Christopher Smith, Chairman</td>
<td>7/5</td>
<td>7/10</td>
<td>France</td>
<td>2,177.46</td>
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<tr>
<td>Hon. Steny Hoyer</td>
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<td>7/10</td>
<td>France</td>
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<tr>
<td>Hon. Benjamin Cardin</td>
<td>7/5</td>
<td>7/10</td>
<td>France</td>
<td>2,177.46</td>
<td></td>
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</tr>
<tr>
<td>Hon. Louise Slaughter</td>
<td>7/5</td>
<td>7/10</td>
<td>France</td>
<td>2,177.46</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Hon. Michael McCulley</td>
<td>7/5</td>
<td>7/10</td>
<td>France</td>
<td>2,177.46</td>
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</tbody>
</table>

1 Per diem constitutes lodging and meals.
2 If foreign currency is used, enter U.S. dollar equivalent, if U.S. currency is used, enter amount expended.

## REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO REPUBLIC OF KOREA, CAMBODIA, AND VIETNAM, EXPENDED BETWEEN JAN. 11 AND JAN. 18, 2001

<table>
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<th>Per diem</th>
<th>Transportation</th>
<th>Other purposes</th>
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<td>1/13</td>
<td>Republic of Korea</td>
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<tr>
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<td>1/13</td>
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<tr>
<td>Hon. Tom Lantos</td>
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<td>1/15</td>
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<tr>
<td>Hon. Nita Lowey</td>
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<td>1/13</td>
<td>Republic of Korea</td>
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<tr>
<td>Hon. Charles Rangel</td>
<td>1/11</td>
<td>1/13</td>
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<tr>
<td>Hon. John Tanner</td>
<td>1/11</td>
<td>1/13</td>
<td>Republic of Korea</td>
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<td>Hon. Karen Thomas</td>
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<tr>
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<tr>
<td>Beth O'Brien</td>
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<td>Republic of Korea</td>
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<td>Sean Kennedy</td>
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<td>Republic of Korea</td>
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<tr>
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<td>Shanti Ochs</td>
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<td>1/13</td>
<td>Republic of Korea</td>
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</tr>
</tbody>
</table>

1 Per diem constitutes lodging and meals.
2 If foreign currency is used, enter U.S. dollar equivalent, if U.S. currency is used, enter amount expended.

## REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO ITALY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 4 AND JULY 10, 2001

<table>
<thead>
<tr>
<th>Name of Member or employee</th>
<th>Arrival</th>
<th>Departure</th>
<th>Country</th>
<th>Per diem</th>
<th>Transportation</th>
<th>Other purposes</th>
<th>Total</th>
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<tr>
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<td>U.S. dollar equivalent or U.S. currency</td>
<td>U.S. dollar equivalent or U.S. currency</td>
<td>U.S. dollar equivalent or U.S. currency</td>
<td></td>
</tr>
<tr>
<td>Hon. Christopher Smith, Chairman</td>
<td>7/5</td>
<td>7/10</td>
<td>France</td>
<td>2,177.46</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hon. Steny Hoyer</td>
<td>7/5</td>
<td>7/10</td>
<td>France</td>
<td>2,177.46</td>
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<td></td>
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<tr>
<td>Hon. Benjamin Cardin</td>
<td>7/5</td>
<td>7/10</td>
<td>France</td>
<td>2,177.46</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Hon. Louise Slaughter</td>
<td>7/5</td>
<td>7/10</td>
<td>France</td>
<td>2,177.46</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hon. Michael McCulley</td>
<td>7/5</td>
<td>7/10</td>
<td>France</td>
<td>2,177.46</td>
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<td></td>
<td></td>
</tr>
</tbody>
</table>

1 Per diem constitutes lodging and meals.
2 If foreign currency is used, enter U.S. dollar equivalent, if U.S. currency is used, enter amount expended.
### REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO FRANCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 4 AND JULY 10, 2001

<table>
<thead>
<tr>
<th>Name of Member or employee</th>
<th>Arrival</th>
<th>Departure</th>
<th>Country</th>
<th>Per diem 1</th>
<th>Transportation</th>
<th>Other purposes</th>
<th>Total</th>
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<td>Foreign currency</td>
<td>U.S. dollar equivalent or U.S. currency 2</td>
<td>U.S. dollar equivalent or U.S. currency 2</td>
<td>U.S. dollar equivalent or U.S. currency 2</td>
</tr>
</tbody>
</table>

### REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO MALI, GHANA, NIGERIA, AND PORTUGAL, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN AUG. 27 AND AUG. 31, 2001

<table>
<thead>
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<th>Name of Member or employee</th>
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<th>Country</th>
<th>Per diem 1</th>
<th>Transportation</th>
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<td>Foreign currency</td>
<td>U.S. dollar equivalent or U.S. currency 2</td>
<td>U.S. dollar equivalent or U.S. currency 2</td>
<td>U.S. dollar equivalent or U.S. currency 2</td>
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</tbody>
</table>

### REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, MR. ROBERT ZACHRITZ, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JUNE 28 AND JULY 9, 2001

<table>
<thead>
<tr>
<th>Name of Member or employee</th>
<th>Arrival</th>
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<th>Country</th>
<th>Per diem 1</th>
<th>Transportation</th>
<th>Other purposes</th>
<th>Total</th>
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<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Foreign currency</td>
<td>U.S. dollar equivalent or U.S. currency 2</td>
<td>U.S. dollar equivalent or U.S. currency 2</td>
<td>U.S. dollar equivalent or U.S. currency 2</td>
</tr>
</tbody>
</table>

1. Per diem constitutes lodging and meals.
2. If foreign currency is used, enter U.S. dollar equivalent, if U.S. currency is used, enter amount expended.
3. Military air transportation.

### Committee total:

<p>| | | | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
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</thead>
</table>

### Notes:

- Per diem constitutes lodging and meals.
- If foreign currency is used, enter U.S. dollar equivalent, if U.S. currency is used, enter amount expended.
- Military air transportation.
REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, MR. SCOTT PALMER, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN AUG. 4 AND AUG. 15, 2001

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<tr>
<th>Name of Member or employee</th>
<th>Arrival</th>
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<th>Country</th>
<th>Per diem</th>
<th>Transportation</th>
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<tr>
<td>Scott Palmer</td>
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</tbody>
</table>

1 Per diem constitutes lodging and meals.
2 If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
3 Military air transportation.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, MR. JEFF TRANDAHL, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN AUG. 5 AND AUG. 9, 2001

<table>
<thead>
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<th>Name of Member or employee</th>
<th>Arrival</th>
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<th>Country</th>
<th>Per diem</th>
<th>Transportation</th>
<th>Other purposes</th>
<th>Total</th>
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<tbody>
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<td>2,980.35</td>
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</table>

1 Per diem constitutes lodging and meals.
2 If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, MR. TIMOTHY J. BERRY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN AUG. 17 AND AUG. 23, 2001

<table>
<thead>
<tr>
<th>Name of Member or employee</th>
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<th>Country</th>
<th>Per diem</th>
<th>Transportation</th>
<th>Other purposes</th>
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<tr>
<td></td>
<td>8/21</td>
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<td>Argentina</td>
<td>590.00</td>
<td>(1)</td>
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<td>590.00</td>
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<tr>
<td></td>
<td>8/19</td>
<td>8/21</td>
<td>Chile</td>
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<td>(1)</td>
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<td>598.31</td>
</tr>
<tr>
<td></td>
<td>8/22</td>
<td>8/23</td>
<td>Argentina</td>
<td>598.31</td>
<td>(1)</td>
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<td>598.31</td>
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<tr>
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</table>

1 Per diem constitutes lodging and meals.
2 If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
3 Military air transportation.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, MR. DANIEL P. FLYNN, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN AUG. 17 AND AUG. 23, 2001

<table>
<thead>
<tr>
<th>Name of Member or employee</th>
<th>Arrival</th>
<th>Departure</th>
<th>Country</th>
<th>Per diem</th>
<th>Transportation</th>
<th>Other purposes</th>
<th>Total</th>
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</thead>
<tbody>
<tr>
<td>Daniel P. Flynn</td>
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<td>8/19</td>
<td>8/21</td>
<td>Argentina</td>
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<td>(1)</td>
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<td></td>
<td>8/21</td>
<td>8/22</td>
<td>Chile</td>
<td>598.31</td>
<td>(1)</td>
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<td></td>
<td>8/22</td>
<td>8/23</td>
<td>Brazil</td>
<td>598.31</td>
<td>(1)</td>
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<td>598.31</td>
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<tr>
<td>Committee total</td>
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<td>2,080.81</td>
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</table>

1 Per diem constitutes lodging and meals.
2 If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
3 Military air transportation.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, MR. BRIAN S. GASTON, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN AUG. 17 AND AUG. 23, 2001

<table>
<thead>
<tr>
<th>Name of Member or employee</th>
<th>Arrival</th>
<th>Departure</th>
<th>Country</th>
<th>Per diem</th>
<th>Transportation</th>
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</thead>
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<tr>
<td>Brian S. Gaston</td>
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<td>8/18</td>
<td>Argentina</td>
<td>890.50</td>
<td>(1)</td>
<td></td>
<td>890.50</td>
</tr>
<tr>
<td></td>
<td>8/20</td>
<td>8/22</td>
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<td>(1)</td>
<td></td>
<td>590.00</td>
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<tr>
<td></td>
<td>8/19</td>
<td>8/21</td>
<td>Chile</td>
<td>598.31</td>
<td>(1)</td>
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</tr>
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<td>8/22</td>
<td>8/23</td>
<td>Brazil</td>
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<td>(1)</td>
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<td>598.31</td>
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<tr>
<td>Committee total</td>
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<td>2,080.81</td>
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</table>

1 Per diem constitutes lodging and meals.
2 If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
3 Military air transportation.
EXECUTIVE COMMUNICATIONS, ETC.

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

4854. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Linear alkyl C12-16 Propoxynlyle ethoxylate; Exemption from the Requirement of a Tolerance [OPP–301191; FRL–6810–2] (RIN: 2070–AB78) received December 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4855. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency’s final rule—Sethoxym; Pesticide Tolerance Technical Correction [OPP–301179A; FRL–6811–4] (RIN: 2070–AB78) received December 11, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4856. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency’s final rule—Pesticide Labeling and Other Regulatory Revisions [OPP–300898A; FRL–6752–1] (RIN: 2070–AD14) received December 11, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4857. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency’s final rule—Extension of Tolerances for Emergency Exemptions; Multiple Chemicals [OPP–301194; FRL–6814–2] (RIN: 2070–AB78) received December 11, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.


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4863. A letter from the Attorney Advisor, NHTSA, Department of Transportation, transmitting the Department’s final rule—Anthropomorphic Test Devices: 3-Year-Old Child Crash Test Dummy [Docket No. NHTSA-01-11111] (RIN: 2127-AL02) received December 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4864. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency’s final rule—Revisions to the Arizona State Implementation Plan, Maricopa County Environmental Services Department [AZ 086-00477; FRL-7105-3] received November 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4865. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency’s final rule—National Emission Standards for Hazardous Air Pollutants for Phosphoric Acid Manufacturing Plants and Phosphate Fertilizers Production Plants [FRL-7118-7] (RIN: 2060-EE38) received December 11, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4866. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting reports of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112(a); to the Committee on International Relations.


4869. A letter from the Director of Congressional Affairs, Central Intelligence Agency, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.


REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under Clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

[Omitted from the Record of December 13, 2001]

Mr. OXLEY: Committee on Financial Services. H.R. 556. A bill to prevent the use of certain bank instruments for unlawful Internet gambling, and for other purposes; with an amendment (Rept. 107–339 Pt. 1). Ordered to be printed.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII the following action was taken by the Speaker:

[Omitted from the Record of December 13, 2001]

H.R. 556. Referral to the Committee on Judiciary extended for a period ending not later than December 21, 2001.

[The following action occurred on December 14, 2001]

H.R. 2581. Referral to the Committees on Agriculture, Armed Services, Energy and Commerce, the Judiciary, Rules, Ways and Means and the Permanent Select Committee on Intelligence extended for a period ending not later than February 28, 2002.

NOTICE

Incomplete record of House proceedings.

Today's House proceedings will be continued in the next issue of the Record.
The Senate met at 12:30 p.m. and was called to order by the President pro tempore [Mr. BYRD].

PRAYER
The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:
Here is the good news from Zephaniah 3:17:
"The Lord your God in your midst, The Mighty One, will save; He will rejoice over you with gladness, He will quiet you with His love, He will rejoice over you with singing."

Gracious God, on the Monday when we return to our responsibilities of completing the work of the Senate before the Christmas recess, we ask You to give us an assurance of Your unqualified love, profound peace that quiets our hearts, and ears tuned to hear Your song of affirmation. We need Your gift of vibrant optimism.

Our optimism often is like a tea bag: We never know how strong it is until we get into hot water. In times of frustration or adversity, our optimism is tested. When the wheels of political process grind slowly, often we become pessimistic. It is then that we need to hear Your song of encouragement. So often we live as if we had to carry the burdens of leadership alone. Today we relinquish to You any negative thoughts, critical attitudes, or impatient moods. Infuse us with Your hope. Hope through us today, O God of hope, so that we will be a lift and not a load, a blessing and not a burden. And as the Christmas angels came to shepherds at work, come to us as we work for Your glory and the good of our Nation. "Ring out the bells of the kirk; God is down to Earth to bless those who work!" You are our Lord and Saviour. Amen.

PLEDGE OF ALLEGIANCE
The PRESIDENT pro tempore led the Pledge of Allegiance, as follows:
I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RESERVATION OF LEADER TIME
The PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS
The PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business not to extend beyond the hour of 1 p.m., with Senators permitted to speak therein for up to 10 minutes each and with the time to be equally divided and controlled between the two leaders or their designees.

The Senator from Wyoming.

CONFIRMATION OF EUGENE SCALIA AS SOLICITOR OF LABOR
Mr. ENZI. Mr. President, I rise this afternoon to speak about the nomination of Eugene Scalia as the Solicitor of Labor. On previous occasions, I have had the opportunity to speak about Mr. Scalia's outstanding qualifications for this position. Today, unfortunately, I must also speak about the failure of the majority party to bring his nomination to the floor.

On April 30, 2001, President Bush nominated Eugene Scalia as the Solicitor of Labor. That was 231 days ago. On October 17 he was reported out of committee. That was 2 months ago today. A lot of time has elapsed since his nomination. Time has also elapsed since his successful reporting out of committee. This is a longer confirmation period than any Solicitor of Labor in the past 20 years.

Each day that passes without a vote on his nomination is an injustice not only to Mr. Scalia but to the President, the Department of Labor, and all those who are served by the Department as well.

I have with me today a letter to Senator KENNEDY, who is the head of the Health, Education, Labor, and Pensions Committee. The letter adds emphasis to what I have just said, that this is the longest time in 20 years that it has taken for a Solicitor of Labor to be considered. It also talks about how important this position is and how important it is to have it filled right away.
Probably the most important and most interesting part of this is who signed it. We have Thomas Williamson, who was the Solicitor of Labor under President Clinton; we have Robert Davis, who was the Solicitor of Labor under President George H.W. Bush; we have George Salem, who was the Solicitor of Labor under President George H.W. Bush; and William Kilberg, who was the Solicitor of Labor under President Reagan.

I ask unanimous consent a copy of this letter be printed in the RECORD.

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


Hon. EDWARD M. KENNEDY,
Chairman, Committee on Health, Education, Labor & Pensions, U.S. Senate, Russell Senate Office Building, Washington, DC.

Hon. JUDD GREGG,
Chairman, Committee on Health, Education, Labor & Pensions, U.S. Senate, Russell Senate Office Building, Washington, DC.

DEAR CHAIRMAN KENNEDY AND SENATOR GREGG: We served as Solicitor of Labor in the administrations of Presidents Nixon, Ford, Reagan, George H.W. Bush, and Clinton. We are writing to urge that the Senate Committee on Health, Education, Labor, and Pensions act expeditiously with the nomination of the current Solicitor nominee, Eugene Scalia.

The uniqueness and importance of the solicitor is reflected by the Department’s structure, which places him as the third-ranking official, as you are aware. His involvement is crucial to the Department’s performance of its many important missions—enforcement of the labor and employment laws administered by the Department, the development of legally compliant policy initiatives, and the issuance of regulations in furtherance of those laws. While it is possible for the Department to function without a confirmed Solicitor for short periods of time, the absence of a Solicitor inevitably causes significant interference with the Department’s operation and most important, is detrimental to those who are protected by our laws. Without a Solicitor, the Department has more difficulty making important litigation decisions; important enforcement actions may be delayed as a consequence, and employment law violations may go unaddressed. The absence of a confirmed Solicitor also makes it harder for the Department to make significant regulatory decisions, as the Secretary and other senior staff await legal review by the person the President has nominated for that task. Finally, the institutional office of the Solicitor, which is the second largest cabinet-level legal office, itself suffers when the Solicitor cannot personally participate in the Department’s operations, and functions ordinarily performed by the Solicitor are assumed by other departmental personnel.

Eugene Scalia was nominated to be Solicitor in April. We recognize that some have raised concerns with his nomination. We believe, however, that the best course at this time is to have those concerns addressed in a confirmatory hearing, so that the Office of the Solicitor may be filled as soon as practicable. Thank you.

HENRY L. SOLANO, Solicitor of Labor under President Clinton.

ROBERT P. DAVIS, Solicitor of Labor under President George H.W. Bush.

Mr. ENZI. It is difficult to envision a better qualified person for the Solicitor of Labor than Eugene Scalia. He is a nationally recognized expert in the field of employment and labor law. I sat through the hearings in the Health, Education, Labor, and Pensions Committee. Some very penetrating questions were asked. Some excellent answers were given.

A record was built. We know this is a man who will follow the direction that was given during his hearings and was intended by the nomination of the President of the United States, a person who is excellently qualified.

In fact, there was no question of his qualifications. As Professor Cass Sunstein from the University of Chicago wrote in support of Mr. Scalia’s nomination:

In terms of sheer capacity to do a fine job, he’s as good a choice as can be imagined.

However, this exceptionally qualified nominee has not even been afforded a vote on his nomination. In the meantime, the absence of a Solicitor significantly harms the Department of Labor’s operations as well as those who are protected by the Nation’s labor laws. The Solicitor enforces the laws under the Department’s jurisdiction and advises on the legality of the actions the Secretary and others at the Department want to take. Without this crucial position, the Department cannot effectively perform its important mission.

I do not see any justifiable explanation for failing to bring the President’s nominee for the Solicitor of Labor to the floor. He deserves a vote. What I do see is an attempt to hold up Mr. Scalia’s nomination because he took a position consistent with a majority of both Houses of Congress.

In previous articles, he had some opposition to ergonomics, and I am talking about the repealed ergonomics rule that was put forward by OSHA, a rule that was seriously flawed both in its process and in its substance. Congress rejected the ergonomics rule for the same reason Mr. Scalia and many other experts have articulated.

There is simply no justification for now denying Mr. Scalia a vote because he is opposed to a rule this Senate also rejected.

There is also simply no justification for opposing Mr. Scalia’s confirmation because of his last name. I hope my colleagues will not allow any antipathy they have for Mr. Scalia’s father to cloud this body’s solemn responsibility regarding confirmation of Presidential nominees.

The President has selected Eugene Scalia to be the Solicitor of Labor. Our task is to evaluate whether the President’s choice is, in fact, qualified for the position. In Mr. Scalia, the President has chosen someone with the credentials and character to make an outstanding Solicitor.

Mr. Scalia’s nomination has been reported out of committee, yet he remains in limbo, as I mentioned, 231 days since his nomination, 2 months since he was successfully reported out of committee. Mr. Scalia’s nomination should be brought to the floor of the Senate. Mr. Scalia is entitled to that. The President is entitled to that. The Secretary of Labor is entitled to that. Everyone who is served by the Department is entitled to that. I urge the majority leader and my colleagues to ensure this happens.

I ask my colleagues to read the letter from the former Solicitors to see how important the position is and how important it is to have the President’s choice installed in that position.

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

The PRESIDENT pro tempore. The absence of a quorum having been suggested, the clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CARPER. I ask unanimous consent that the order for the quorum call be rescinded.

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

MEASURE PLACED ON THE CALENDAR—S. 1833

Mr. KENNEDY. Mr. President, I understand S. 1833 is at the desk and is due for a second reading.

The PRESIDING OFFICER (Mr. CARPER). The Senator is correct.

Mr. KENNEDY. I ask that S. 1833 be read for a second time, and I would then object to any further proceedings at this time.

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

The legislative clerk read as follows:

A bill (S. 1833) to amend the Public Health Service Act with respect to qualified organ procurement organizations.

The PRESIDING OFFICER. The objection having been heard, the bill will be placed on the calendar.

NO CHILD LEFT BEHIND ACT OF 2001—CONFERENCE REPORT

The PRESIDING OFFICER. Under the order previously entered, the Senate will now proceed to the conference report accompanying H.R. 1, for debate only.
CIVIL RIGHTS LEADERS UNDERSTOOD THIS, AS THEY RISKED THEIR LIVES TO END SEGREGATED SCHOOLS THAT WERE SEPARATE AND UNEQUAL.

THE BILL BEFORE US TODAY CONTINUES THAT GREAT MARCH OF HISTORY, TO FULFILL THE PROMISE OF A GOOD EDUCATION AND FOR CHILDREN IN EVERY PART OF AMERICA—WHETHER THEY ARE BLACK OR WHITE, FROM THE CITIES OR THE SUBURBS OR THE RURAL AREAS, FROM THE NORTH TO THE SOUTH TO THE EAST TO THE WEST.

THIS LEGISLATION IS ABOUT THE FUTURE OF AMERICA. IN THIS 21ST CENTURY, WE WANT AN AMERICA THAT CONTINUES TO BE A BEACON OF FREEDOM AND PROGRESS FOR THE WORLD. AND WE WANT ALL AMERICANS TO HAVE A CHANCE TO FULFILL THEIR GREATEST DREAMS AND REACH THEIR FULL POTENTIAL.

BUT TO DO SO WILL REQUIRE MORE THAN JUST THE WORDS OF THE LEGISLATION WE ADOPT TODAY. IT WILL REQUIRE HARD WORK AND CONTINUED PARTNERSHIP BETWEEN FEDERAL, STATE, AND LOCAL GOVERNMENTS—AND BETWEEN SCHOOLS, COMMUNITIES, AND PARENTS.

IT WILL REQUIRE CONSTANT EFFORT AND CONSTANT VIGILANCE TO SEE THAT ALL STUDENTS RECEIVE THE HELP THEY NEED.

AND, IT WILL REQUIRE A COMMITMENT OF MORE RESOURCES. NO DOUBT, THAT THE FEDERAL GOVERNMENT LIVES UP TO ITS PART OF THE BARGAIN. I STRONGLY SUPPORT THESE REFORMS, BUT I AM CONCERNED THAT THIS CONFERENCE AND THIS CONGRESS AND THIS PRESIDENT WILL NOT MAKE THE COMMITMENT IN THIS AREA THAT ALLOWED US TO REACH THE NEEDIEST OF THE CHILDREN.

MOVING IDEA TO THE MANDATORY SIDE OF THE BUDGET WOULD HAVE BEEN A VICTORY BOTH FOR CHILDREN WITH DISABILITIES AND FOR CHILDREN WITHOUT DISABILITIES.

PRIOR TO THE PASSAGE OF THE IDEA LEGISLATION IN 1975, WE HAD APPROXIMATELY ONE MILLION DISABLED STUDENTS WHO WERE BEING WAREHOUSED AND RECEIVING INFORMAL EDUCATION, IF ANY EDUCATION AT ALL. ALL STUDENTS DESERVE QUALITY EDUCATION FOR ALL STUDENTS—NOT JUST CHILDREN WHO DO NOT HAVE DISABILITIES.

IN 1975 WE PASSED IDEA, WITH THE IDEA GOAL THAT THE FEDERAL GOVERNMENT WOULD MEET ITS RESPONSIBILITIES BY OFFSETTING 40 PERCENT OF THE COST FOR THE EDUCATION OF CHILDREN WHO QUALIFIED FOR IDEA.

OVER THE PAST 25 YEARS, CONGRESS FAILED TO MEET ITS RESPONSIBILITY OF 40 PERCENT OF FUNDING IDEA. THE SENATE IN 1998 INSISTED THAT WE ADDED AN AMENDMENT THAT CALLED FOR MANDATORY SPENDING, WHICH WOULD HAVE REQUIRED THAT WE PROVIDE FULL FUNDING OF THIS IMPORTANT PROGRAM.

THE REASON THIS WAS SUCH A CONTEST DURING THE CONFERENCE IS THAT ONE, IT INVOLVES CHILDREN; TWO, IT INVOLVES CHILDREN WHO ARE THE MOST VULNERABLE, THOSE HAVING SPECIAL NEEDS; THREE, IT IS A CONSTITUTIONAL RIGHT; FOUR, WE COMMITTED OURSELVES TO THE STATES AND LOCAL COMMUNITIES THAT THEY WOULD HAVE THIS HELP AND ASSISTANCE OVER A LONG PERIOD OF TIME.

THE PRINCIPAL ARGUMENT AGAINST US WAS THAT WE SHOULD WAIT, THAT WE ARE GOING TO REFORM THE IDEA SYSTEM NEXT YEAR. AS WAS POINTED OUT IN THE NUMEROUS DEBATES ON THIS ISSUE, WE ARE COMMITTED TO THESE CHILDREN. THEY NEED OUR HELP NOW. NOW IS THE TIME. WE HAVE HEARD ENOUGH EXCUSES. WE SHOULD BE MEETING OUR RESPONSIBILITIES. MOVING IDEA TO THE MANDATORY SIDE OF THE BUDGET WOULD HAVE BEEN A VICTORY BOTH FOR CHILDREN WITH DISABILITIES AND FOR CHILDREN WITHOUT DISABILITIES.

IT WOULD HAVE GUARANTEED STUDENTS WITH DISABILITIES THAT THEY AND THEIR PARENTS WILL NOT HAVE TO FIGHT AS HARD AS THEY DO TODAY TO GET THE EDUCATION TO WHICH THEY ARE ENTITLED. IT WOULD HAVE FREED UP LOCAL RESOURCES TO IMPROVE REGULAR PUBLIC SCHOOL PROGRAMS FOR ALL STUDENTS.

OUR VISION OF A NATION WHERE ALL CHILDREN WILL HAVE THE OPPORTUNITY TO FULFILL THEIR DREAMS AND REACH THEIR POTENTIAL CAN ONLY BE A REALITY IF WE ARE WILLING TO TAKE THESE CONCRETE STEPS AND CONCLUDE THE Recovery of the Nation's Schools and the Education of Our Children—the Battle for the Future.
increases Federal education funds for the neediest students. With this bill and the pending appropriations bill, we will be able to tell every city in the country that they will see an increase of more than 30 percent in supplemental Title I education funding for disadvantaged children. There will be $11 million more for Boston, $80 million more aid for Los Angeles in the next school year, and $140 million more for New York City.

High poverty rural areas will see similarly large increases in Federal education aid in the next school year. In Todd County, South Dakota there is a 50-percent poverty rate, however we will see a 30-percent increase in the resources to reach those neediest children. In Arizona, there is a 75-percent poverty rate, and we see an indication of increased focus and attention in terms of investment for those children in that particular country.

In the Meek Public Schools in Nebraska, where there is a 67-percent child poverty rate, there is likewise an increase in resources.

So whether it has been in the urban areas with the increased poverty rate or it has been in the rural areas, what we have been doing in this bill is this increasing focus and attention in terms of investment in this program. Money is not the answer to everything, but it is a pretty clear indication of the Nation's priorities. You cannot increase the quality of education with money alone, but you cannot do it with reform alone. The key is to have reform, the resources, and the investment. That is what we are attempting to do with this legislation.

But Congress and the administration have to do more next year and the year after. This battle will go on. This battle for resources will continue again and again and again, until we meet our obligations to families, parents and students across the country.

One of the major goals of this conference report, is to lessen, over the 12-year period, the educational achievement gap between the disadvantaged students and their more affluent peers, between minority and non-minority students. There are wide gaps between these students today in the K–12. We are strongly committed to reducing and attempting to eliminate that disparity.

The bill begins to do that by ensuring that all States set performance standards in reading and math and that they will set high standards in science by the year 2005. These standards outline what students should know and be able to do in these subjects.

Each State will develop a strong curriculum that helps teachers translate those standards into day-to-day learning for their students. Each State, itself, makes the judgment and decision about what their children should know in each particular grade. Their educators, their professionals, their parents, their instructors, their principals, and their school boards get together and make the determination about what the children should know in each particular grade in each of the particular States. We give States the flexibility to do so.

We have stated—and we will restate—and that is to make sure these tests are not punitive, they should be used to find out what a child knows. These accountability measures will help ensure that every child receives a good education. But they won't work alone. Accountability is only one part of it—it is not reform itself. We must provide the necessary support and resources to see that those schools can achieve their goals.

We want to make sure that, across the country, the child who is doing reasonably well today will do even better, the child who is having difficulty making it will find out they are able to deal with the challenges they are facing in school, and the child who is not making it is going to get the help and the additional support they need to be able to reach proficiency. That is what we are going to do with our program.

States must also set annual goals for schools to raise student achievement. The States will each set their own annual goals based on how they are doing now. But all States must put themselves on a glidepath to see that all children achieve proficiency in 12 years. We let the States make the judgments and decisions about how that will progress. The goal of the School Performance Standards is that the annual goals set by the State for 2 consecutive years will be given extra resources and technical help to turn themselves around. Students in those schools will have the option to transfer to a high performing school. If the school does not meet its achievement goals for another year, it must offer the lowest-achieving children after-school tutoring services. If the school continues to fail to meet the goals after 6 years, it will be either restructured as a charter school, taken over by the State or district, or reopened with new leadership and staff.

But at the end of 12 years, every child in America has to be able to reach the proficiency level. Twelve years is a long time, but this is a complex issue. I am always reminded of the great words of H.L. Mencken when he said: For every complex question, there is a simple, easy answer, and it's wrong. That was certainly true of those at the time and place of the disaster in New York and at the Pentagon and the field in Pennsylvania, the individuals who performed with such extraordinary bravery and heroism, and how our service men and women are performing today. Americans respond best to challenges. That is the essence of this legislation, high standards and support.

In order to achieve high expectations, the bill includes reforms that will strengthen teacher training and mentoring, with the strong commitment that we are going to have highly qualified teachers in every classroom.
We have the option for moving toward smaller class size which has demonstrated such success in a number of our States, such as Tennessee and Wisconsin. It expands support for early reading, so that all children read well by third grade. Violence and drug prevention programs are even stronger. There are more opportunities for parents to be involved in their children’s education greater parent involvement, and the new books for school libraries. If we are going to have effective reading programs, the new school library program will have enormous success.

One of my real pleasures is reading with a child each week as part of the Everyone Wins! Program, where a number of my colleagues also participate. I have seen the change that has taken place in the last 5 years in books those libraries. If you went there and started reading 4 or 5 years ago, you would have to search to find an age-appropriate book that is able to be read to the child. Now that is changing. We want to make sure this is going to change for schools and school libraries across the country.

It improves bilingual education for students with limited proficiency in English. It also strengthens after-school activities, to give extra opportunities to more students to improve their learning. Afterschool programs which have demonstrated such success and I don’t think in any of the categorical programs in the last 2 years that the Federal Government has out that any of them have been as oversubscribed with quality applications as the afterschool programs. They work and are making a major difference. I recently visited an afterschool program in the Boston area, which has partnered with the business community. They are teaching children graphics and art design, things that they would never have seen in school.

This is an awakening, an interest in these children in some areas of learning that they had never even thought of. It is transferring into enhanced grades. All of this is happening in boys clubs and girls clubs across the country. It needs to be supported. And more classroom need to have access to technology.

Finally, we have the State and local school report cards for parents—the children, the schools, and now the parents. The student achievement for all students, children with disabilities, children with limited English proficiency. We have seen the changing of the demographics in our public school systems, many children, and the poor children; graduation rates, professional qualification of teachers, the high poverty, low poverty schools, and the percent of the highly qualified teachers, high poverty, low poverty.

Every parent is going to be able to receive a report card, not just on their child, but also detailing the achievement of all children in a particular school district or state. They will know how many qualified teachers they have. They will know also what is happening in these other areas of learning in their schools, what the graduation rates are. We are giving the greatest amount of information to parents so that they can decide what is happening in their school, what is happening in the next school, what is happening around their schools; empowering the parents in ways they need and they want and they desire so that they can help make those terms of the education of their children.

This has not been done, and it needs to be done. Thirteen States provide no individual school profiles at all. Of the 37 States that do produce school report cards, their quality and accessibility for parents vary widely. Here, we are setting a standard to provide uniform information to all parents in an understandable format.

That is really something that we intend to do.

I know there are others who want to speak early. I have taken about a half-hour of the Senate’s time. I do want to say that I believe we have very important legislation that is going to make very important difference in the lives of the children.

Before concluding, I will express some appreciation to some very important and special people who helped get us to where we are, and then I will yield to the floor to my friend from New Hampshire, Senator Gregg. I am enormously grateful to him.

First of all, I thank President Bush for his strong commitment in making this his No. 1 domestic agenda item. I have been here in recent years where we have seen attempts to dismantle education programs and to cut back in terms of funding for education. I have seen attempts to repeal the Department of Education. Thankfully, now we are beyond that.

I have always believed that it would be useful to have someone at the President’s elbow when they have those cabinet meetings talking about children and education. This President has indicated he wants to make real education reform available for the neediest children. He deserves great credit for helping to give direction to this effort.

I, in particular, thank my colleague, Senator Garamendi. On this legislation, we worked closely together. I think the principles that we have legislated, particularly over the period of the past 5 months. We came at this issue from very different directions. We both shared a very important commitment to try to get something done that would benefit children. We were each prepared to put aside some of our own reservations to come up with legislation. And I frankly believe that our final product, with what has been achieved, is better, quite better than the previous legislation passed by the House and the Senate earlier this summer.

I thank Senator Gregg for his strong involvement and participation.

I thank John Boehner, who was our chairman, and who was very effective in keeping us moving in a positive direction. He was very talented and should receive very considerable credit for this achievement.

I thank George Miller from the House, whose knowledge and legislative skills and dedication helped make this conference report an excellent piece of legislation. George is a legend in many ways. His passion is education. We saw the that in this conference. Anyone who listens to George speak on this subject knows his very strong commitment and the knowledge and ability he holds in this area. We thank him.

I want to thank the majority leader, Senator Daschle, and Senator Reid for their leadership and support throughout this process. Senator Daschle, from the earliest days of this effort on education, was strongly committed to achieving results and not legislation. He was committed to getting something positive, something that was going to make a difference for children. I don’t need to remind this body of the number of times that Senator Daschle has addressed the congresses on this very conference forward and working to try to make sure we would achieve great results. His help and assistance has been absolutely invaluable and essential in getting us to where we are today. I am enormously grateful to Senator Daschle and I commend his strong commitment to education. I thank Senator Reid, as well, for his continued support and assistance.

I also want to mention Secretary Paige and Sandy Kress. Secretary Paige came to our committee as one of the first members of President Bush’s Cabinet. He had a strong record in Houston, under very challenging circumstances, and demonstrated many of the principles that we have illustrated. Sandy Kress was able to devote much of his time during the early days in which this legislation was formed, and he carried a great commitment to the President’s positions. He is a very effective fighter for those positions and never gave up on any of them as we moved through, but always tried to find some way of moving this process toward a positive solution. I am grateful and thankful to both Secretary Paige and Mr. Kress.

I want to take a final moment to thank the staffs. It is important as we enter the final passage of this legislation that they be included in the managers’ opening statements. Their role has been absolutely indispensable. Their satisfaction should be deep, continuing, and abiding. They are all skilled professionals. They will do many things in their lives, but I doubt they will ever do anything that will be more important to children in this country. That was the period of this last summer. While others were away during the August recess, staff were here working tirelessly
throughout the summer on various provisions of this legislation. They were in touch with all of us as discussions moved forward, and they are absolute masters of the details of these provisions.

I think all of us are mindful of the words that "the devil is in the details." This legislation is over 1,100 pages long, and our staffs combed through the details and ensured that our objectives were met. They have done it with a professional excellence, which is, I think, the highest order of this institution. It is what the American people expect and what they deserve to have, and we have not let them down. So I thank all of them for their good work.

In particular, I thank Danica Petroshius, who is here on my staff; Michael Dannenberg, Roberto Rodriguez, Dana Fioraliso, Ben Cope, Connie Garner, David Sulthen, Melody Barnes, Jim Manley, Helen Yuen, Karen Noel and Monica Bohn of my staff; all who worked long and hard together on a wide variety of issues in this legislation. I also thank Sally Lovejoy and Paula Nowakowski of Congressman Boehner's staff; John Lawrence, Charles Barone, Alex Nock, and Denise Forte of Congressman Miller's staff; Denzel McGuire, Townsend McNitt, and Stephanie Monroe of Senator Gregg's staff; Lloyd Horwich of Senator Dodd's staff; Bev Schroder of Senator Hart's staff; Kimberly Ross of Senator Mikulski's staff; Sherry Kaiman, Michael Yudin, and Justin King of Senator Jeffords' staff; Carmel Martin of Senator Bingaman's staff; Jill Morningstar of Senator Wellstone's staff; Bethany Little of Senator Murray's staff; Elyse Wasch of Senator Reed's staff; David Sewell of Senator Edwards' staff; Ann O'Leary and Wendy Katz of Senator Clinton's staff; Michele Stockwell of Senator Lieberman's staff; Elizabeth Pay of Senator Bay's staff, and Joan Huffer of Senator Daschle's staff.

I also thank Denis O'Donovan and Steve Chapman who served our committee so effectively and made sure that the conference ran smoothly. I also thank the staff of the Congressional Research Service, Wayne Riddle, Jim Stedman, Rick Apling, and Jeff Kuenzi. CRS provides invaluable help to all of us. There are also many others who work hard and they don't get recognition, but they were absolutely invaluable.

I am sure there are others I should mention, and I will try to make sure I include them later in the day or tomorrow.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire is recognized.

Mr. GREGG. Mr. President, first, I thank the Senator from Massachusetts for his kind comments in his opening statement, with which I agree in part and disagree in part, but that is what makes this an exercise that is so worthwhile.

Let me pick up where Senator Kennedy has left off, which is thanking those people who have done an extraordinary job with this exceptional piece of legislation. He is very significant, if not dramatic, impact on our Nation's future in education. There were a lot of people who played a huge role in making this a success, but I think no one within the Senate obviously played a bigger or more significant role than Senator Kennedy. He was willing to step forward and work with the President in order to accomplish completion of this bill.

When the President ran for office, he outlined a very clear and, I thought, compelling agenda on the issue of education. He was willing to step onto this rather controversial field and take very specific stances and try to drive a policy that would dramatically improve education for American children. I think this was a priority when he ran for President. He could not have been successful in accomplishing this if he had not had the bipartisan support he received in the Senate and in the House.

Here in the Senate it was led by Senator Kennedy, and he deserves tremendous praise for that. The Senator has, for over 30 years, had a wide swathe in this area. Secretary Paige interjected himself at key points in the process. He was critical in his ability to keep all the parties at the table negotiating. It was a difficult task because of the different views brought to the table. He deserves great credit.

I thank Danica Petroshius for her great work, and the other members of the Kennedy team. I hadn't realized how many he had until I listened to the names. Maybe that is why we felt overwhelmed at times. I also, obviously, want to thank Congressman Boehner, whose leadership within the conference was critical. It was critical in his ability to keep all the parties at the table negotiating. It was a difficult task because of the different views brought to the table. He deserves great credit.

I thank Sally Lovejoy, his staff director. I also consider George Miller to be a bit of a legend—mostly on the basketball court, but as a legislator also. It was a pleasure to have a chance to get reacquainted with Congressman Miller, whose opinions are always expressed with great passion and tremendous effectiveness, and to work with him in developing this bill. His fingerprints are significant in this area.

I thank Charles Barone of his staff, who was another player of significant importance in this exercise. The support staff at the Department of Education was exceptional, also, as mentioned by Senator Kennedy. Secretary Paige interjected himself at key points in the process. He was extraordinarily constructive, and he has been a shepherd of this exercise. His people: Becky Campoverde, Christy Wolfe, Sandra Cook, Paul Riddle, Kay Rigling, Tom Corwin, and Jack Kristy also played significant roles in getting us on the right track. CRS was a tremendous help to us and the people at legislative counsel who drafted this bill.

Obviously, I cannot discuss this bill without taking stock of the other players in the Senate who were involved. Senator Kennedy mentioned some of the people on his side of the aisle. On our side of the aisle, we had a working team within our committee that was very strong and committed to moving this bill on its different parts. Almost everybody had a role to play.

I especially thank Senator Frist for his role with respect to Straight A's and flexibility, and his staff person, Andrea Becker. Senator Tim Hutchinson was critical in a number of areas—bilingual reform being one critical area—and Holly Kuzmich of his staff played a major role. Senator Enzi played a role everywhere. Amanda Farris of his staff was helpful especially on technology issues. Collings of Maine, a real force for quality education in the Senate, and her staff person, Jordan Cross, was very important to the positive completion of this effort.

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fourth grade reads two grade levels below his or her peers. This has not changed over that 35 years. There has been no significant improvement as we have tried to address the issue in a variety of reauthorization efforts.

Though our goal remains the same and it cut across party lines, cut across philosophical views, cut across geographic areas—and commitment to do something about giving the low-income child a better shot at education because we all understand that the American capacity to pursue the American dream is dependent upon education.

The engine of the American dream is the public school system. Regrettably, for the low-income child, that public school system is not firing on all cylinders. We know that, and we are going to try to fix it, or at least put in place laws which will help us fix it.

Equally important as the fact the low-income child was being left behind, the failure to educate generation after generation of low-income children, especially children from minority backgrounds, was dividing our country. We were balkanizing ourselves based on education and the failure of certain segments of our population, to be economically successful or socially successful, and who were finding themselves isolated within our culture.

That is not constructive to a nation. We have seen nations balkanize. We cannot afford that in the United States. John Adams was absolutely right; the key to avoiding that is having an educated public. He saw it when he founded our Nation, and we need to see it today as we move forward as a nation.

As we become larger and larger and more diverse, we must transcend our diversity in a positive way through education and making sure everyone has an equal shot at the American opportunity through quality education.

The goal to obtain quality education for low-income kids cuts across all the different groups participating in this bill. That is why we were able to overcome our differences as we moved through some very complex and critical parts of the debate.

There has been some discussion—and I condoling with my colleague on some of his opening statement—there has been some discussion on the issue of IDEA. This is another area that needs significant attention. But the bill we are dealing with today deals with the low-income child and the title I program, which is the most significant Federal program in the area of elementary and secondary school education.

IDEA and special education is a separate issue and should be dealt with as a separate issue because the IDEA issues are equally complex, maybe narrower, maybe not as many, but certainly equally as complex and intensely felt as the title I issues—in fact, more intensely felt in many instances. To merge the two and try to solve both of those issues at the same time would have been a mistake.

We have put off the IDEA funding issue because of the issues dealing with IDEA such as overidentification, especially of minority groups, issues involving discipline, issues involving excessive attorneys fees, issues involving excessive bureaucracy being forced on the school district. These issues involving whether or not a special education child has a right to move out of a public school and into a private school and the payment for those activities. All those programmatic issues which are very intricate and very difficult to address should be brought up in the context of a full IDEA reform and reauthorization which will occur next year.

As part of that, we should address the mandatory issue, which I am perfectly willing to do. In the last 5 years, because it was made a No. 1 priority of a group of Members on both sides of the aisle when we were controlling the purse, funding for IDEA by 173 percent. That is the most significant increase in funding that any element of the Federal Government has gotten, including NIH, which we made a commitment to double over a period.

IDEA funding has gone up dramatically. We are still not at the full funding level, which is 40 percent of the cost of IDEA, but we went from the 6 percent level, which is what it was when other Senators and I began the initiative to get to full funding, to almost 20 percent funding of IDEA.

President Bush has continued that commitment. In fact, he sent up the single largest increase ever proposed by a President for IDEA accounts this year. Over $1 billion will be put into the IDEA accounts, we presume, once the Labor and HHS appropriations bill is completed as a result and in part of the President’s commitment.

The commitment to funding IDEA is there; it is aggressive, and it is a stronger commitment than any other element of the Federal Government. As a result, I think people who are concerned about special education funding are assured. When I say to the Senate, we have made huge steps forward in the area of IDEA funding. In fact, over the last 5 years, because it was made a No. 1 priority of a group of Members on both sides of the aisle when we were controlling the purse, funding for IDEA by 173 percent. That is the most significant increase in funding that any element of the Federal Government has gotten, including NIH, which we made a commitment to double over a period.

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are meeting that standard. One of the most important parts about this testing proposal is the scores are disaggregated. No more burying the child who maybe does not make it in a group of people who do not make it. I support by a group of people who do make it. It makes it straightforward, so we will know if a low income child from a school system is not making it. We will know if a child from a certain minority group is not making it. That is important. That is new information.

In addition, we adjust and change a large number of programs which really were not working all that well. For example, bilingual education, the second largest account under title I under the ESEA. Yet we know what happened to bilingual education. It got off track. Instead of kids learning English, we ended up isolating kids, took them on a train track that took them to their language and left them there, put them in schools from which they basically were being taught in their language and they were not being allowed to learn English essentially, or were not being asked to learn English.

That is wrong, and it is not fair. They cannot compete in the American society, in the American culture, unless they speak English. We are an English-speaking culture. It is great that people come to this country from all around the world and they speak other languages. That is one of the great strengths of our great melting pot. But the consistent thing is, amongst our culture, we speak English as a society. So retaining one’s language, yes, that is essential, but they come through as a result of their ethnic cultural background, and they need to learn English.

Our school system should not isolate kids and not allow them to learn English. We have the bilingual program so now the stress in bilingual education is going to be teaching kids not to learn English so that they can compete in our world, compete in America, and have a shot at the American opportunity.

There are a lot of other major initiatives in this bill that I want to go into as we move down the road, but my time is about up. I want to spend some time, for example, discussing—I will highlight it now—some of the new tools we give our parents, especially what are known as supplemental services, because I do think this is a breakthrough approach.

What we are basically going to say to a parent if their child is in a failing school and that school has failed 3 years—by the way, on the effective date of this bill there will be 3,000 schools which will, unfortunately, fall into that category, and therefore this program will be available immediately to those parents.

We are going to say to that parent they can take their low-income child to afterschool programs, or maybe to a school structured so it is during school hours and they will get tutorial support. Those afterschool programs are not all public school driven. They can be. They can be private school driven. They can be at a parochial school. They could be at a private enterprise that does not cover them. They could be in the structure of the public school system if the public school system decides to set up a tutorial activity.

We are essentially going to say to that parent, we will give them the money they need to cover, in most instances, all the costs of that tutorial activity. Depending on what town they are from, what city they are from, the costs will be on a sliding scale, but it will be a significant amount of dollars, somewhere between $500 and $1,000, which can buy a lot of tutorial support. So that is a big incentive. First, it is a big plus with a parent, whose child has may fallen behind in math or fallen behind in their child and get tutorial support. It is an equally big incentive for the school systems to get their house in order—very important.

There is another program I also want to spend some time talking about, but I suspect the Senator who is in the chair is going to spend some time talking about it, and that is the charter school system which was authored by the Senator in the chair. We dramatically and dramatically have added, is any other new tool we are going to be giving parents as an option in order to help their kids who are in a failing school. The Senator from Delaware deserves great credit for having authored that proposal.

In addition, I hope we have more time to talk about public school choice, which is another really exciting tool we are putting in place. Public school choice already exists but not at the scale, and what we are doing is to provide 40 percent of the cost of IDEA services. That is not an unreasonable or excessive commitment by the Federal Government, but it is something we have achieved. We have never achieved the promise we made to the citizens of this country when IDEA was first passed, but it is time we did that.

I congratulate Senator HARKIN for his work in getting that done along with Senator KENNEDY. I believe this is an issue that will be revisited next year when we reauthorize IDEA. I will strongly support the full funding provision then, as I did this time.

Let me say a few things about the positive aspects of the legislation currently before the Senate. This is a milestone, as I see it. I recall, and the
Senator referred to, the earlier debates about eliminating the Department of Education. I recall those debates were raging in the Senate when I came in the early 1980s. Unfortunately, they persisted well into the 1990s. However, we reached a major milestone. We have turned a corner. We have developed a bipartisan consensus that education needs to be a national priority, and not just a State priority or a local priority. We also have developed a broader consensus that the Federal Government needs to accept substantial responsibility for improving the quality of education, and not just leave that to the States or leave that to local school districts.

I see that as great progress. It is incorporated in this legislation, and that is why I believe this legislation is so significant. I am proud to support the bill. I believe it does contain provisions that can bring revolutionary change to our education system. They do not automatically change that revolutionary change to our educational system, but they put in place a framework which, if we follow through, can dramatically improve our education.

The most important of these provisions, as I see it, are related to accountability for student performance. They relate to the challenge of ensur- ing that students actually make progress.

In 1999, Congressman Miller introduced legislation in the House of Representatives to create an accountability system for student performance with the focus on closing the achievement gaps between disadvantaged student groups and nondisadvantaged groups of students. That same year, I introduced companion legislation in the Senate. In both of those bills, we required new accountability for the quality of the instruction by mandating that teachers be qualified in the subjects they are assigned to teach. The Federal Government needs to accept requiring public reporting related to student performance and teacher qualification. Our legislation also required that schools demonstrate progress in improving student achievement and closing achievement gaps.

At the beginning of this Congress, over nearly a year ago, we reintroduced our respective bills and we were grateful to receive bipartisan support for our proposals. Senator Lugar joined me in introducing this legislation in the Senate, and in the House Congressman Boehner became very involved in this effort. Perhaps most significantly, President Bush became very involved in this effort, as he indicated he would during his campaign. I congratulate the President for the success he has had and the contribution he has made to this important legislation. I also want to thank him and the other Members for their great work on this bill.

For the first time, I believe States and local school districts and individual schools will be held accountable for improving academic achievement for all students, not just a few students. This bill ensures that Federal funds are tied to those gains in student performance. Most importantly, it ties these funds to eliminating achievement gaps.

The components of the accountability system are worth mentioning. Let me mention some of them.

First, requiring standards for all students, providing an objective measure for progress.

Second, focusing on the progress of disadvantaged students by setting separate goals for their achievements so that schools must show gains for those groups or be labeled as failing to make adequate progress.

Third, the bill calls for identifying schools that are failing to meet these goals in a timely manner so they can get additional funding, so they can get additional support. If they still cannot show improvement after that funding and support is provided for a period of years, then it provides some strict consequences for those schools to adequately serve those students.

Next, the bill calls for working to ensure that every class has a qualified teacher and that low-income and minority students are not taught by unqualified persons at a higher rate than the other students in our school systems.

Finally, the bill provides an expanded role for parents.

As described by Senator Kennedy and Senator Gregg, this empowers parents and gives them a report card that parents can take to understand precisely the quality of the education their child is receiving.

Although we need to do more for IDEA funding and on the appropriations front—and that debate will continue next year—the conference report does include increased authorization levels for key programs. In addition to the set-aside for accountability and turning around struggling schools, the bill guarantees that States receive at least $3 million each to help develop required assessments. It authorizes $490 million nationally for this purpose. The bill sets out authorization levels for title I that lead to full funding for that program.

The bill also authorizes resources to help create 21st century schools by authorizing the use of Federal funds for school renovation, providing $650 million to improve school safety, providing $1.25 billion for afterschool programs, and $2 billion to integrate technology into the classroom.

I should also note that the technology program in current law, which I helped to author, has been improved by making teacher training in technology a priority for the $1 billion provided to school districts nationally. The conference report also authorizes a separate teacher training in technology program for Schools of Education so that, in concert with the skills they need to use technology to improve student performance. These measures will ensure that teachers will know how to effectively use technology in their classroom instruction.

There are several provisions in here that I want to highlight that relate to improving high schools. Most of the Elementary and Secondary Education Act has historically focused on elementary schools, and that is appropriate. But we have some provisions in this final bill that relate to high schools and to improving the quality of teaching at the middle school and the high school level. One of those is the advanced placement program.

This bill includes a new measure supporting advanced placement programs. I sponsored this measure with Senators Hutchison and Collins and I thank them for their support. It provides high school students with challenging academic content in advanced placement courses. They raise the bar for academic standards and allow students to earn valuable college credits.

Last year there were about 1.5 million students who currently offer advanced placement courses. The rest do not. There is much more that can be done here.

The purpose of the advanced placement measures included in this bill is to build on the existing Advanced Placement Incentive Pilot Program to provide grants to States and districts seeking to raise academic standards through advanced placement programs. This is an extremely important initiative.

In every State, we have one school district—the Hobbs Municipal Schools—that has made tremendous progress by emphasizing the advanced placement instruction and the pre-advanced placement instruction in their middle schools and high schools. This is something that I think all students throughout the country could benefit from very substantially.

Another program contained in this bill that is a major benefit for high school students in particular and middle school students is the dropout prevention initiative.

When the Governors met with former President Bush in Charlottesville at the National Education Summit many years ago, one of the national goals identified for the country, one that we identified for the country, was that we would have at least 90 percent of all of our students completing high school and getting a graduation certificate before they left high school. That was the goal set. Unfortunately, we have done very little to achieve that goal in the 12 years since it was identified.

This legislation, for the first time, makes dropout prevention a national priority. That is extremely important in my State. We have the unfortunate circumstance that a disproportionately greater number of minority and low-income students wind up leaving school before they graduate. There are over 3,000 students who drop out of school...
each day in this country. Hispanic youth are nearly three times more likely to drop out than non-Hispanic students in our classrooms. The disparity is equally great for Native American students. The Dropout Prevention Program provided here commits Federal and grants to local schools and school districts to help them deal with this very important issue.

Senator REM of Nevada cosponsored this legislation with me and deserves great credit for his longstanding support of the effort we made to get attention to this dropout problem. I am very pleased that is included in the bill.

One other provision I want to highlight that I believe is very important is the Smaller Learning Communities Program.

I am persuaded—and I believe the evidence clearly demonstrates—that when larger school buildings are divided up into smaller learning communities, achievement levels rise, the dropout rates decline. There is greater security, less violence, and less absenteeism. This is an extremely important initiative. Again, this is something that I think is a very positive provision of this legislation.

Let me highlight a few programs that have great significance in my home State of New Mexico.

The bill authorizes the program related to tribally controlled schools and Indian education standards. The issue on dropouts that he mentioned has been included in here. Advanced placement, smaller learning communities, education technology—this legislation reflects a great deal of what the Senator has been interested in and has spoken to. I thank him not only because of all of that, but he has made an indelible mark on this legislation. I am grateful to him.

I see the Senator from Indiana who, again, on the issue of accountability, has been enormously schooled in this subject. When he arrived here in the Senate and started speaking about education, I took the chance to look over Indiana and found that this was his No. 1 priority as Governor. He arrived here with a very keen insight into ways we could be more effective in trying to benefit children in learning. Although not a member of the committee, he has been very much involved with this legislation. We always benefit from his comments and insights. I am delighted to have him in the Chamber.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. BAYH. Mr. President, I thank my colleague, Senator Kennedy, for those very gracious remarks. I am pleased to have his strong support of the conference report on H.R. 1, the No Child Left Behind Act of 2001.

I would like to begin by thanking all of my colleagues who brought us to this moment today, starting with Senator Kennedy from the very beginning. Senator Kennedy has been results-oriented in trying to strike the right balance between principle and practicality and has given clear evidence in this debate about why he is considered to be one of the most accomplished legislators of our time.

Senator Kennedy understands that the art of legislating is not the same as being a political economist. It is not the same as having an ideological debate. The end of the debate is what matters in what we can do and what we can actually accomplish to help people of our country—in this case, the schoolchildren of America. I thank him for his leadership and for his dedication and perseverance.

Also, I thank my colleague, Senator Gregg. Senator Gregg is a former Governor. He has labored in these vineyards for many years. I thank him for his very able leadership throughout this process. We wouldn’t be here today without him.

I would like to express my gratitude to the President, who was good enough to call some of us down to White House even before us, to offer his commitment. He very clearly wanted to make this legislation his top priority. He wanted to work on this in a bipartisan fashion. He wanted to have accountability and some of the other language accomplishments that are included in this legislation. I thank him for his leadership.

Also, I thank Sandy Kress, the President’s chief liaison on this issue. I think the President is aware that Sandy is not only very schooled in the subtleties and the complexity of education policy, but he is also a card-carrying member, and in fact dues-paying member, of the Democratic Leadership Council. I believe this may be the very definition of bipartisanship when it comes to the education debate. I thank Sandy for his leadership.

Our colleague, Joe Lieberman, will be in this Chamber before long. I thank Joe for his courage and persistence. We have been sworn in, to offer his commitment. He very clearly wanted to make this legislation his top priority. He wanted to work on this in a bipartisan fashion. He wanted to have accountability and some of the other language accomplishments that are included in this legislation. I thank him for his leadership.

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I thank the staff. I thank Elizabeth Fay of my own staff, who has worked tirelessly, sometimes late into the night and early in the morning. She has been my strong right arm. I am grateful to her.

I thank Senator Kennedy’s assistant, Danica Petroshius, Michele Stockwell of Senator Lieberman’s staff, Denzel McGuire of Senator Gregg’s staff, Charles Barone of Representative Miller’s staff, Alex Nock of Representative Kildee’s staff, Sally Lovejoy of Representative Boehner’s staff, Kathleen Strottman of Senator Landrieu’s staff, and all the rest of the staff on both sides of the aisle in the legislative branch and at the White House. They make it possible for us to do our jobs. I want to say how great it is to work closely and to each and every one of them. I also want to thank Will Marshall and Andy Rotherham of the Progressive Policy
Institute and Amy Wilkins of the Education Trust for their advice and support.

Last, but by no means least, I thank the majority leader, Senator Daschle, who has scheduled this debate and action. We are grateful for his leadership and for his statesmanship. I want to acknowledge the fact that, with Senator Kennedy's agreement, he placed Senator Lieberman and myself on the conference committee. This was a new way, a third way, a better way, that will insist upon change, results, and accountability in our public school system.

There are consequences if results do not occur, if accountability does not occur, if all of us to improve the system and give the children the education they so desperately deserve. The consequences of inaction are great today. The consequences for ignorance and a lack of accountability have never been greater. Our country's economic well-being depends upon the quality of the education our children are receiving in classrooms across America today.

In a global-knowledge-based economy, economic progress, our standard of living, and our competitiveness will be determined by the quality of our children's education. High skills will demand high wages. The days of not knowing very much but commanding high and good wages, a high standard of living are rapidly receding. Our economic well-being depends upon our success in this area.

Likewise, there are profound social consequences to our level of success in this regard. The gulfs today between haves and have-nots in America is primarily an education gap, a skills gap, a knowledge gap. If we want to avoid the consequences of a large and growing, persistent underclass in our country, for the first time in America's history, it will be by winning the battle to improve the quality of education that those who are less fortunate in our society receive.

The vibrancy of our democracy is, in many important ways, dependent upon our success in this regard because an informed citizenry and participation by our citizens require more knowledge and learning than ever before. It was Thomas Jefferson, one of the Founders of our Nation who once said: A society that expects to be once said: A society that expects to be both ignorant and free is expecting something that never has been and never will be. Jefferson and the other founders of our Nation understood the clear, indisputable link between knowledge, citizenship, and democracy. It is that challenge that we rise today to meet as a country.

The bill we are advocating in this conference report embodies within it major changes in education policy for the schools of America, changes for the better. It embodies high academic standards, high wages, and a contractual relationship with the teacher, the parent, and the student. It embodies high accountability with $3 billion a year, and our children's futures will not be left behind, and their lack of adequate progress will not be masked by the progress of the majority of our schoolchildren, because these schoolchildren from these subgroups are as near and dear to the heart and future of America as any others. They must not, and shall not, be left behind in this legislation.

The bottom line is that every school, every district, every State, and each and every one of us, will be held responsible for the progress by our children each and every year.

This legislation strikes the right balance between Federal and State responsibilities, making this clearly a national priority, because the progress in education will have profound consequences for years to come for every American, but still recognizing that State and local officials and governments must take the lead in devising ways to implement this vision because they are ultimately closest to the schools with accountability to citizens at the local level.

This legislation contains a strong commitment to teacher quality with $3 billion to recruit and train good teachers and we would not have been included in the legislation without the support of America's children—the economically disadvantaged, the disabled, those who do not speak English as a first language, those who come from racial or ethnic minorities—that those children's futures will not be left behind, and their lack of adequate progress will not be masked by the progress of the majority of our schoolchildren, because these schoolchildren from these subgroups are as near and dear to the heart and future of America as any others. They must not, and shall not, be left behind in this legislation.

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within 2 years. There are supplemental services after 3 years, giving parents a choice for afterschool, summer school, and weekend tutorials to make sure the kids get the education they need. And finally, there is a meaningful, determined effort to make public schools, making them an integral part of the public education system, to give more vitality, more innovation, and more accountability to public schools through charter schools. I thank the Chair for his leadership in this regard. My own capital city of Indianapolis was just designated the first of four charter schools in Indianapolis. We look forward to benefiting from the provisions the Chair has championed in this bill.

There are major provisions in this bill to help those who are limited English proficient. We also do a better job of targeting resources to kids who are most in need. Senator LANDREIUE from Louisiana championed the targeting provisions in this bill. I always thought the essence of the intent of ESEA that so many schools with a high concentration of poverty children, in fact, receive next to nothing in terms of support from the very vehicle that was designed to rectify this inequity. In conclusion, let me say two things: First, nothing is perfect. Even with all of this historic progress that I and others have outlined, this is a major step forward. But, of course, many of us would like to have seen us accomplish even more, particularly in the area of funding. We have made a major step forward in regard to ESEA funding and with that, an implicit commitment to funding. We have made a major step forward in regard to ESEA and with that, an implicit commitment to make even more historic increases in the years to come toward full funding of this vital program. I voted consistently—I know the Chair and others did—for more funding for IDEA. This includes a $1 billion downpayment as commitment toward full funding of this initiative which is not only long overdue but vital to important to the educational progress of children with disabilities across America. We must do better in this regard. We will do better.

The choice was the progress we have outlined in this bill or nothing—nothing for another year, nothing year after year for America's schoolchildren. While there is work yet to be done, I don't think the appropriate course was to set aside the progress that we have because, with that, we cannot afford to wait any longer in making all the progress that we practically can for America's schoolchildren. That is why I support this bill and why I am also dedicated to coming back and finishing the business with regard to IDEA and ESEA funding.

Let me conclude by saying, 2 years ago, on the floor—Senator KENNEDY may remember that I quoted Winston Churchill when he spoke at a time of great trial for his country, a time of military trial for his country. I will paraphrase him once again today as we gather to make progress with the successful conclusion of this debate on re-forming education. At that time, Churchill said that they had not reached the end and perhaps they had not reached the beginning of the end, but at least certainly they had reached the end of the beginning. So have we.

I do so with one of the kind of historic advancements that America's schoolchildren have needed for so long. Let us begin to make meaningful progress in closing the inequities in income in our country by making knowledge and education affordable and available to all, regardless of race, creed, color, religion, or income. When we do that, we will look back on this day's work with gratitude and satisfaction that we have made a difference in this body.

I thank Senator KENNEDY for adding another illustrous chapter to his long career of public service to our country. I thank him and my colleagues, including Senator Dodd.

Mr. KENNEDY. Mr. President, I mentioned earlier how much we value our colleagues' participation in the fashioning and shaping of this legislation. He remembers that we had a 2-week debate without conclusion in the year 2000 on this legislation. We had 8 days of debate. The legislative effort has been ongoing. It is a better product as a result of it. Frequently legislation gets derailed.

I again thank the Senator for all of his good work and his counsel. I know he will be very much involved as we move forward. I am confident, I will follow on with this legislation with a reauthorization of higher education.

I see my friend and colleague from Connecticut. Senator DODD has, as all of us know, been the chairman of the children's caucus and has always taken a great interest in education, as well as children's interests. He has been very much involved in this legislation, he and Senator DEWINE, with our safe and drug-free school features that are so important to the conduct of the war in Afghanistan, and rightfully so. All of the news has been focused on that. But he deserves a great deal of credit, in my view, for making education his top domestic priority. Without his leadership on this, without his insistence that this issue be pursued by this Congress, I don't think we would have arrived at the position we have today. I commend the President for his commitment to this cause.

I hope it remains throughout his term in office. I hope that during those next 3 years when he submits his budget to the Congress that education will be among his top domestic priorities there, as well. I am confident it will, based on his dedication over the previous year to this issue.
I have said I had some concerns about the bill. Obviously, all of us do. That is the nature of compromise.

The bill, as we know, requires testing of every child, all 50 million, who go to public schools. Of the 53 million children who go to school every morning, 50 million go to public elementary or secondary schools, and 5 million to private or parochial schools. We are going to test every child in the third to the eighth grade every year in math and in reading. I think that has some value.

My concern is that we may be tilting more toward diagnosis than treatment. Then again, you can’t treat unless you diagnose, so I accept the notion that you have to take children’s temperatures, if you will. My concern is the obvious one—that once we take their temperatures, are we then going to put the resources into the most troubled communities in America so that these kids get the treatment they need to pass. Are do we want; are they going required to take in third through eighth grade, but passing more difficult tests in life as to whether or not they can become good citizens, whether or not their education is full and rounded, whether or not they are going to be good parents, whether or not they are going to make a contribution to the economic well-being of our Nation.

This bill makes it clear that we must have high expectations for every child, regardless of disability, limited English proficiency, or income. Because quality teachers are so critical to children’s success, this legislation will insist that all teachers be highly qualified within 4 years. That is a tremendous goal. Mr. President, one which I strongly support.

The underlying question I have in all of this is whether or not we will provide the resources, budgetary and otherwise, to achieve those goals.

We must measure to ensure that schools will be accountable for students’ progress in reading and math, and in limited English proficiency for students learning English. That is something I strongly support, also. This bill ensures that Federal education reforms and resources are targeted to our neediest children. There are also many parts of the bill that are of particular interest and importance to me. Let me enumerate them quickly.

One is that we protected and expanded 21st Century Community Learning Center Programs after school. I know I am preaching to the choir when I talk to my colleagues about this. We understand that this is a dangerous period of time for kids after school. You need only talk to any parent in the country about what happens after school—this is when children are most likely to become victims of a crime, or become involved in bad behavior that reduces their education and their well-being.

We provide something I have felt strongly about for years—professional development for early childhood educators through competitive grants to local partnerships that focus on helping teachers in child care and other early childhood education programs that support children’s learning and development. Again, I am preaching to the choir.

I welcome the administration’s support for early literacy through the Early Reading First program. The Early Childhood Educator Professional Development grants will complement, rather than duplicate, those efforts, by providing educators with training in all the domains of child development—social, emotional, physical, and cognitive. We must remember that a child’s school readiness must include a knowledge of letters, but also how to follow directions, how to work independently or with others, and how to resolve conflicts without aggression, to name a few.

These programs work, and there are not enough of them. Children with better qualified early childhood educators have better behavior skills, better vocabulary and pre-reading skills, lower juvenile arrest rates, and do better in school. Yet, most early childhood educators have not had a right to professional development. Professional development is therefore critical.

I thank Senator DeWINE. He and I have worked for many years on Safe and Drug Free Schools and Communities Act. This bill reauthorizes that act and makes significant improvements to it. It ensures that programs under the act will be in response to identified State and local needs, will be based on proven or promising theories, will have clear and measurable goals, and will be undertaken with parent and community input. That is as it should be. These are the people who know best at the local level where the resources should go. The Safe and Drug Free Schools Act has been most successful over the years.

I see my colleague from New Mexico here. He and I have championed and worked together on character education for some time. There has been no stronger advocate than Senator DOMENICI for that. We started out with a tiny pilot program a few years ago because none of us knew for certain whether this noble idea would actually work in practice. As a result of those pilot programs, over the years, we have seen marvelous achievements made by kids in some of the toughest communities and poorest communities in America. As a result of those pilot programs, character education is now part of the Safe and Drug Free Schools Act. Students who receive character education carry with them throughout their lives not only the ability to contribute to society, but also the understanding that it is their responsibility to contribute. We now have some $25 million in grants to go to local communities. That is a 300-percent increase over where it was. So I thank my colleague from New Mexico for joining me with over the years in that particular program. I know he will address that in a few minutes.

I am also pleased to tell you that this bill includes strong privacy provisions to ensure that schools are centers of learning, not centers of market research. Senator SHively of Alabama and I, along with Congressman MILLER, have worked hard to see to it that parent and school district will have a right to know whether their children are being used as marketing tools and the right to say that they don’t want their children to be a part of that. It is hard enough to get kids to learn. I am nervous about business interests reaching into homes of kids and probing them about themselves and their families without parental involvement. This bill now adds very strong provisions in that regard.

Parents wouldn’t allow somebody to come into their home and question their 7- or 8-year-old child without permission. Now, parents will have the right to keep that from happening in the schoolroom—children being subjected to marketing that may violate families’ privacy and also used to develop product lines.

Today also marks the end of the injustice of treating Puerto Rican children as second-class citizens under title I. I thank my colleague from Massachusetts for his leadership on this. I thank Commissioner ANNI BAL ACEVEDO VILA, the Governor of Puerto Rico, Sila Calderon, and others who have fought valiantly to see that we treat Puerto Rican title I children just as we treat every other child in the United States. We do that in this bill. They deserve the same educational opportunities as all American children. They are going to be subjected to the same testing requirements. The expectation that these children perform is just as high in Puerto Rico now as in any other State. Now, they will receive not three-quarters of their allocation of title I funds, but 100 percent.

We have set high goals for title I authorizations. Senator COLLINS of Maine and I drafted an amendment that passed with 79 votes for full funding for title I. This bill doesn’t have full funding for title I, but this Chamber went on record supporting full funding. I thank Senator COLLINS for her work in that. We didn’t achieve it here, but our goal is that this will ultimately be what is supported by the administration and our colleagues here. The concern I have is one I have expressed all along, and that is whether or not the resources are going to be here to support the reforms. We are taking a leap of faith. Many advocated that we wait before adopting this conference report until the President submitted his budget in January.

We could have waited a few weeks to see what President Bush puts on the table before we passed this 6-year bill. I am not going to say we are going to rely on the commitments made by the administration that the resources will be there.
I would point out that in the midst of this recession, State education budgets have declined in excess of $11 billion since last year. So the demands are going to be even greater than before. The number of low-income students is going to go up. The number of title I students—State budgets are going down. Whether or not we have applied adequate resources, only time will tell.

On this issue, the President’s rhetoric is not the action so I commend him immensely for making the education issue his top domestic priority. I can only hope that when the budget is submitted come January, the numbers on title I—the numbers needed to support these reforms will be there. We will also continue to fight for full funding of IDEA. The pressures are going to be significant there. By providing only 15 percent, rather than 40 percent, we consign every community in America to making up the difference in the education budget. That means added pressure on local communities, most of whom pay for education with local property taxes.

As I said recently, if we were debating the Defense budget, we would not tolerate a position as we are now taking. This is the position that we could do. If it was the Defense budget, we would say: Don’t tell us it is the best you can do; tell us what you need and we will provide it. I happen to think education is as important an issue there is, if not the most important issue.

In our democracy and free-market economy, education is critical to success. I would like to think we would do all that needs to be done. So, I am disappointed in the budget numbers, but I am confident that over time, we will gain the support we need to provide the resources necessary to implement the reforms included in this legislation.

To give my colleagues an idea, the title I increased in my State of Connecticut are not insignificant, a 20-percent increase in title I funding which will be very helpful. In Hartford, CT, that means going from a little more than $16 million to in excess of $22 million, a 37-percent increase in title I. New Haven will go from almost $12 million to in excess of $16 million, a 33-percent increase in title I funding. These are Congressional Research Service estimates. That is significant, and those additional dollars are going to go a long way in serving the needy children in two of the largest cities in the State of Connecticut.

The issue is whether the appropriations will be sufficient this year and in the future to implement the reforms in this authorizing language. Again, I hope that will be the case in the coming years, that we will continue this bipartisan effort that marked this legislation and that the appropriations process will be not just bipartisan within Congress, but also between Congress and the executive.

In closing, I also thank Shawn Maher, Lloyd Horwich, Grace Reef, and Patrick Rooney of my office who have done terrific jobs. From Senator Kennedy’s office: Danica Petroshius, Jane Oates, Roberto Rodriguez, Michael Dannenberg, Dana Fiordaliso, and Ben Cope were tremendously helpful and supportive in listening to all of us and our stakeholders through the legislation. I thank Denzel McGuire and Townsend McNitt of Senator Gregg’s staff, and I thank all the staff of other Senators from the conference as well as members of the House staff, all of whom deserve to be mentioned.

As I said earlier, their names are not well known, they are not elected to office, but we all know that without their Herculean efforts late at night, on weekends, and in lieu of vacations, we would not be here talking about this fine legislation that we will ask our colleagues to support.

Sandy Kress of the White House and his staff, as well, deserve tremendous credit for staying at the table and seeing us through this process. I immensely commend my friend from Massachusetts for the tremendous effort he has made on this legislation and his significant accomplishment. He deserves a great deal of credit for it. I yield the floor.

Mr. KENNEDY. Mr. President, I mentioned before a number of the provisions in which the Senator from Connecticut had been particularly interested. The one I had not mentioned and the one I welcomed the opportunity to work with him on was full funding of the title I for Puerto Rico. If we look over the percentage of men and women who serve in the military, they come from Puerto Rico. They are at the highest, if not the highest, of the top two or three equivalent States.

If we look at Congressional Medals of Honor and the Active Duty forces these are individuals who have always been there. They are American citizens and their children should receive the full benefits of the legislation.

I welcomed the chance to work with Senator Dodd and our colleagues to make sure that was going to happen over time.

I thank the Senator from New Mexico. He is not a member of our committee—and he will express his views but if my colleagues will take a moment and look on page 434 for the provisions to improve the mental health of children, as well as character education, which Senator Dodd mentioned—character counts also includes community of caring programs as well—Senator Domenici has been the leader in this institution of making sure we have parity and equality in mental health. This has been one of his great causes. He has educated this body and educated the country. He and Senator Domenici have championed the idea that partnerships in understanding there are mental health challenges for children and for students.
Nonetheless, walk into a classroom of some of sixth graders and see that this month is the month of responsibility. See the walls loaded with posters about responsibility, and then sit down with them while they talk about responsibility, the class path that they do once a month. They make the awards themselves for those who have been most responsible, for those who have been most trustworthy, for those who have been best in their citizenship. It is moving, it is positive, and rather fantastic, because one might say we have been spending a lot of money and trying a lot of things. We have remained rather constant in one way of doing it for almost 40 years, essentially, we changed it only in that we pushed for more resources in that 40-year approach.

I might say the time was ripe for change, and this President made it part of his effort. As a matter of fact, it probably is true that only because he has pursued it as he has have we finally produced an education bill that is significantly different and has significantly different qualities and characteristics about it than we have ever had before. I want to, in my own way, tick off a few of them. First of all, I am pleased that in addition to character education expansion, better mental health coordination, better teacher recruitment centers are in this bill. I introduced an amendment in that regard, too, and that is going to be very helpful because, if anything, we know we are not paying our teachers enough and that movement of paying more is catching up State by State.

We need to help our teachers be better teachers because the fact is, we know in many instances they need help and they need to be better educated, especially in specialties that will make these students better and more well rounded, better at math and science and technology.

In addition, in educational funding this is significantly more money. We are very hopeful the appropriators will come close. The amount this bill authorizes is $20.3 billion, and that is dramatically up from last year.

The other thing that is new and different is enhancing accountability and demanding results. There were many who questioned that, but in a sense what has come out in the conference is dramatically up from last year. We have made 45 programs out of 55, and then we have given a certain number of districts an option to opt out of the Federal program and opt into one with pure flexibility. We do not do that for everyone because some are very frightened about what might happen. But I think we allow approximately 150 schools to voluntarily pull out from the details, spend the money on the ideas, and we judge them better, we judge them better 3 or 4 or 5 years from now in terms of student and teacher education.

We have expanded parent choices. Children in failing schools are going to be allowed to transfer to better performing schools for the first time after a school is identified as failing. I do not know whether that is going to work. We all know that is a difficult concept. We do not know in some parts whether there are going to be enough schools for them to transfer to. Nonetheless, this certainly sets the stage and sets a standard that the United States ought to give parents more choice if parents are willing to be part of it, help with transportation and other things. Then we go into reading where for the first time we have a very major change in that almost a billion dollars is authorized for reading. That is very exciting. I hope they fund the appropriations.

In Early Reading First Program, there is some money, asking that it be part of the Federal program, and then it lays the groundwork for important reforms in special education. It has already been said we did not move totally to mandatory funding of that program that we are so concerned about, a program called IDEA, but we are moving toward more funding rather than less.

The distinguished Senator from New Hampshire, Mr. J UDD GREGG, is in the Chamber. He is the one who pushed the Congress more adequately fund IDEA. We started about 5 years with him pursuing this, and for the first time in the history of IDEA, special education, we started to fund it at higher levels. In this bill, we move even more in the direction of seeing to it that schools are not overburdened because the Federal Government puts more money into this program.

We have something in this bill to make schools safer, something for English fluency, and we have some special safeguards regarding rural schools. That is exciting, and that means we have concern that the regular programs that exist in a city such as Albuquerque might not work in a school district in Deming, NM, which is considerably smaller and very rural.

So I hope when we are finished, the President will sign this bill, and I hope he will sign it today. Mr. President, how I resent, indeed, he deserves substantial credit for it, as do a number of Senators, including Senator KENNEDY, clearly, as the chairman of the committee, Senator GREGG, and many others. I am not on that committee, but I cherish I am genuinely interested and concerned, and I think we have added some special ideas to this bill.

I want to thank those Members who allowed those ideas to find their way into this bill, and clearly our next step is to see how much the appropriators are going to appropriate. This is an authorizing bill. It must be funded. I hope in the next week we will know, and we will be telling the appropriators that that is the case. I praise for the fact that the most important aspects of this bill would have been funded by them in the health and human services appropriations bill.

I thank the Senator for yielding me time, Mr. President. I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I see our friend and colleague from Delaware in the Chamber. I wanted to again thank you for your strong support. He has been enormously active during our debate on this legislation on the charter school programs and also on the voluntary school choice programs. We are very grateful for all of his interventions and for his strong support.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Mr. President, I begin by thanking Senator KENNEDY for his kind words. A year ago this month, I was privileged to be in Austin, TX, at the Governor's house for a fellow who had that day stepped down as Governor of Texas and was about to become President of the United States.

There were any number of Senators present that day, a number of Representatives from the House of Representatives, and one sitting Governor—that was me. Absent from those in attendance that day was Senator KENNEDY.

We spent the better part of an afternoon discussing with the new President what kind of changes we should make to the educational system in our country. I remember returning from that meeting, that extended discussion, and calling Senator KENNEDY on the phone to share with him a little bit of what took place in his absence.

I recall reading almost a year ago there were some in this city who were saying education reform would be at

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the forefront of the President’s agenda, and that a good deal of it would take place with or without the involvement of the ranking member and now chairman of the committee, Senator Kennedy. As it turns out, Senator Kennedy ended up being in the center of the action. He and his staff helped to shape, in no small part, the agenda. I want to express my thanks to him for his support and his acceptance of provisions offered by Senator Gregg and myself with respect to public school choice and charter schools.

I say to Senator Gregg, who is present today, how much I appreciate the opportunity to be his ally, to make sure that as we assess the schools in this country and provide leadership in Washington, we not only support the States in establishing strong standards and assessing student performance, but also empower parents by giving them greater choices as to where their children go to school.

I want to mention a few others who played an important role in shaping this bill and in supporting the measure and those from the toughest communities, including Chairman Boehner and Congressman Miller, who have been mentioned, as well as some Members who have not been mentioned. To Mike Castle from Delaware, Tim Roemer of Indiana, Rob Andrews from New Jersey, and Heather Wilson of New Mexico, I want to say a special thanks for the great work they have done. They have given us a solid compromise. And I take my hat off to the President. He has made this his primary initiative coming out of the starting block and has done wonderful work, along with Sandy Kress, Margaret Spellings, and others from the White House staff.

If I could draw a rough analogy to a war going on on the other side of the world, the military campaign in Afghanistan, we are providing more money, more flexibility, to support our soldiers around the world, but we are saying to those leading that operation: We will give you significant flexibility in how you use the resources. We will not try to micromanage the war from Washington. But we are going to hold you accountable for results.

If you think about this legislation, in an effort to ensure better results from our schools in America, we have agreed with the President to provide more money for our schools. We have agreed to provide that money with greater flexibility to be used in our schools as our school leaders at the local level believe is best suited to raise student achievement. And we have agreed that, while we will provide that money, more money with greater flexibility, we will demand results. We will not throw good money after bad. We want results. There will be consequences for those schools that do well and consequences for those that do not.

That is the basic compact at the heart of this legislation—greater funding and greater flexibility in exchange for greater accountability for results. Beyond this, we have added measures to target federal dollars where the need is the greatest. We have also included report cards for parents, report cards that will give them the information they need to assess the performance of the schools their children attend. We do this because we want to empower parents to make choices for their children and we want to bring market forces to bear, competition to bear, within our public schools.

If we had debated this legislation 6, 7, or 8 or 9 years ago, we might have come at it in a different way. A decade or so ago, I know of no State which had adopted rigorous standards—no State that had spelled out what they expected their children to know and be able to do in reading, writing, math, and social studies. Today, all but one State in America has adopted rigorous academic standards—spelling out what they expect their students to know. A decade or so ago, we didn’t have States that had developed tests to measure student progress. Today, over half the States have developed those tests. In my State and other States, we measure student progress each and every year. A decade or so ago, we did not have accountability systems in place. We did not have systems in place that said we will hold schools accountable and responsible for those that meet the grade, there are certain rewards; for those that do not, there are certain consequences. Today, almost half the States in America have adopted accountability systems.

A decade ago, if we had taken this legislation up, we would probably have said: The Federal Government should write the standards; we are smart enough in Washington to write the standards and impose those on the States. We have not done that in this legislation. This legislation acknowledges that the States have spent a lot of time, effort, and energy with the input of some of the best and brightest teachers, administrators, and scientists—working to develop their own academic standards to measure student progress.

In this legislation we say to the States: You develop the standards, you determine how quickly you will get students up to those standards, but once you have done that, we will hold you responsible for moving all kids up to the standards—kids from the best communities, with the highest per capita income, as well as those from the toughest communities.

A decade or so ago, we might have provided the money and said to our schools and school districts: By the way, here is the money, and this is exactly how you have to spend it. We don’t do that in the context of this legislation. We say: Here is extra money. Roughly half the money we will provide to schools will give you more flexibility. If it makes more sense to use the money before or after school programs, do that. But in the end, however you decide to use the resources, we want and demand results.

Now, let me talk briefly about public school choice and charter schools. In the State of Delaware, as Governor, I signed into law legislation making Delaware the first State to go to statewide public school choice. I will never forget hearing a conversation between school administrators shortly after we signed that legislation. One administrator was heard saying: If we do not offer students and parents what they want in our schools, they will go somewhere else. If we don’t offer students and parents what they want in our schools, they will go somewhere else. School choice is not that hard to do.

They take the money to another school. The money from the State taxpayer follows the students. We have injected competition and market forces into our public schools in ways that many thought impossible half a dozen years ago.

The legislation we are debating, and will hopefully pass this week, says there will be consequences flowing from the annual tests given in grades 3 through 8. Among the consequences of a school failing to make progress toward their own standards, at the rate they have said they will make it, is that parents are given an alternative. We will provide assistance to help turn around schools that school choice becomes an option for parents after that second year that the school fails to make adequate progress. Transportation money is also provided so that a student can actually go from school A to school B if that is where they want to go.

School B gives a better education, the transportation money to get that child from school A to school B must be provided. Having dealt as Governor with public schools through the turmoil of school choice and the challenges of its implementation, I know it is not easy. I am grateful to Senators Kennedy and Gregg for ensuring we provide the necessary resources to help schools and school districts to make that difficult transition to public school choice.

After 4 years, if a school continues to fail students—if it fails to make adequate progress toward their State’s standards—not only are parents provided with the option of public school choice but that school has to be reconstituted. That school has to be closed, it has to be taken over by the State or by a business interest, or that school...
as a State with a number of charter schools I know that charter schools provide wonderful educational opportunities for children in some of the most disadvantaged communities in America. However, we do not provide some help to charter schools to finance their facilities. We ought to. It is the number one challenge facing charter schools today—preventing new charter schools from opening and preventing successful ones from expanding. With this legislation we provide some help at the Federal level to assist charter schools in accessing the credit markets and leveraging private capital. We also provide new incentives to encourage States to treat charters like other public schools and provide them with equitable funding for facilities.

Let me conclude with one last thought. One of our sports heroes, especially this time of year as we play football on Sunday, is a fellow no longer with us, Vince Lombardi. He used to say about football: Unless you are keeping score, you are just practicing.

In Delaware and States across America we have begun to keep score. We set the standards. We measure student progress. We grade. We are trying to figure out what works and provide more money for those things that work.

This is a tough-love approach. Sometimes on one side of the aisle we are viewed as just wanting to throw more money at every problem. We are all love. Sometimes those on the other side of the aisle are viewed as just being tough, as not willing to provide the resources that are needed in a loving way.

The beauty of this legislation—and it is not perfect by anyone’s judgment—is that it takes the toughness and it mixes it with a measure of love. We commit to investing greater resources on behalf of students in this country and in return we demand improvement. As a result, we emerge as a full partner with the States and the school districts across our country that are doing a whole lot of wonderful things to raise student achievement.

I am convinced that no piece of Federal legislation will solve all of our problems with respect to schools. We are a minority partner with respect to public education. But with this legislation, with the standards we are moving toward that will follow this week in the appropriations bill, we will be a more meaningful partner from Washington, DC, from our Nation’s Capital, than we have ever been in the past.

For everyone who has worked hard to get us to this day—Sean Barney, a member of my staff, Danica Petroshius and Michael Meyers of Senator KENNEDY’s staff, Michele Stockwell and Elizabeth Fay of Senator LIEBERMAN’s staff and Senator BAYH’s staff respectively. And to my ofﬁcers, Dave Guest and Townsend McNitt of Senator GRASSO’s staff—my heartfelt thanks for a job very well done on behalf of all of our students.

I yield the floor.

Mr. KENNEDY. Mr. President, I thank the good Senator.

We have a number of other Senators who have indicated their desire to comment on this legislation. We are waiting for Senator Breaux. As soon as he comes, I will yield the floor.

I want to take a moment to reiterate another important provision in this legislation. Achieving our goal of a well-trained teacher in every classroom, maternity and important reform. There are other key reforms to which our colleagues have spoken, but I think this is one of the most important commitments in this legislation.

For those who are very interested in this particular subject matter, there is a wonderful document entitled “What Matters Most, Teaching for America’s Future,” a report of the National Commission on Teaching and America’s Future, which I have found to be one of the most helpful and useful documents in terms of understanding what is happening in schools across the country and what is missing.

Let me mention some of the conclusions they have reached in this excellent study. There are evidences in many communities across the country. I will also indicate what we have tried to do about them.

I read from page 38. I will not ask, obviously, that the RECORD print it. The RECORD will include the parts I read.

Some problems, however, are national in scope and require special attention. There is no coordinated system for helping colleges decide how many teachers in which fields should be prepared, or where they will be needed. Neither is there regular support of the kind (of recruitment) long provided in medicine to recruit teachers for high-need fields and locations.

This legislation responds to that. It recognizes that recruitment is a national problem. The bill greatly expands the support for recruitment in all subject areas, including math and science, and through State-grant programs.

This bill also includes Troops to Teachers, which has been enormously successful in a number of communities across the country. Also, there is support for the Transition to Teaching Program, which is another very successful program.

Another important area:

Turnover in the first few years is particularly high because teachers are typically given the most challenging teaching assignments and left to sink or swim with little or no support. They are often placed in the most disadvantaged schools, and assigned the most difficult-to-teach students with the greatest number of class preparations. Many of them are outside their field of expertise with a lack of professional activities with no mentoring or support. There is little wonder that so many give up before they have really learned to teach.

We have included a very effective mentoring program that is responsive to this issue.

This legislation supports teacher mentoring at the local level for all schools and for schools that have fallen behind. We must fulfill our goal of providing every new teacher with an effective and dependable teacher mentor.

Finally, on professional development:

In addition to the lack of support for beginning teachers, most if not all school districts invest little in ongoing professional development for experienced teachers, and spend much of these limited resources on unproductive practices. Estimates of professional development support range from one to three percent of the district operating budget even when the costs of staff time are factored in.

We have included provisions in this legislation that encourage that professional development will reconnect teachers to work with their students. It will be linked to concrete tasks of teaching. It will be organized around problem solving. It will be based on scientifically based research and will be sustained over time by ongoing conversations and coaching. All of those recommendations are included in this report.

This legislation requires professional development funding to meet these criteria that I have mentioned. In addition, all Title I schools must spend 5 percent of their funds for professional development. Title I schools that are falling behind must reserve 10 percent of funding for professional development.

Hiring well-trained teachers and having such teachers stay in classrooms located in underserved areas is a high priority in this legislation. We have taken the best recommendations we could possibly receive based upon experience and incorporated them into this legislation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. CRAIG. Mr. President, I come to the Chamber today, as many of my colleagues have, to speak for this long awaited piece of legislation. I thank Senator GRASSO and Senator KENNEDY for the tremendous work they have done in bringing this effort together.

There have been a wide range of differing views, clearly because of the differences of philosophy and attitudes about how the Federal Government should engage in the business of education at the primary and secondary levels.

At the same time, clearly the Nation is replete with studies that indicate that children are not achieving at the levels they should and that the commitment is not as much as it could be, even though many States such as mine struggle as much as is possible to commit the public resources to education and at the same time knowing that in many instances it is woefully inadequate.

We finally begin I think to recognize—this legislation reflects it—that simply throwing money at the educational establishment will not solve educational problems. That has been largely the argument at the Federal level for a good number of years:

The only thing public education lacks
is money. We now know that is not the total answer. We needed to cut Federal red tape to implement long overdue reforms. I think we truly want to see improvements in our educational system. There is no reason this Chamber should not be continuing across America to see if that goal is being achieved. Higher quality of education for our young people is only going to be achieved if, and of course, our young people in the broad sense achieving at higher levels.

We did this in the past. I think the result is evident. We spent more money for little to no improvement in the educational programs to which our young people were being subjected. Of course, the end result was obvious. Our children were not achieving at the levels that I think all of us would have wished compared with other educational programs around the world. We were not measuring up.

The bill on which the conference committee worked so long and hard does not continue the old ways. That is why I am in this Chamber today. I think many of us who were skeptics and concerned, and watched very closely, recognize the work of this legislation has been long overdue in making the changes to the Federal programs and giving the States the flexibility to use the Federal dollars to implement programs and reforms and, in much of it, it is their own reforms.

For the first time, the Federal Government has made a real commitment to returning power to the States. This bill cuts through the red tape, as I mentioned earlier, allowing States to use Federal money to implement programs that are important, instead of programs that the Federal Government or the bureaucrats at the Department of Education think are the higher of the priorities.

We know that in all of our States education varies. It differs, and in many instances it should. While the fundamental learning skills are always critical and uniformity is necessary, clearly, different States wish to attract and offer different approaches. I continue to support principals and superintendents, and school board members about how their job would be made much easier if the Federal Government would let them do what they know how to do instead of trying to tell them how to do it. We finally paid attention to them. I think we are going to offer them the flexibility for which they have asked. All we ask in return is results. That is a rather simple equation.

This demand for demonstrable results is something that we have charged—a Federal mandate. I have been in this Chamber more than once before speaking against Federal mandates. But this one Federal mandate replaces numerous other mandates which are eliminated throughout the bill. This mandate is also unlike most of the other Federal mandates that are incorporated in current law today; it is fully funded. In fact, the bill requires full funding for the cost of the tests themselves and for many other mandates. And if we do not fund those costs, the States do not have to implement the tests. That is a fairly reasonable and appropriate formula. If we do not own up to our promise and our commitment, how then, when the States do not have to follow suit.

I suggest this bill is not perfect, but then again my guess is most legislation that comes to the floor, depending on one Senator’s or the other’s point of view, would not meet that test. For example, it does not authorize full funding for the federally mandated Individuals with Disabilities Education Act. It does provide substantial new money for the Federal program to meet the special needs of those students. I hope next year we will fully reauthorize IDEA and fund it.

That was a program where we promised but we never delivered. As a result of it being a Federal law on the ground that superintendents and principals had to live up to, there was a phenomenal drain of local education money to that program away from other programs and other commitments to education that were made. So, literally, local education funding was being drained away from a Federal law and a Federal mandate under IDEA.

I am not going to stand here this afternoon and debate the value of IDEA, but certainly the commitment was made to fund it, and we are moving in that direction with substantially more money; we ought to continue to do that. What does it do? It frees up local money to go into education where it was intended. I think that is why it is so critically important. I think this bill provided by the conference committee, however, is a better vision of educational reform than the bill voted out of the Senate in June. I am glad we are finally getting it to the floor for partisan reasons or for some other reasons. If it is signed by the President, America’s children win. That is the most important vote that the Congress can make.

In the past few weeks, too much important legislation has been held up on the floor for partisan reasons or for somebody thinking they were gaining political points out in the field. Well, some political may be losing, but there is one very real thing about this legislation. If it passes, and if it is signed by the President, America’s children win. That is the most important vote that the Congress can make.

I am proud to support the final conference report and hope we move quickly on it. It is a good and right approach and a great Christmas present to America’s schoolchildren.

I yield the floor.

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

Mr. President, I withhold that. 

S13338 CONGRESSIONAL RECORD — SENATE December 17, 2001

Mr. GREGG. Mr. President, I suggest this bill

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Mr. KENNEDY. I know Senator DeWine and Senator Enzi are on their way over to the Chamber. As soon as they arrive, I will yield the floor to them, and then we will have a rather interesting story that recently evolved at the Sterling Middle School in Quincy, MA.

Five years ago, the Sterling Middle School was known as the school where tough kids went. This year, Sterling was recognized by the Massachusetts Department of Education for the improvement they made in the statewide tests. In fact, Sterling has reduced their failure rates every year since 1996. How did they transform this failing school? The school changed the way they scheduled classes, giving teachers more time to teach and students more time to do things, such as experiments in science, problem solving in math classes, and serious writing in English classes.

Teachers got the professional development they needed to make sure that longer classes incorporated techniques that would increase learning. And the school created a council, which gives parents, teachers, and students the ability to decide what textbooks work and how lessons should be structured.

Since 1996, Sterling’s eighth grade failure rates have dropped, from 46 percent to 17 percent in math, and from 12 percent to 2 percent in English. This is a school which has turned itself around.

The reforms we have enacted in this bill will give other school districts the chance they need to turn around schools that are failing. With this legislation, we give the teachers more professional development, we give the parents the voice they need to connect with the schools that serve their children, and we give the schools the flexibility to reduce their class sizes, that teachers can reach every child. So this bipartisan legislation will help more public schools provide the best possible education to every student.
I will mention another factor. The absentee rate at the Sterling Middle School has been reduced by 90 percent, and today it is under 1 percent. They previously had an enormous absentee rate and an incredible dropout rate which has been dramatically reduced.

The school is a low-income, working-class school. Forty-two percent of students in the Sterling Middle School receive free or reduced-price lunches. The district’s free and reduced-price lunch rate is 28 percent. Eighty-three percent of students are white. The percentage of students in the Quincy district who are white is 70 percent. Twenty-five percent of the students are classified as disabled.

Principal Metzler credits the school's outcomes to a commitment to high academic standards for all children, including those with disabilities. The school has instituted a full inclusion program for children with disabilities. There is also flexible scheduling to extend instructional time, and math and reading are integrated throughout the curriculum.

These are the kinds of innovations taking place at the local level that we are seeing with this legislation, and which we believe will be replicated and duplicated across the country. This is an extraordinary example of how things work.

I suggest the absence of a quorum.

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

Mr. KENNEDY. Mr. President, one of the very important aspects of this legislation deals with accountability. In addition to accountability, we must address the issue of assessment. A number of our Members have focused on this issue. I want to discuss several points, in the few minutes we have waiting for our colleagues, about why developing high-quality assessments is such an important goal.

Under this bill, States will develop their content standards about what children ought to know in a particular grade. Those standards will shape curriculum and learning outcomes. Classrooms have a well-trained teacher, and with quality curriculum, we will be able to assess students to find out what they are learning, and where we need to improve. Schools will identify areas for improving student achievement, and we will provide active support and extra assistance to help those children. Such services may be accomplished throughout the school day, or they may take place after school. The school has the flexibility to decide what works for the school that support.

Several of my colleagues raise questions about assessments, and about the practice of testing. I recognize from the outset that American children are the most overtested children in the world. However, the problem is that we’re not focusing deliberately measuring what we should. And we’re not focused on the quality of the measure—too many children are being tested with off-the-shelf tests, and we’re running into situations where teachers are teaching to such low-level tests.

This obviously undermines what we are attempting to achieve with this legislation. This object is much different in this legislation. We seek to establish high standards. We seek to set in place the reforms that will ensure that all students meet those standards, because we know that they all have the potential to achieve. And we need to use good assessments as tools, not as reforms in and of themselves, to gauge the success of our progress, and to understand the academic needs of students.

All assessments under this bill must be aligned to academic standards to help teachers and parents understand how well a child knows a particular subject that is being taught. All of this works together. You have challenging content standards. You have good evidence of our high-quality tests. You have the well-trained and highly-qualified teacher—the real professional—working with students to ensure their success. It is all coordinated. Rarely are all of these pieces in place for all of our children. So often schools with needy children are the places where one or more of these elements are missing. We must change that.

Assessments are important tools in school reform. We need objective information about how children are achieving in order to identify the problem areas and fix them. When your car breaks down, the mechanic runs a test to determine where the problem is. Is it in the carburetor or the exhaust? Is it in the electrical system? Then the mechanic uses the tools specific to the problems to fix it. When you are sick, the doctor performs a series of tests to determine what the illness is that you have. Then the doctor prescribes a remedy specific to the illness.

The academic tests under this bill serve the same purpose. They help the teachers and parents diagnose the problem and apply remedies that will help the child achieve in those areas. They are diagnostic tools, not a hammer. This bill builds upon current law by requiring States to administer one test each year in the elementary school grades, one test in the middle school grades, one test in the high school grades, until 2005.

Not all States have complied with this requirement. We need to get about the business of doing it, and doing it now. There is no excuse for having poor-quality, sub-par assessment program.

Beginning in the 2005-2006 school year, States will be required to administer assessments in every grade, 3 through 8, in order to provide accurate information. That gives States 3 years under our bill to develop a high-quality system that is valid, reliable, and aligned to standards. Such a system should ultimately provide accurate information about the progress and achievement of students from year to year, and should be useful in diagnosing student needs, skills, and knowledge more accurate. All of the tests under this bill must be of high technical quality, and based on national and characterized by standards.

However, we know the tests cannot provide a complete picture of how a school is doing. Therefore, we require that the States use the additional resources such as graduation rates and retention rates to determine whether a school is performing well. We have made tests an integral part of the reform, and we provide the resources to help the children do well in them.

We will begin to provide States the resources to develop and implement these assessments in FY 2002, even though the tests themselves will not be required for close to 3 more years. There will be resources available to the States. Help is on the way to meet the challenge of crafting assessments, and all students achieve to high standards.

Seeing the Senator from Ohio, I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio, I yield.

Mr. DEWINE. Mr. President, I thank the Senator from Massachusetts. I congratulate him and Senator GREGG for their tireless efforts to bring this bill to us. I also, of course, congratulate Congressman BOEHNER as well as the President of the United States for his leadership. This bill has been a long time coming. It has really taken a tremendous amount of work on behalf of all of the leaders in this effort.

Over the last several months, as we have debated the reform of our public schools, I have argued it is necessary that we look at exactly where we are as a society and how this is affecting our public education system. If we don’t look at ourselves and how our society reflects itself through education, we will not make any reforms, we will seek no change, and we will fail our children.

As I see it, tragically, our society is becoming more and more divided, with off-the-shelf tests, and we provide the resources to develop a high-quality system that is valid, reliable, and aligned to standards. Such a system should ultimately provide accurate information about the progress and achievement of students from year to year, and should be useful in diagnosing student needs, skills, and knowledge more accurate. All of the tests under this bill must be of high technical quality, and based on national and characterized by standards.

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Seeing the Senator from Ohio, I yield the floor.
This is happening across the country, and certainly it is happening in my home State of Ohio, which in many respects is a microcosm of what is happening all over our Nation.

In Ohio, growing income and education disparities are creating our very own permanent underclass. Most of Ohio, candidly, is doing better economically and educationally.

The children in these areas have a great future. However, when we look across the entire State, we see two areas where this is not always taking place—areas where the children are not being as well educated as we would like our own children to be educated. And these are also areas where the income level shows that disparity. We see it in Appalachia, we see it in our core cities.

Too many children in Appalachia and too many in our core cities are at risk. In fact, according to the National Center for Education Statistics, in 1999, young adults living in families with income less than 20 percent of all family incomes were five times as likely to drop out of high school as their peers from families in the top 20 percent of the income distribution.

Just look at some of the class of 2000 graduation rates of my own home State of Ohio in the urban areas. In Akron, only 72 percent of the State’s high school students graduated last year. That is actually a high rate for an urban area. In Toledo, only 67 percent graduated; in Columbus, it was 62 percent; in Dayton, 57 percent; in Canton, 53 percent; in Cincinnati, 51 percent; and in Cleveland, only 34 percent of the students who started high school actually finished. Yes, that’s right, only one-third of the students in Cleveland public schools graduated; two-thirds did not.

I think if you look across the country, you will see these figures replicated in urban areas, no matter what State we are referencing. There is something wrong when many of our children are simply not graduating.

There is also something wrong in this country when nearly one-third of college freshmen must take remedial courses before they can begin regular college-level course work. There is something wrong when only one-third of fourth graders can read. The practical result of this is a society that is growing farther and farther apart, not closer together. So how do we bring society back together? That is our challenge.

How do we bring about equality and opportunity so that all children in this Nation have the chance to lead full, meaningful, and productive lives as adults. We do this in the same way that we have always done it, and that is through education.

As Horace Mann, a former president of Antioch College in Yellow Springs, OH, and the man known as “the father of public education,” once said:

Education beyond all other devices of human knowledge is the great equalizer of the great future. However, when we look historically and educationally.

The childhood of Antioch in Yellow Springs is a microcosm of what is happening across the country. In many respects, it is happening in my home State of Ohio, which in many respects is a microcosm of what is happening all over our Nation.

This is happening across the country, and certainly it is happening in my home State of Ohio, which in many respects is a microcosm of what is happening all over our Nation.

Mr. President, this is exactly what education can and should do. It should provide all children, regardless of their economic circumstances or family backgrounds, with the tools they need to make it as adults in our society— the tools necessary to rise above the individual situations of poverty and instability, individual situations of hopelessness and despair. It truly has been, for generation after generation of Americans, their ticket out of poverty, their ticket out and away from despair—their ticket to opportunity.

The education reform conference report we will be voting on tomorrow is certainly a step in the right direction. It is a step toward giving our children the tools they need to move ahead in life. Mr. President, we in this Chamber cannot fix broken homes or solve the issue of poverty overnight, but we can use finite and limited Federal dollars in ways that help close this education gap in America. We can use the finite resources of the Federal Government to help close that education gap and give these children opportunities. I believe the best place to begin on the Federal level is by restoring accountability and achievement with the single most important resource in the classroom, and that, of course, is the teacher.

When I think about teachers, I think about something else that Horace Mann once said. He said that “teaching is the most difficult of all arts and the profoundest of all sciences.” I can certainly attest to that. As a college student at Miami University many years ago, I spent ½ months as a student teacher at Princeton High School in New Jersey. It was tough. In many respects, it was the toughest thing I ever did.

Teaching is tough. In fact, that is what I have learned firsthand—that Ohio’s and America’s teachers simply don’t get the respect, the admiration, nor the salaries they deserve. Not surprisingly, the National Center for Education Statistics predicts that within the next decade, we will need to hire 1.7 million to 2.7 million new teachers to replace those who retire or leave the profession.

This exodus of teachers is certainly a daunting challenge and a very real and pending problem, it is also an enormous opportunity. It is the single greatest opportunity for us as a country, as parents, as community leaders that we have to reshape the next decade of education in the United States. When I think about this opportunity, when I think about how we can shape education to the greatest benefit of our children, I am reminded of something my own high school principal, Mr. Malone, once told me many years ago. He said that when it comes to education, there are only two things that matter: One, a student who wants to learn; the other is a teacher who can teach. Mr. Malone was right many years ago, and he is still right about that today.

Nothing is more important than that teacher in the classroom. When you get right down to it, good teachers are second only to good parents in helping children learn. So any effort to restore confidence and improve quality in education must begin with a national recommitment to teaching as a profession.

I believe we are doing just that with our education reform legislation. Through language in the bill which I worked to have included, we can expand, enhance, and encourage support for teachers all across America.

One provision that would provide support for people in other professions who seek a second career as a teacher. We need to make it easier, not harder, to recruit future teachers from the military, from industry, and from research institutions—people with established careers in real world job experiences who want to go into teaching. We must utilize them and we must make it easy for them to enter the classroom.

Another provision would allow the use of Federal funds for alternative teacher certification programs. This will allow States to create and expand different types of alternative certification efforts. It would make it easier for them to enter the teaching profession.

Second, we have a provision giving support for teachers seeking to improve subject matter knowledge or classroom skills. This language helps ensure that our teachers have access to training academies where they can sharpen and improve their skills as teachers. There is such a facility in Cincinnati called the Mayerson Academy. Teachers can go there to learn from seasoned educators, experienced educators who can guide and help them become stronger in the classroom.

Plans are already underway for a similar teacher training academy in Dayton, OH. No doubt, this kind of support should be available for teachers in every community in every State.

When we have studied teaching and education, we have found that many times teachers start off and they are put in the classroom; they have just come out of teacher’s college and they don’t get the mentoring or assistance they need. That is something that will truly make a difference.

Finally, we have a provision for giving support to new teachers from experienced teachers who do, in fact, serve as these mentors. Many of our experienced, most senior, most knowledgeable teachers are about to retire, and it is vital that we don’t lose their expertise.

We can utilize their skills through mentoring programs. Our provision would allow the use of Federal funds for new and existing teacher mentoring programs.

All of these provisions we have worked on are included in the final version of this bill, and I believe we need to prioritize our limited Federal funding to recruit and retain good teachers in our high-need urban and rural school districts.
One way to do that is by recruiting teachers from the military through the Troops to Teachers Program. Last year I worked to save this program, and I fully intend to do the same this year. Troops to Teachers assists retiring military personnel in gaining the State certification needed to teach. Furthermore, Troops to Teachers helps broaden the makeup and skills of our current teacher pool. Finally, it brings the best teachers to the schools and the children who need them the most. This program that has been championed by the First Lady. It is a program that has received wide accolades. It is a program that works. We need to not only continue it, we need to expand it.

Because the Federal role in education accounts for only a small percentage of district spending—about 8 percent; that is about all the Federal Government puts into a typical school district—must be especially prudent and wise in allocating those limited Federal resources. That means we should direct those dollars first and foremost to America’s neediest school districts.

In keeping with that notion, I am very pleased that the conference report makes sure a portion of increases in title I funds goes to the target grant formula. I congratulate the conferees for doing this work. This formula would funnel Federal funding directly to school districts in the highest poverty areas of the country. Again, I thank Senator KENNEDY and Senator GREGG for this work.

The target grant formula recognizes the disparity between public education in affluent and poorer school districts and that there was a unique set of challenges associated with educating impoverished children. However, since the formula’s creation in 1994, not a single Federal dollar has been appropriated to fund this grant program; that is, until now.

In the floor debate on the Labor-HHS appropriations bill, I supported Senator GREGG’s amendment to provide $1 billion for the target grants. This will fundamentally reform our education system, and it is about time. By funding the target grants, we are finally focusing on those children most truly in need.

While I strongly believe the teacher is the most important resource in the classroom and that it is necessary to target funds to those districts most in need, there are other issues in education we need to address, such as the problems of drugs and violence in our schools. My colleague, Senator Chris Dodd from Connecticut, and I have improved the Safe and Drug-Free Schools Program. We worked on this for well over a year. This bill authorizes $650 million for the State grant program and additional funds for the national program. The program funnels funds to over 97 percent of school districts nationwide to keep our schools safe and drug free.

This bill incorporates the reforms on which Senator DODD and I have worked. This bill will make a difference in this area. We need this program because a child threatened by drugs and violence is not able to learn, and a teacher afraid to stand in front of a classroom is certainly unable to teach, and that is a situation we should never, ever have in our schools.

I believe it is clear that the Government can make a difference in restoring quality and equality to education. On the Federal level and on the State level, the Government can help target programs to those children in those districts most in need. However, the whole realm of education is so big and so vital and so all-encompassing that it is something we cannot leave to the Government alone to fix. Everyone knows that.

Parents, families, and communities must take an active role in reforming our schools. Doing our best teachers stay in our children’s classrooms. Parents must go into their children’s schools and help the teachers teach, volunteer to read to the classes, or help teach math, science, history, or literature. Society must provide opportunities for families in need, help teach them, help them learn how to help their own children succeed in school.

Ultimately, education reform is a journey every child in this nation, not a destination but a never-ending, forward-leading journey toward the future. So as we move toward that horizon, as we move ahead for the sake of our children, we need to get back to basics: Good teachers, Safe and Drug-Free Schools, and parental and community involvement in the schools.

I am confident we will go forward in the days ahead to give the children the tools they need for a bright and promising future.

We will go forth to restore quality and community in our system of education.

We will go forth and establish a new way of thinking—a way of thinking that challenges and changes the current culture of education in America.

We will go forth and restore education’s ability to “equalize,” as Horace Mann suggested.

We cannot rest—we must not rest—until every child in this country has teachers who are qualified to teach and schools that are safe, drug-free learning environments. Our children’s future and the future of America hang in the balance.

The PRESIDING OFFICER (Mr. LEVIN). The Senator from Wyoming.

MR. ENZI. Mr. President, I thank the Senator from Ohio for his comments both on education and Haiti. I think he is modest in character when he is talking about Haiti. He mentioned he is going there next month. He did not mention all of the years he and his family have been going there, and not just going there on vacation but going there to work with the poor. As those of us who have traveled to some other countries know, it is a different level of poor. It actually deserves and needs another word because it is so far below the poor we recognize that it kind of defies imagination unless a person has been to Haiti.

I appreciate the effort that his family makes each and every year to go to Haiti and consequently to understand that Government a little bit better. It is closely in with education because as of September 11 our world got smaller. The United States and the students in the United States did not have the tendency to notice what was going on in the other countries as much as they do now, and that is a stronger part of the education now and a more understandable part by the kids in the United States.

Mr. Dewine. I thank the Senator for his very thoughtful remarks.

Mr. Enzi. Mr. President, my main purpose today is to address the education bill, which conference report we are looking at now. I am a member of that conference committee which spent nearly 6 months considering this bill, and I am especially pleased to be talking about this landmark legislation.

As many of my colleagues have and will mention, this bill provides the most comprehensive education reform since 1965. The Senate and the conference committee went into this to a different level than we have done for years, and I am happy to report it lives up to its name by achieving the simple and powerful goal of ensuring that no child is left behind, a request we had from the President.

I give particular thanks and congratulations to the Senator from New Hampshire, Mr. Gregg, who played a very powerful role in each step of the process with this bill and was a significant contributor to the negotiations, someone who directed the negotiations, was in the negotiations, and came up with some unique compromises that made this bill possible.

Senator GREGG is a person who is intensely interested in education. Part of that is from his tour as Governor of New Hampshire, which has carried over into his Senate work. He is truly a person in education that has a very strong focus and a vision for what needs to be done.

I also, of course, congratulate and thank Senator Kennedy for his intense effort on this bill and the process to come up with a solution for America.

Senator Collins of Maine needs to be mentioned particularly for her efforts and particularly her wordsmanship that resulted in some of the compromises on particularly that helped on a couple of our controversial rural issues.

Senator Hutchinson of Arkansas spent a lot of hours and, of course, Senator Sessions of Alabama, with his intense interest in children with disabilities, and the vast number of school visits he has made to schools in Alabama over the last couple of years has...
brought some insight into the classroom that has been very helpful. There are a number of us who try to get into the classrooms when we go back home on a regular basis and see what the problems are and the successes to see if we cannot overcome the problems and share them.

Does this bill contain everything? No. But it does contain the 80 percent we all agree on, and that is since September the new way we have of doing business.

We are going ahead with issues on a much faster and more dramatic scale than has happened in decades probably. We have had to do bills from scratch in less than a week. The normal process is to spend 2 or 3 years working different versions of a bill, having hearings, working compromises between Members, eventually getting it to a hearing in committee and then markup in committee, which is where the amendments are made, and then bringing it to the floor for debate.

Our form of government is designed to have a lengthy process, and it works. It has worked for centuries now, longer than any other existing government. But on September 11, we had to change. We had to care of some problems on a shorter term basis than we have ever had to handle before, and we did it. We were putting out a bill a week on topics that had not been debated extensively in committee or on the floor.

Are they perfect? No. Legislation seldom is. Do they do the job? Yes. Will they be revisited? Yes.

Education is not one of those emergency terrorism bills. It is a bill that has been worked on continually by Congress. We even held the debate before September 11. We were involved in conference committee before September 11. However, the bill before the Senate contains the 80 percent on which we agree. The other 20 percent we will continue to hash out over the months and years to come.

We have completed the bill and done it successfully. The conference report reflects an agenda President Bush made clear during his first days in office when he invited lawmakers to his visit, a former student. She is surprised like where the teacher is retiring, what is to longer around to be able to get something we need to do to teachers in the past who have influenced our lives. Right now, there are Hallmark ads on behalf of teachers, in a very special way conveying a message of thanks, something we need to do to teachers in the past who have influenced our lives and made a difference. By the time we are in in New York, we are still writing, packing up his books. A lady comes to visit, a former student. She is surprised that he does recognize her and even remembers a paper she wrote. He says: I
districts with increased flexibility in school districts. H.R. 1 provides rural legislation paid special thanks to rural that I am particularly pleased this leg-

incentives in order to encourage them to keep teachers from leaving. Congress appreciate those teachers who come and usually lives in Wyoming. We do do appreciate anybody who can make a living in Wyoming usually lives in Wyoming. We do appreciate those teachers who come and stay.

In this bill, money earmarked for new teachers does not help Wyoming keep teachers from leaving. Congress must provide State and local school districts with flexibility to pay good teachers more money or provide other incentives in order to encourage them to continue teaching.

It is because of issues such as these that I am particularly pleased this legis-

late special thanks to rural school districts. H.R. 1 provides rural districts with increased flexibility in funding to enhance academic achieve-

ment while helping to ensure that stu-

dents in rural areas have equal access to educational opportunities. As many folks from Wyoming are aware, rural schools often receive too little money from Federal categorical formula grants for meaningful services for their students. By the time the for-

mula is broken down for the size of the school, there is not enough money to do the program. In addition, they generally do not have personnel or resources necessary to secure Federal competitive grants which many schools use to augment and innovate beyond what is provided for in formula grant programs. The Rural Education Achievement Pro-

gram, also known in this bill as rural flex, is included and addresses these problems by permitting rural schools to combine funding from a number of different formula grants. This allows miles on a side. But average their sta-

dents by allowing them flexibility to determine where their money can do the most good.

Eligible school districts can use funds for virtually any activity author-

ized under Primary and Sec-

ondary Education Act, including edu-

cational technology, professional de-

dvelopment, technical assistance, and teacher recruitment and retention.

The conference report also makes it clear that rural districts often face unique challenges in implementing re-

structuring actions that result from 5 consecutive years of failure, and they should be given flexibility as long they are held to accountability re-

quirements as other districts.

Distance does create challenges. In Wyoming, we have miles and miles of miles and miles. We have a population of 493,000 people, and our State has 400 miles on a side. But average their sta-

dents that I visit is about 250 people. It is a long way between those towns. For virtu-

eally every town, you can drive out-

side of it and you see the whole town at once. It is not one running into an-

other, running into another, running into another. Even Cheyenne, WY, our largest city of a little over 52,000, can be seen in its entirety by driving out-

side the town and looking back at it, and it is a long way to be able to see the next town. In fact, usually you cannot see a next town.

What happens if you give people flexi-

bility with schools, if they can go to the public school of their choice but is too far to go to another school? We already have public choice in public schools.

Usually our schools are not failing, so this provision would not pertain to those schools anyway. But this bill will allow those schools that have failed to make progress but may not have the resources necessary to hire a completely new staff of teachers or find a private contractor willing to take over the school’s governance, to take advantage of additional options as long as they are equally rigorous and are likely to help the school improve its performance.

Under the same provision, the Sec-

retary of Education will be required to assist rural districts that request as-

sistance in implementing alternative governance arrangements.

I thank Senators COLLINS, MURRAY, and BINGAMAN for their hard work on this particular language. I am also pleased the conferees were willing to recognize that schools in rural areas and small towns often require addi-

tional assistance to implement an ad-

vanced technology curriculum. Due to the isolated nature of many small rural towns, technology can offer rural stu-

dents academic opportunities that they otherwise would not have. Ensuring that rural students are technologically literate is vitally important to many communities in my State of Wyoming. I am pleased the conferees have demon-

strated their commitment to im-

prove academic performance in rural areas and have helped rural students participate in the highly competitive economy of the 21st century.

Wyoming has been a pioneer in distance learning. We now have the capa-

bility, in many schools—no matter how small or how rural—to have classes the kids can take through a distance learn-

ing program to give them a widen vari-

ey of choice of classes. This bill will help to enhance that.

This bill also preserves the integrity of Federal educational programs that impact Native American children. As a Senator from the State of Wyoming, which was the crossroads for many of the Indian tribes and is now the home of the Shoshone and the Arapahos, I believe it is critically important that the United States continue to fulfill the Federal Government’s unique and continuing trust relationship with, and responsibility to, American Indian peo-

ple for the education of Indian chil-


dren.

I am confident that the action of this conference committee will help to ensure the programs that serve Indian children are of the highest quality and provide for not only the basic elemen-

tary and secondary educational needs but also the unique educational and culturally related academic needs of these children.

I am also pleased we were able to make improvements in the Impact Aid Program. That affects many areas of our Nation that have military bases, Indian reservations, Federal property districts that limit the ability to generate funds to pay for education.

Then the Federal Government steps in to provide for that revenue that was lost by having that Federal facility. I am pleased we were able to come up with a compromise that allows dis-


tricts and schools that are most heav-


ily impacted to be served first through the competitive construction grants that are authorized by this bill. It is my hope the changes made by this con-

ference committee will help to enhance the importance of making Impact Aid con-

struction grants on the basis of great-

est need and maximized effort so we
can continue to fulfill the Federal Government’s obligation to impact districts and the children who reside there.

As a strong supporter of the Boy Scouts of America and an Eagle Scout, I am glad to report that the H.R. 1 proposal that would deny funding to any public school or educational agency that discriminates against or denies equal access to any group affiliated with the Boy Scouts.

Our children are our most valuable resource and we must prepare them to face the challenges of the 21st century. We cannot do this by allowing Washington politicians to implement a one-size-fits-all approach to education. The No Child Left Behind Act allows States to decide how to best serve their students and teachers. I strongly support this conference report. I encourage my colleagues to do the same.

I thank the President for his leadership in this historic legislation. If it were not for his determination to craft bipartisan reform of our Nation’s educational system, we would not have this bill before us today. I also thank Senator GREGG and Senator KENNEDY for their tireless efforts to craft the compromises that made this bill possible and brought it to us at this time. They and their hard-working staffs deserve a great deal of credit for this bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I want to take just a moment because I see my friend and our committee member, Senator REED, in the Chamber. I also thank Senator Enzi for his work and his support on this legislation.

We have some important protections of rural education in here. I took a few moments earlier today in a presentation to show that we have about a 30-percent lower per capita spending, as we all know, and is involved in education technology issues. I thank him.

This legislation incorporates a number of protections that Members have made. Senator Enzi has been very constructive and helpful. I enjoy working with him on this, as I always do when we work on OSHA. I always enjoy working with him on OSHA.

I was not in the Chamber when Senator DeWine spoke. As has been referenced earlier, Senator DeWine and Senator DODD restructured the whole Safe and Drug Free School provision. It is better in this legislation. It is enormously important. All of us have seen in recent years the rather dramatic increase in substances that have been coming into the United States, principally, I believe, because our Coast Guard has been involved in other kinds of activities. This has been true in the Northeast, I learned from talking to various law enforcement officials. They are overstretched and overworked. The total membership of the Coast Guard is just what it was in the late 1980’s and early 1990’s, but we have many more responsibilities. But the Safe and Drug Free School provision has been enormously important, particularly in dealing with violence in schools.

So I thank Senator DeWine for his work in this area. I have been very much involved, particularly in the areas of science and math, where retired officers have gone back into education. It has made an enormous difference. I thank him for his work.

I see my good friend, Senator REED. I want to mention a library being modernized in your school district, there is the man right over there who was able to do it. We were in an incredible situation with regard to expanded reading. This is one of the principal buildings of the President. It is very worthwhile. Also the early education reading. There was strong support for that and a budget allotment for it, but not for libraries. Our good friend, Senator REED, had brought up the problems that school libraries have been facing.

Also the parent involvement, I mentioned earlier this afternoon the role of parent involvement: Tough accountability for students, tough accountability for schools, and real responsibility for parents.

There are two areas where we are going to need responsibility in this institution and in the States. We have to get the resources. Senator REED has also been very involved in making sure we are going to have school libraries, parental involvement provisions, and highly professional development for teachers.

I thank Senator Jack REED for all of his good work. He comes from Rhode Island, which has a long tradition of educators, with Claiborne Pell, former chairman of our committee and the author of the Pell grants and many other important educational programs as well. There is something in the air in Rhode Island, and I think educators are strongly committed to good education for children. We are fortunate to have him as a member of the committee.

The PRESIDING OFFICER (Mr. DAYTON). The Chair recognizes Senator Reed.

Mr. REED. Mr. President, I thank Senator KENNEDY for those very kind and gracious words.

Today represents the culmination of a very long process to reauthorize the Elementary and Secondary Education Act. We have faced many challenges, and at times very frustrating. We are here today because of the work of many people. But singular among those people is the senior Senator from Massachusetts, the chairman of the committee, Mr. KENNEDY. His determination, his creativity, his persistence, his unwillingness to accept anything less than a bill that would materially aid children of America in their education.

I was not in the Senate when this proposal was first introduced. It is today manifest on the floor of the Senate. We owe him a great debt of thanks and great praise.

Of course, he was part of the process with our other colleagues, Senator Gregg and Congressman Miller, with whom I had the privilege of serving on the Education Committee when I was in the other body.

A great deal of the tone, texture, and change in spirit was the result of President Bush’s commitment to work for education, and doing so in a bipartisan way.

Today we see the culmination of that long and at times trying process. There have been many critics who represents, I believe, an advance in giving every child an opportunity to learn and an opportunity to be educated in this country, which is the greatest opportunity one can ever have.

I am grateful for the previous efforts. As a younger Member of the other body, I served on the conference committee for the Goals 2000 Act and the 1994 reauthorization of the Elementary and Secondary Education Act. It was there that we talked about tougher accountability and stronger insistence that the States step in when schools are failing. We insisted upon higher standards. We met resistance, but we insisted. We did not go as far then as I believe we could have gone, or should have gone. But today I believe there is vindication of those efforts almost 8 years ago when we talked about insisting that schools be held accountable and that real money flow to schools so that children can learn. We have taken steps in the intervening years as a result of Goals 2000 and the 1994 reauthorization.

In every State in the country, there has been some effort. In my State of Rhode Island, there has been a great deal of effort, and I commend my local leaders for what they have done to move education forward.

As we approached this reauthorization, there were several important goals that I believed we must achieve. We need to build upon the accountability system that was developed in the 1994 reauthorization.

Then we should ensure that the President’s proposals for testing in grades 3 through 8 have appropriate guidelines and not unduly harm students or the educational initiatives that are already underway in many States, including in my home State of Rhode Island; that we should also offer the States flexibility; and that we should insist upon high standards but give the States and the communities the ability to reach those standards.
through means that they could choose locally.

Then, finally—and I believe most importantly—we had to give the States the resources to make the changes that were urged upon them. We had to give them the resources to meet those standards.

These are the parameters I used to judge the legislation that is before us. I believe we have in a very meaningful way met those expectations.

Having erected a structure of accountability, having sensitized the schools of this country to be more sensitive to performance and to better teaching and to parental involvement, the test now is making sure that the States, the cities, and the towns in America have the resources to do the job. That is the test we will be taking in the years ahead.

As Senator Kennedy stated, there were no particular issues in which I was interested. I am pleased to say we have made progress on those issues.

In the area of school libraries, I have long been a firm believer that good school libraries mean good education. Study after study has concluded that if there are good school libraries in school systems, those schools will succeed. In fact, there have been studies in diverse communities, such as in Colorado, Pennsylvania, and Alaska, which indicate that a good school library means better performance, regardless of geographic area and regardless of income. It is just one of those obvious points to which people will agree. But the real test is to go beyond the nodding of the head in agreement to the funding and support for school libraries.

Interestingly enough, Dr. Susan Neuman, the Assistant Secretary for Elementary and Secondary Education in the Bush administration, is one of the experts in this regard. She found through her research that limited access to books leads to poor academic achievement. Fortunately, if you look at school libraries, particularly in poor communities in this country, they are starved for resources, for space, and for trained librarians and library assistants. As a result, it is no wonder that this is another burden on the education of children, particularly children from disadvantaged areas.

I was mystified when I arrived in the other body in 1991 that the Republicans eliminated direct support of libraries back in the days of the Reagan revolution. In 1994, working with Senator Kennedy, Senator Bingaman, and Senator Pell, my distinguished predecessor, we were able to reestablish a school library program. Another of the great achievements of that effort was Senator Paul Simon of Illinois.

Sadly, within months of completing the reauthorization in 1994, the new Republican Congress eliminated the library program as an authorized program under the Elementary and Secondary Education Act.

This year, however, with President Bush's emphasis on increasing reading skills and literacy, and developing teachers who are adept at teaching reading, there was another opportunity to push forward on the issue of school libraries. The President's initiative seeks to increase professional development for teachers to improve reading instruction. It is a little too late for me to make the point that it makes sense to me to have better reading teachers and children eager to learn to read but libraries that are deplorably inadequate.

I have been sent materials from time to time by librarians from across the country. A librarian from Arizona sent me a book about the U.S. Constitution which I thought was interesting, particularly when I noticed that the foreword was written by the distinguished President Coolidge. It was still on the shelves of this library several years ago. I believe when President Coolidge wrote his foreword there were several amendments to the Constitution that had not yet been adopted.

That is just one example of books that are terribly out of date. Some of them are terribly offensive with respect to stereotypes of today, and which we would abhor, but are still on the shelves of many school libraries.

If we are going to train teachers to be better reading instructors, if we are going to embrace the eager young children and challenge them to read, we have to give them the materials to read.

I was extremely pleased, particularly when this legislation came to the floor and Senator Collins, Senator Snowe, Senator Chafee, and others joined me in passing an amendment that would authorize $500 million to support school libraries. It was a 69-to-30 vote—a clear indication that this Senate in a bipartisan basis was standing strongly behind school libraries and school librarians.

We took this issue to the conference, and we were successful in the conference. We now have legislation in this report that once again supports school libraries. But the challenge remains to translate these very noble words into real dollars in the next budget cycle.

With respect to parental involvement, Senator Kennedy also indicated that this legislation strongly reflects an emphasis on parental involvement.

Once again, parental involvement is not something that we are going to do, but something that is good socially; it is the heart of a good educational system in this country and any place in the world.

Research has indicated that if you have strong parental involvement, you will have better performance from students. Students need to know that their parents care about education. They need to know that their parents care about what they are doing and learning.

In 1996, I introduced the Parent Act, legislation which I developed in conjunction with the National PTA to implement effective ways to include parents in the lives of schools. Some would say: Why do we need to do that? We need to do that because today there are parents who—simply because of time constraints, because both spouses are working, because they have children in three different elementary schools, have to spend the same kind of opportunities, if you will, to be part of the life of their school as, perhaps, our parents did. So we have to develop new and different techniques to reach out and involve these parents.

Then we have parents who themselves have been very unfulfilled by the educational process. Their educational experience was deplorable or something they do not want to recall. Those parents find it difficult, in many cases, to be effective teachers of their children because of the apprehension, if you will, about school. We have to reach those parents.

In the past, we have tried to stress parental involvement. In 1983, we said you have to have an annual meeting in a title I school with the parents. In 1988, we talked about involving parents in planning and providing information to parents. In 1994, we said districts have to spend at least 1 percent of title I moneys on parental involvement. That is all well and good, very noble words. But, once again, there was very limited accountability, very limited oversight.

As a result, there has been very limited participation by parents, particularly in those difficult areas where disadvantaged students and disadvantaged parents are likely to be.

So it is no surprise that when the PTA surveyed the parents of America, fully 50 percent said they were inadequately informed about what is going on in the school. They felt they could not participate in their school. They felt the school was not user friendly to them, the parents.

So working with the PTA, and others, we tried to craft legislation that would, once again, in a meaningful way attempt to do this in every school in America by adding accountability to title I; not just a list of things you have to do, but an insistence that these things be done: Provide parental access to information about their children's education, make sure there is an active and effective and ongoing collaboration with schools, require states to disseminate to every school research-based practices that work to actually involve parents.

Also, when we looked at some of the other programs—such as the Safe and Drug Free Schools Program, the technology program, and the teacher quality program—insisted there be an
aspect of parental involvement with the idea that parents just don’t show up one night a semester for parent-teacher conferences, but they are active in planning many aspects of the life of the school. This legislation, I am pleased to say, was significantly incorporated since it represents an important change. We all recognize and we all stand up and say, sincerely and emphatically: Every child deserves a highly skilled, highly motivated teacher. But we have to go beyond the words. We have to make that a fact of life. And it is not a fact of life at so many schools.

In the reauthorization of the Higher Education Act, just in 1998, I worked closely with my colleagues and incorporated aspects of legislation I had previously introduced called the TEACH Act, which established grants to foster partnerships between teaching colleges and urban and inner-city communities.

One of the defects of teacher preparation is the fact that sometimes it is totally disconnected from the real life of the teacher, that the clinical aspect or the practice aspect is just a few weeks in a 4-year curriculum. The TEACH Act is now part of the Higher Education Act. It establishes a relationship between teacher colleges and elementary and secondary schools which, I believe, will provide more realistic preparation for teachers.

But we have to pay attention not only to the new teachers who are entering our schools, but we have to pay attention to all teachers. That means good, solid professional development for the teachers, for those who are teaching today in the classrooms of America. That is why I introduced legislation, the Professional Development Reform Act, which I am pleased to say is incorporated in many parts of this legislation.

There is a broad consensus that good professional development has to involve sustained intensive activities that focus on deepening teachers’ knowledge of content, that allow teachers to collaborate with colleagues, that provide opportunities for teachers to practice and reflect upon their teaching, that are aligned closely to these new standards, and that all of it is embedded in the daily life and work of the teachers.

We all recall some experiences we have had. I recall that once every year there was a teachers institute. We thought it was terrific. We got the day off. I did not know what the teachers did there, but I found out later. In most cases, they went to a big hall. They listened to a lecturer talk about something that may or may not be interesting to them. They socialized and then went home. That, for many school systems, was professional development. It was clearly inadequate.

Professional development has to be based upon content, what that teacher is purporting to teach: Math, science, history, and English. They have to know what they are teaching. Sadly, there are lots of teachers who do not know that. And we do not force them, through professional development, to master those details.

Then there is the opportunity to collaborate. One of the great problems of elementary and secondary education is the fact that so many teachers walk in in the morning, they have a cup of coffee, say hello to the rest of the teachers, and that is the last time they have a conversation with an adult for the rest of the day. At 3:30, they get in the car and go on with the rest of their life.

We have to build into our educational system the opportunity for teachers to take the time to teach. We have to, of course, make all of this correlated with and focused on the high standards that we insist that our children meet. This is a daunting task.

This legislation reflects, in many respects, a new philosophy moving toward those very challenging aspects of professional development. I would like to have gone further, but we have gone at least, I believe, in the right direction.

There are examples of very effective professional development around the country. I have visited Community School District 2 in New York City. It is in Manhattan. It is a school district that is committed to professional development. They do exactly what all of the experts say. They provide, for example, young teachers the ability to observe exemplary senior teachers. They have senior teachers working one on one with other teachers. They havea trained person who can link up a child and can get together and talk with their peers about the educational process.

All of this is exciting. It makes teaching something more than a dull exercise of showing up, reciting something to students who are not particularly interested, and then walking out. Too often—in fact, I would argue if it happens anywhere, it is too often—that is the experience.

Let me mention one other aspect about the commitment of collaborative effort. One of the interesting things that happened in Rhode Island—we were lucky because we have a State that is committed to educational progress—is that one of our foundations, the Rhode Island Foundation, actually gave laptop computers to a significant portion of our teachers in the State.

You can do that when you have a population of a million people. And the teachers used them, not just to do lesson plans but actually to interact and collaborate with other teachers on challenging questions such as what to do with a child who continually refuses to be quiet and sit down. These are not things you learn in a lecture on the cognitive processes of schoolchildren but something you need to know to be a good teacher. They found it out by simply getting advice from seasoned teachers. That is what we have to do. This legislation moves in that direction.

There is another aspect, too, that I have been very interested in, and I believe it is key to our educational progress. That is to recognize that the school is one of the few places in our society where children are there for an extended period of time. There is a requirement that they go. But in effect, schools can’t succeed as islands isolated from the other institutions of life.

We talked about parental involvement. That is the first and most important aspect of education, the parent as teacher. But many children have problems with health care. Many children have mental health issues. Many children have problems of the social problems of the family. If the schools ignore those problems, those children will invariably fail. They have to be cognizant of all the issues that influence a child.

It is important to recognize in the school and even have an organization in the school that can access multiple services for children. We could have a great nursing program. We could have great mathematical interventions. We could have access to our science laboratories. But if a young child does not have a place to live, or comes in on a cold day without a coat and goes home without a coat, chances are we are not going to be able to challenge that child to do their best work.

We have to recognize that. In fact, as important—and it is very important—as this legislation is, we have many other things to do to ensure that every child learns, that no child is left behind. We are focusing on health care, a long list. We are making progress today, but we would be deluding ourselves to think we have solved the problems of children in America by simply reforming education.

It is important in the context of education to have these institutions and organizations. In Rhode Island, they are called COZs, child opportunity zones. Within the school there is a trained person who can link up a child and can work with the family services, childcare, housing programs, all those things that are going to make a difference in the life of that child, so when they come to school they will be, as we have said for decades, ready to learn. I hope, indeed, that some of the efforts we have outlined in this bill will advance that very important principle.

As we began this debate about the Elementary and Secondary Education Act, as we moved through the Senate, several very important issues became obvious. First, to the extent we quite properly insisted upon accountability, we had to recognize that we must design an accountability system that is
fair and flexible. We could have designed a system in which every child in America passed. That would be a waste of time, a waste of money. We could have designed a testing system where everyone failed. That would be counted a success and fashionable. But the last several months we have been working to try to reach a point where there was enough flexibility in the States that they could, in fact, achieve progress. I believe in the process of debate we have been with the tremendous leadership of Senator Kennedy, we have made progress.

We have a system now that recognizes standards, that have integrity, standards that are real and ultimately by a national test, but also that allow the States the flexibility so their good schools will continue to be recognized as good, and schools that are not meeting that standard have an incentive to do something to move forward. We have made that progress.

In so many cases, what we are doing is complementing the efforts that have been accomplished in local communities. In my State of Rhode Island, we have had tremendous efforts to reform our schools. In 1997, my legislature passed article 31 which mandates an extensive series of evaluations, of school improvement teams, and ultimately, if schools fail, giving the State not only the authority but the responsibility to step in and set the schools right.

That type of system should not be compromised by a scheme here in Washington that basically turned the clock back. The State back to the starting point and made them run an entirely different race. I believe, through the efforts of the conferers, we have a situation in which my State and other States can build on what they have done, and set the States right.

The second aspect, the one that is the most troubling, is the fact that all of these important innovations and initiatives that have been embodied in this legislation will not be successful if we do not have the funds to give the States and the communities to carry out our intent, our wishes and their wishes, which is truly to give every child an opportunity and an excellent education.

We know we are in a very difficult, precarious situation. The tax cut of last spring has set us back immensely in having the resources to fund the resources at all to robustly fund education, to make it the kind of national priority this bill calls for. After September 11, it is even more difficult. But before September 11, as vice-chairman during the December 17, 2001 CONGRESSIONAL RECORD — SENATE S13347

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The other aspect about IDEA is, if we had made the spending mandatory, we would have freed up significant dollars for other education programs. Now, IDEA will compete with title I and other programs, such as Pell grants, and it will compete with a whole range of programs—all of them important, all of them, I suspect, every Member of the Senate will stand up and say we have to do more. Well, we had the chance to do more, and we failed to do that.

I commend Senator Harkin and Senator Jeffords and my colleagues, Senators Collins, Roberts, Warner, and Hagel. This was a bipartisan effort on the Senate side. The House, unfortunately, did not agree with us. But we must attend to this as a first order of business in the next session of this Congress.

This conference report, I believe, represents great progress by many of us. Accountability has increased and improved. One aspect, which is particularly noteworthy—and I believe it has been mentioned by many colleagues—is the increased targeting of title I. That program was designed in 1960 to help low-income students, but through the process of legislation it has been flattened out so that title I reaches many students and it is not targeted to the very poor. This legislation changes that and, given the caveat of robust funding, it could be expanded. It represents a significant aspect of this entire legislation. I believe, again, this is something very near and dear to Senator Kennedy’s efforts—not just this year, but over the lifetime of his service to the country and the Senate, I commend him for that in particular.

I am pleased, as I have made clear before, about the library provisions included in the President’s literacy program. This legislation is much more severe in many cases, to parental involvement. Professional development—although it doesn’t go as far as I would like—sets the right tone, the right direction, and is emphasized as a critical aspect of not just development of teachers, but reform of education.

We have the concept of child opportunity zones that has been embedded into the legislation. I hope we can build on that and see how that works. I know it works in my State. I hope we can take that notion of coordinating and integrating services for children in the school and make something that is common in every jurisdiction.
Mr. KENNEDY. Mr. President, I thank my friend again, my colleague from Rhode Island, for his excellent presentation in highlighting a number of the very important provisions included in the bill in which he was particularly interested. I thank him also for clarifying the importance of responsible action and investment in education by the States, and by the Federal Government.

As I mentioned earlier in the day, we are putting a great deal of responsibility on children and youth to succeed academically. We are putting enormous responsibilities on the schools to teach effectively, and we are giving a great deal of information to the parents so that they can be responsive and effective advocates for their children. All of these ideas and reforms are set forth in this legislation. But the ingredient that will make the real difference, and ensure that all of this works, is funding—additional help and support as we have discussed. The accountabilities are here, with participation by parents as well as teachers and educational supervisors. The accountability provisions have been hard fought over many weeks. It represents a balance between a legitimate and credible national standard, together with local flexibility, ultimately checked by the national test, which will see how well the States are doing, given the opportunity to develop their own tests internally.

All of this is very commendable and, in some respects, exciting. But I come back to what I have said throughout this presentation: All of this will be interesting but ineffectual without real funding—not just at the Federal level, but at the local level: not just for 1 year, but for many years.

One of the great experiences of my life was being able to serve as a soldier in the Army. One of the great transformations of a lifetime was the transformation of our military. One of the key ingredients in their recognition that you had to train the trainers—better professional development. It was done with the knowledge that you had to have real resources to do it. You had to commit real resources. We did that.

Today we are seeing amply demonstrated the wisdom of increased professional development, high standards of accountability. But resources go along with it. I will conclude by simply saying that one aspect of this legislation that has received a great deal of notoriety has been the fact that every child in America, beginning in 2005, will have to be tested from grades 3 through 8. I am confident that the children of America will pass those tests—if this Senate and the American public pass the test it faces next year: Fund education aggressively—IDEA and title I. If we pass our test, I have no doubt the children of America will pass their test. If we fail, how can we blame them?

I yield the floor.

THE PRESIDING OFFICER. The Senator from Massachusetts.
English language learners, and identify the need for testing such students in their native language. This is of the utmost importance, because we have seen in States such as Colorado that, at an early point in their academic career, some English language learners perform better in assessments in their native language than they do in English. Ultimately, and at the appropriate time, all students should be assessed on their reading skills in English. But in the meantime, States must make every effort to develop the native language assessments. These are the kinds of details we have gone into in this area and why we think it will make an important difference in educational enhancement.

I will quickly summarize in these final moments before the Senate goes in recess for the evening. We have basically set goals to achieve academic proficiency for all children in this country within 12 years. I said on a number of those great words of H. L. Mencken: For every complex problem, there is a simple, easy answer, and it is wrong. We understand it is complex, and it is going to take us some time. We set the goal for 12 years for proficiency for all children, and we are going to need the resources to do it. We are setting the mark down now that we are starting down that road.

We have increased targeting of the resources, as we explained earlier, both in rural areas and in urban areas; a qualified teacher in every classroom, and professional development to continue to support their professional growth. These are key aspects of ensuring opportunity for our children. I talked about these reforms earlier today.

We are allowing States to continue to reduce class sizes. There will be the resources to do that, not as broad as I would like, but there will be resources. We expand after-school opportunities. There will still be a lot of children who will not be able to participate because we are not giving that enough support, but it is in the bill.

We promote safe and drug-free schools.

We expand the support for limited English proficient students. I was reminded of the success of bilingual education, listening to my colleague from New Hampshire earlier, who is not here now, and in rural areas, and in urban areas, bilingual education programs. Not all bilingual education programs are successful. However, many are. I know of some school districts where they are teaching children several days a week in English, and other days in Spanish. The students receive dual immersion in those two languages. The limited English proficient students learn in their native language and in English. And at the end of the fifth, sixth, and seventh grades, these children have higher test language proficiency than they only learned in one language. There are successes. Not all of them are successful, but there are successes, and this legislation builds on those programs that have been successful.

Since 1995, the two-way bilingual education programs introduced in a number of the elementary schools in the St. John’s Valley in the State of Maine have taken substantial steps to improve student achievement. The French-English program is an additive bilingual program, meaning that all students learn a second language without compromising their first language. This is the only program of its kind in Maine.

The St. John’s Valley district, through support from a federal bilingual education grant, supported costs for teaching training, materials, and administrative costs between 1995 and 2000. In 1997, students from the immersion program at the second grade outperformed non-immersion students on the California Test of Basic Skills in reading, mathematics, and language mechanics. The trend continued in 1998 with students in the bilingual education program placing 93rd in the national percentile in reading and math on that test. Clearly, there are programs that work well.

The additional commitment to reading and early reading in this bill is enormously important. Parental involvement, resources for the construction of charter schools, expansion of school libraries, assistance for children’s mental health and emotional needs—this is something which is of enormous importance. Supportive resources for struggling schools, accountability for test results, protecting civil rights of all children—each reform is eminently worthwhile.

Taken together, the whole is greater than the sum of its parts. This conference report deserves to receive an overwhelmingly-vote in the House.

I look forward to that tomorrow.

If there is no one further who desires to speak, I suggest the absence of a quorum.

The legislative clerk proceeded to call the roll.

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

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

AGRICULTURE, CONSERVATION, AND RURAL ENHANCEMENT ACT OF 2001—Resumed

Mr. KENNEDY. Mr. President, I call for the regular order with respect to S. 1731.

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

The assistant legislative clerk read as follows:

A bill (S. 1731) to strengthen the safety net for agriculture producers, to enhance resource conservation and rural development, to provide for farm credit, agriculture research, nutrition, and related programs, to ensure consumers abundant food and fiber, and for other purposes.

CLOTURE MOTION

Mr. KENNEDY. I send a cloture motion to the desk.

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

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate on the Daschle for Harkin substitute amendment No. 2471 to Calendar No. 237, S. 1731.


Mr. KENNEDY. I ask consent the mandatory quorum be waived with respect to the cloture motion.

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

MORNING BUSINESS

Mr. KENNEDY. I ask unanimous consent there may be a half hour of morning business, with Senators permitted to speak for up to 5 minutes each.

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

ANTHRAX

Mr. BYRD. Mr. President, during the past few weeks, the American people have learned more than they thought they would ever want to know about the ancient scourge of anthrax. From reading the morning newspaper, and watching the nightly news, we have learned much about what anthrax is, how it infects, the dangers it poses, and ways to treat it.

But there was been very little attention given to the history of this dread disease. Anthrax is called by a variety of names. It has also been called by a variety of names. It has also been called "wool sorter disease" because of the prevalence of the disease in that region. Inhalation anthrax has been called "wool sorter disease" because of the prevalence of the disease in that region. Inhalation anthrax has been called "wool sorter disease" because of the prevalence of the disease in that region. Inhalation anthrax has been called “wool sorter disease" because of the prevalence of the disease in that region. Inhalation anthrax has been called “wool sorter disease" because of the prevalence of the disease in that region. Inhalation anthrax has been called “wool sorter disease" because of the prevalence of the disease in that region. Inhalation anthrax has been called “wool sorter disease" because of the prevalence of the disease in that region. Inhalation anthrax has been called “wool sorter disease" because of the prevalence of the disease in that region. Inhalation anthrax has been called “wool sorter disease" because of the prevalence of the disease in that region. Inhalation anthrax has been called “wool sorter disease" because of the prevalence of the disease in that region. Inhalation anthrax has been called “wool sorter disease" because of the prevalence of the disease in that region. Inhalation anthrax has been called “wool sorter disease" because of the prevalence of the disease in that region. Inhalation anthrax has been called “wool sorter disease" because of the prevalence of the disease in that region. Inhalation anthrax has been called “wool sorter disease" because of the prevalence of the disease in that region. Inhalation anthrax has been called “wool sorter disease" because of the prevalence of the disease in that region. Inhalation anthrax has been called “wool sorter disease" because of the prevalence of the disease in that region. Inhalation anthrax has been called “wool sorter disease" because of the prevalence of the disease in that region. Inhalation anthrax has been called "ragpicker's disease." The exact origin of anthrax and the time of its arrival upon Earth are unknown. But, it is commonly accepted that anthrax has been killing animals, and humans too, for thousands of years, perhaps as much as 10,000 years, dating back to the beginnings of animal domestication. It is certainly a
pestilence as old as pastoralism and the origins of civilization. It is believed that man probably became aware of anthrax when he turned from hunting to a life of farming and animal husbandry.

The first recorded appearance of anthrax in the Bible, where it appears that God may have used it to punish the Pharaoh for holding the ancient Hebrews in bondage. The fifth Egyptian plague that affected livestock, and the sixth plague, known as the plague of boils, could well have been anthrax. These plagues are depicted in the Book of Exodus which reads: “Behold thy hand shall be upon thy fields and a very grievous murrain upon thy horses, and asses, and camels and oxen, and sheep.” Murrain, according to the dictionary, is a group of cattle diseases that includes anthrax.

Anthrax may well have been Apollo’s “burning wind of plague” that begins Homer’s “Iliad,” a plague that attacked “pack animals first, and dogs, but soon all flesh.” These plagues are depicted in the Book of Exodus which reads: “Behold thy hand shall be upon thy fields and a very grievous murrain upon thy horses, and asses, and camels and oxen, and sheep.” Murrain, according to the dictionary, is a group of cattle diseases that includes anthrax.

In ancient Rome, Virgil’s “Georgics” laments the shortage of animals caused by what appears to have been anthrax: “Now in droves she deals out death, and in the very stalls, piles up the bodies, rotting with putrid foulness.”

For the next 2,000 years, animal and human anthrax ravaged Europe and Asia. At periodic intervals, plagues of anthrax swept across huge tracts of land killing massive numbers of livestock and people. In 1613, for example, 60,000 persons in southern Europe died of anthrax.

The disease was first recognized in North America during the colonial days. In Santo Domingo in 1770, about 15,000 people are reported to have died from intestinal anthrax contracted by eating diseased meat. The first recorded human case of anthrax in the United States occurred in Philadelphia in 1834.

In the late 19th century, anthrax contributed to two medical breakthroughs. The first came in 1876 when the German physician Robert Koch confirmed the bacterial origins of anthrax. Koch grew the organism bacillus anthracis in pure culture. He demonstrated its ability to form endospores, and produced experimental anthrax by injecting it into animals. This was the first microorganism ever specifically linked to a disease and demonstrated that germs cause disease.

Just 5 years later, in 1881, anthrax again contributed to medical history when the legendary French chemist, Louis Pasteur, produced a vaccine that helped prevent anthrax infection in animals. This made anthrax the first disease to be prevented by a vaccine.

Inspired by Pasteur’s contributions to control anthrax in animals, in 1885, an Italian investigator named Achille Schwavo developed a serum for the treatment of anthrax in humans. Since then, the treatment of human anthrax has been further refined and the introduction of a succession of drugs, including penicillin, tetracycline, and, I must say, Cipro.

Throughout the 20th century, despite all the progress that had been made in identifying and fighting the disease, naturally occurring anthrax has continued to take a heavy and widespread toll on the world’s population, both animal and human. Cases of livestock being devastated by anthrax were reported every year throughout the world, with Spain, Albania, Italy, Romania, Turkey, Greece, and Russia suffering significant outbreaks on a regular basis. In 1945, an anthrax outbreak in Iran killed more than 1 million goats, sheep, and camels. In the United States, an outbreak of anthrax in Kansas and Oklahoma in 1957 killed 1,500 head of cattle, numerous pigs, horses, and sheep.

In the United States, there have also been documented fatal cases of inhalation anthrax. Between 1950 and 1960, there was a football player who may have contracted the disease from playing-field soil, a San Francisco woman who beat bongo drums made of infected skin, a construction worker who handled contaminated felt, and several gardeners whose infections were traced to contaminated bone meal fertilizer. In Manchester, New Hampshire, in 1957, inhalation anthrax killed four woolen-mill workers. In the same year, a man and a woman living near a Philadelphia tannery also died of inhalation anthrax.

The most deadly human anthrax epidemic in the 20th century occurred in Manchuria in 1931. More than 10,000 people were infected, and at least 182 cases were fatal. But, it was in the 20th century that the history of anthrax took on another dimension. Anthrax became a weapon of war.

Biological warfare, of course, was not novel to the 20th century. The Romans fouled water supplies of their enemies by dumping the rotting corpses of people and animals into the wells of their enemies. The Mongols catapulted the cadaverous bodies of Chinese citizens into towns in the town walls of cities they had besieged. The British, and later white Americans, destroyed Indian tribes by giving them disease-infected clothing. Paul Revere in the 20th century that mankind started developing, experimenting with, and then deploying anthrax as a weapon of war.

World War I is well remembered for introducing poison gas into warfare. But, during the war, Germany also established a large biological weapons program that involved anthrax. They infected livestock exports, bound for Russia and Allied countries, with the disease. In Norway, police arrested German agents carrying vials of anthrax bacteria with which the agents intended to infect reindeer being used to carry supplies to the Allied forces in Europe. In the United States, German technicians infiltrated horses, mules, and cattle with anthrax.

International revulsion at the horrors of World War I included a revulsion against chemical and biological weapons, and this led to the Geneva Protocol of 1925. Twenty-two nations signed, prohibited the use of both chemical and biological weapons in war.

The high hopes for this treaty were never achieved because it only banned the use of biological weapons in war, and did not expressly forbid their production and development. Furthermore, several nations, including the United States, reserved the right to use biological weapons in reprisal if first used by other nations.

The failure of the treaty was revealed in the early stages of World War II, when imperial Japan began a massive, documented biological warfare program in Manchuria, the infamous “Unit 731,” which included the development and use of anthrax. Japanese scientists conducted experiments on Chinese prisoners, while the Japanese military targeted civilians as well as Manchurian civilians with anthrax weapons, killing thousands.

There is no indication that Nazi Germany had any investment in biological weapons capability. According to Jeanne Guillemin, who has researched and written extensively on anthrax, a directive from German dictator Adolph Hitler forbade research on offensive biological weapons. However, late in the war, Hitler changed his mind. He appears that some of Hitler’s subordinates, notably Reich Marshal Herman Goring, began supporting research on biological weapons at a small secret facility in Poland, but the war ended before the effort produced any results.

Meanwhile, Allied governments had stepped up full scale anthrax-based biological warfare programs. In 1942, the British military experimented with explosives testing involving anthrax spores on an island just off the coast of Scotland. It would take the British 36 years, 280 tons of formaldehyde, and 2000 tons of seawater to decontaminate the island.

In 1943, the United States began developing anthrax weapons. By the next year, 1944, American engineers, at what is now Fort Detrick, MD, had produced 5,000 anthrax bombs for use by the Allied forces, but they were never deployed.

After World War II, the United States and the Soviet Union engaged not only in a full-scale, nuclear arms race, but also in a biological weapons race as well. At times, the cost was high, in}
human as well as financial terms. In 1951, for example, two Fort Detrick employees died after exposure to anthrax. Neither country, however, was deterred. The cold war was underway and so was the effort to develop deadly weaponry. Therefore, both countries continued stockpiling germs as well as nukes.

In 1969, President Richard Nixon had finally had enough. After reviewing the extensive U.S. investment in offensive biological weapons, he declared: “Man kind had already carried its own seeds too many of the seeds of its own destruction.” He terminated the American offensive biological weapons program and began championing a British proposal that called for an international treaty to ban biological weapons, an effort that resulted in the Biological Weapons and Toxins Convention and Treaty of 1972. Since then, 140 states have signed the treaty agreeing to an international treaty to ban biological weapons.

The high hopes for this treaty were smashed when both the United States and Soviet Union interpreted the treaty in such a way as to allow ongoing research. President Nixon was vividly and tragically demonstrated in April, 1979, when an anthrax outbreak at a military microbiology facility in the Soviet Union killed about 70 people.

The end of the cold war failed to end the threat of biological weapons. Because they are deadly, cost-effective weaponry, they became a weapon of choice for international terrorists. Domestic as well as foreign terrorist organizations have been caught attempting to unleash anthrax upon innocent civilians. In the 1990s, the Japanese terrorist cult that attacked the Tokyo subway in March 1995 planted sarin gas, also released anthrax on Tokyo near the imperial palace, the legislature, and a foreign embassy. Fortunately, no one was injured.

These terrorist groups or nations could not produce themselves. American companies have been ready to provide.

According to a 1994 Senate report, private American suppliers licensed by the U.S. Department of Commerce, exported biological materials to Iraq from 1985 through 1989. Newsday reported that one American company alone made 70 shipments of the anthrax-causing germs and other pathogenic agents to Iraq in the 1980s.

Mr. President, I find it unfortunately ironic that American companies were supplying anthrax to a nation with which, just a few years later, we were at war, thus forcing American soldiers to face the prospect of encountering those same germs on the battlefield. I find it unfortunate that American companies were selling anthrax to a country that the State Department now includes on its lists of states that sponsor terrorism—a nation that may now be participating in anthrax attacks upon the United States.

I realize that Iraq had been at war with Iran, and Iran was our bigger enemy at the time. Therefore, it may have seemed our military and political interests to supply those supplying supplies of anthrax to Iraq. But, I have to ask, shouldn’t we have been a little more careful about which countries we supplied with such potentially deadly weapons? We realized the danger in the proliferation of nuclear weapons. Why shouldn’t we have been as vigilant with biological weapons? We may now be paying the price for our negligence.

I also realize that this is hindsight, and as they say, hindsight is twenty-twenty. The worst private’s hindsight, they say, is better than the best general’s foresight.

We have recently had foresight—warnings that have been ignored.

A short time ago, the U.S. Commission on National Security: 21st Century, referred to as the Hart-Rudman Commission, pointed out: biological weapons are the most likely choice of means of disaffected states and groups of the 21st century.

Two years ago, in testimony before the Senate Foreign Relations Committee, CIA Director George Tenet pointed out:

There are a number of terrorist groups seeking to develop or acquire biological and chemical weapons capabilities. Some such groups have already established links with international networks, adding to uncertainty and the danger of a surprise attack.

Last April, the State Department, in its ‘Patterns of Global Terrorism,’ pointed out:

Most terrorists continue to rely on conventional tactics . . . but some terrorists—such as Usama bin Laden and his associates—continue to seek chemical, biological, radiological, and nuclear weapons.

There were plenty of warnings that an archenemy of the United States, an archenemy determined to kill as many Americans as he could, could well unleash this ancient scourge upon America.

Who among us could have truly comprehended beforehand the horror of September 11? It is difficult enough to understand even after the fact.

But if history teaches us anything, it is that we should never underestimate the enduring power of evil. No science fiction writer ever wrote of anything as horrible as the Nazi Holocaust. It took an evil madman and his fanatical followers to make it a reality.

Now we are faced with another madman and his fanatical followers. We cannot allow ourselves to ever again underestimate him or others like him.

ATTACK ON HAITIAN NATIONAL PALACE

Mr. DeWINE. Mr. President, I want to take a moment—I see my colleague waiting to speak, and I ask him if he will indulge me 5 more minutes—to talk about something that happened very early this morning in this hemisphere that I think does, in fact, affect all of us in this country.

Today we are faced with a very grave situation in Haiti. Early this morning, armed gunmen stormed the National Palace in Haiti apparently in an attempted coup. While the Haitian police have apparently regained control of the building, the violence in Port-au-Prince seems to have just begun.

In apparent retaliation for the palace attack, hundreds of President Aristide’s supporters have surrounded the palace yielding machetes and sticks. Recent reports also indicate that supporters have torched the headquarters of the Convergence opposition alliance, as well as other opposition buildings of the 15-party alliance.

It is also my understanding homes of opposition leaders have now come under attack.

Now, more than ever, it is essential that President Aristide call for peace and push for domestic order. Continued violence and retribution will do nothing but cause further chaos and upheaval. Candidly, I fear that Haiti may be ready to implode. President Aristide has an obligation to take his immense popularity and use that popularity to talk directly to the people of his country and make it clear to them and his supporters that taking revenge on people who they think may have been involved in the coup or taking revenge on the parties that oppose President Aristide is not in the best interests of Haiti. He has an obligation to do that, and I call upon him to do that and to help stop the violence.

As my colleagues well know, Haiti’s political system has been in turmoil for quite some time. The most recent crisis stems from last year’s contested elections. After 17 visits to the country by the mediator appointed by the Organization of American States, there has been no agreement yet reached.

The Haitian Government and the opposition coalition continue to avoid a compromise. Both the opposition parties and the President of Haiti have an obligation to go further than they have gone to try to work out their differences. They need to do that for the benefit of the impoverished people of Haiti. Ultimately, it is the Haitian people who suffer from this continued dispute.

Today we are faced with a country of about 8 million people who grow more and more impoverished, if that is possible, with each passing day. Haiti is already by far the poorest country in the hemisphere. We are faced with a country whose poverty and instability continues to despise on Haiti.

This despair has erupted into violence, violence that threatens the very stability of the Aristide government. That is why it is especially important Mr. Aristide and the Haitian Government show leadership and push for order in Port-au-Prince.

I urge Mr. Aristide not to condone further violence or retribution. I also
urge anyone who is trying to stage a coup to respect the popularly elected Government of Haiti. I also urge Mr. Aristide to move forward with OAS efforts to bring an end to Haiti’s continued political crisis and bring about political change. Similarly, I encourage the opposition coalition and its followers to show restraint and work toward a peaceful solution.

I conclude by saying that the United States continues to be a friend to the Haitian people. At present, there are no hard-line bilateral and U.S. humanitarian assistance to the Haitian people and we are, in fact, providing over $55 million this year alone. There is, however, other money that is being withheld. The American Development Bank, for example, this money will continue to be withheld until there is a political settlement in Haiti, a settlement that must take place. Until the Haitian Government calls for an end to violence, including today’s retribution, and fully and unconditionally renounces kidnappings, political killings, and corruption, then innocent Haitian people will continue to suffer.

I thank my colleagues for allowing me to proceed. I have spoken many times about Haiti. I will continue to do so. I am planning to actually travel to Haiti next month. This is a situation that ultimately is of grave concern to the United States, but ultimately we must realize, as the people of Haiti and this Government must realize, the future of Haiti is in their hands, not in ours. Settling the political disputes, restoring the peace, is in the hands of the Haitians. We call upon them to do that.

I yield the floor.

TRIBUTE TO CUBA WADLINGTON, JR.

Mr. NICKLES, Mr. President, I rise today to honor and pay respect to a great man who was also a great builder: a builder of pipelines, a builder of communities and a builder of dreams. Cuba Wadlington, Jr., president of Williams Gas Pipeline, died on Sunday, December 9, in Tulsa, OK. He was the quintessential pipeline executive. Over the last two decades, there was no one more driven to conceive and build interstate natural gas pipeline projects. The Kern River pipeline, his first, was the longest pipeline built in the 1990’s and was the first interstate pipeline to be built into California. His vision also produced Gulstream pipeline, the first line to connect Alabama and Florida by laying pipe on the floor of the Gulf of Mexico. These projects are a part of the $32,000-mile pipeline system that is Williams’. Those who know Cuba also know that he had a passion for Alaska and his early and current work were focused on building a pipeline to bring natural gas from Alaska to the lower 48 States. However, Cuba had more than just a passion to bring new sources of gas supply to new customers in new States. He had compassion to build up people and the communities in which they lived. Most recently, he worked to raise $30 million for the United Way. A passionate golfer, Cuba was seen nationwide as he appeared in a television commercial with Tiger Woods. His contributions include the Williams World Challenge, a PGA golf tournament raising money for children. He was also the chairman-elect of the United Way of America and on the boards of Up with People International, the Nature Conservancy, the March of Dimes and on the Executive Committee of the Indian Nations Council of the Boy Scouts of America.

Beyond communities and children, Cuba was also a champion of his employees. He was a leader in promoting diversity of ideas, cultures and backgrounds. He worked within Williams on its workforce initiatives and on opportunities to attract and advance minority talent.

Cuba often stated his belief that “to be a true leader you must have a vision for the future and be ruthlessly committed and focused on making that vision a reality. True leaders have the capability to take a diverse group of employees from all levels and deploy strategies that optimize their capabilities. Leaders do not surround themselves with people in their own image, instead they surround themselves with a diverse and highly talented workforce.” I find these great words to live by, from an outstanding leader whose many contributions will be greatly missed.

Cuba was born in Arkansas, held degrees from Washington University and St. Louis University and served his country in the U.S. Marine Corps. His service with Williams spanned 22 years. Our thoughts and prayers go out to his wife Ann, their two children and their three grandchildren. His positive contributions to numerous employees, countless friends and all Oklahomans is greatly appreciated.

ENERGY AND THE ENVIRONMENT

Mr. JEFFORDS, Mr. President, I rise today to address the impact of our existing energy policies on America’s environment and public health.

Energy touches every aspect of our lives, from the fuels we burn to heat our homes and businesses, to the electricity that powers our lights, to the gasoline that runs our cars, airplanes and other forms of transportation.

Unfortunately, our current energy use comes at a price. We are heavily dependent on oil imported from politically unstable areas of the world. Vehicle emissions are one of the major air pollutants, yet our regulatory standards have been at a virtual standstill for more than a decade, and we have made very little movement toward real use of alternative, nonpetroleum fueled vehicles.

Emissions from our Nation’s power plants degrade air quality, pollute our water, and contribute a whopping 40 percent of our national carbon dioxide emissions, the major cause of global climate change. We in the Northeast live downwind from virtually the entire Nation. Pollution from many of the Nation’s most industrialized regions makes its way to my State, bringing acid rain that is destroying Vermont’s forests and lakes and acid that is contaminating our fish. Regional haze significantly reduces visibility in the Northeast, diminishing views in the Green Mountains and across our beautiful Lake Champlain, and affecting other of our most scenic natural areas.

So I have a very personal interest in how energy is used and developed in this country.

As chairman of the Environment and Public Works Committee, I also have a personal interest in how energy use affects our national air quality, water quality, and wildlife. I am concerned about emissions that cause global warming, and that harm our natural environment and the health of our children, seniors and those who suffer from respiratory diseases.

We must also manage to have affordable energy without having to destroy pristine natural areas such as the Arctic National Wildlife Refuge. Nuclear energy is also an important component of our energy mix. We must find ways to deal with the environmental and public health risks associated with production, storage and disposal of nuclear energy. We must also thoroughly and quickly address facility security, an issue of compelling concern for nuclear as well as chemical plants following the attacks of September 11.

As chairman of the Senate EPW Committee, I have held numerous hearings on these issues. I have also introduced legislation that would mandate strict emissions standards and create incentives for the use of clean, alternative power. I have introduced legislation that would provide tax incentives to support alternative fuel and new technology vehicles. And I have introduced legislation to promote alternative energy sources through the use of renewable energy trading credits, through the establishment of matching funds to States to fund efficiency programs and through net metering which gives consumers credit for their own production of solar or wind energy.

I will continue to review emissions from the electricity and transportation sectors and related air, water and human health concerns in the EPW Committee in the upcoming session.

I wish to express my strong commitment to continuing to work with Senator Daschle and Senator Bingaman on legislation to advance our national energy policy in the right direction. I congratulate them on introduction of
January 17, 2001

CONGRESSIONAL RECORD — SENATE

S. 1766, the Energy Policy Act of 2001. This comprehensive energy package sends a strong message about our need to achieve energy efficiency, and to diversify into clean, domestically produced renewable energy. I am encouraged by provisions for stepping forward on these issues. It is imperative that we create a national energy policy that will provide adequate and affordable energy supplies, but will leave a heritage of clean air, clean water, and wild places, while also reducing harmful carbon emissions that destabilize our global climate. Senators DASCHLE and BINGAMAN and their staffs have put in long hours to make this a consensus bill, and I commend them for their leadership on these complex issues.

Certainly there is much to support in the Daschle/Bingaman legislation. I thank them for including a modified version of the Federal Reformulated Fuels Act, a bill that was approved by the Senate Environment and Public Works Committee earlier this year. That inclusion should help reduce MTBE contamination of water supplies, enhance fuel suppliers’ flexibility in meeting market demand. That part of the bill also includes a provision to grow the renewables share of the transportation fuels market. That benefits the environment and reduces our petroleum dependency.

I am glad to see provisions in the Daschle/Bingaman bill allowing those who generate wind, solar and other clean renewable energies to connect to the grid and to receive credit for their renewables generation through net metering. These provisions are essential for allowing entry of renewable technologies into the market. While some issues in these provisions still need to be worked out, I strongly support addressing them in comprehensive energy legislation.

I also support the bill’s provisions on efficiency standards for homes, schools and public buildings, as well as the efficiency standards for appliances and other consumer and commercial products. I support the provisions that fund additional research and development for expanding our energy efficiency technologies, for reducing greenhouse gas emissions, and for promoting renewable energy.

Having long been a champion of energy assistance to low-income families, I applaud the increases in funding for the Low Income Home Energy Assistance Programs, LIHEAP, the Weatherization Assistance Program and the State Energy Programs. Price spikes in home heating fuels hit low-income consumers the hardest. We should give strong support to these programs which help families pay their bills, and which address the underlying energy efficiency problems associated with high energy costs such as better airsealing, insulation, and furnace and cooling replacements.

The Daschle/Bingaman legislation also sets us on a path to seriously address global climate change. The bill directs the development of a comprehensive energy research and development strategy to reduce greenhouse gas emissions. It incorporates a sense-of-the-Senate resolution urging the administration to take a constructive and international perspective on climate change. And, the legislation creates a mandatory greenhouse gas emission reporting and registry system.

For all its good provisions, however, the bill has several serious shortcomings. These shortcomings must be addressed if we are to meet our obligation for a clean, effective and responsible energy policy.

The renewable energy portfolio standard in the bill falls well below what is technologically achievable. In so doing, it fails to capitalize on the very realistic goal of significantly diversifying our energy supply with clean, domestic resources.

Consistent with the longstanding interest in renewable energy, in August of this year I introduced S. 1333, which sets a renewable portfolio standard, or RPS, of 20 percent by the year 2020. An RPS is a market-based mechanism that uses tradable “renewable energy credits” to enable utilities to gradually increase the percentage of electricity produced from renewables such as wind, biomass, geothermal and solar energy. Twelve States, including Texas, have successfully enacted RPS requirements.

The U.S. Department of Energy’s Energy Information Administration estimates that an RPS providing 20 percent of U.S. electricity from wind, solar, geothermal and biomass energy by 2020 would raise consumer electricity prices by only 0.7 percent in 2010, and by 2020, total consumer electric bills would actually be declining with an RPS. Yet, the Daschle/Bingaman bill does not meet that requirement of only 10 percent by 2020.

I note that even this 10 percent is a vast improvement over existing proposals. The administration to date has refused to endorse any RPS, despite successful introduction of an RPS in Texas and other States. HR 4, the House-passed energy bill, contains no RPS. Instead, HR 4 directs approximately $30 billion in taxpayer subsidies to traditional oil, gas and coal production. This is both unwise and unacceptable.

It is essential that this Congress reverse the trend of overreliance on fossil fuels, a trend that weakens our national security and limits economic and technological opportunities in the energy and commercial sectors. Like most of my colleagues, I too believe we must decrease our dangerous addiction to foreign oil. However, this will not be accomplished by spending billions of dollars on subsidies to promote the status quo. In this country, U.S. oil consumption is 5 percent dependent upon foreign imports, but holds only 3 percent of the oil reserves, we are foolish at best to undervalue emerging renewable technologies. I will continue to work in the upcoming session with my colleagues and the administration to raise our commitment to wind, solar and other clean and domestically produced renewable energy by enacting a strong renewable portfolio standard.

I am encouraged by provisions in S. 1731, the farm bill being considered on the floor this week, that will provide mandatory spending to promote the expanded use and production of renewable energy in the agricultural sector.

The bill provides grants to farmers, ranchers and small businesses to convert biomass into fuels, chemicals and other products. It also finances the purchase of renewable energy technologies such as windmill turbines. It provides specific financial aid to rural electric coops and utilities to aid in the development of renewable energy, and requires Federal agencies to purchase biomass-based products. These are types of creative measures needed to strengthen renewable energy in this country.

Comprehensive energy legislation must also address global climate change. The bill收录温室气体排放。它整合了联邦气候变化保护规定，旨在增强我们的能源供应与清洁、国内资源。

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similar provision in any final energy package, along with other tax incentive programs for promoting renewable and energy efficiency.

As to CAFE standards, it almost goes without saying that improving the fuel efficiency of our cars and trucks is of the utmost importance. The National Academy of Sciences tells us what we already know, which is that improving fuel efficiency will save consumers money, cut greenhouse gas emissions and decrease our dependence on foreign oil. Both in cars and trucks, and in the electricity sector, are essential to cutting emissions and addressing global warming.

As chairman of the Environment Committee, the environmental and public health impacts of emissions are on the top of my list of concerns. I will be considering legislation that would cap greenhouse gas emissions from the transportation sector, which is responsible for approximately one-third of U.S. emissions.

I look forward to working with Senators DASCHLE and BINGAMAN and my other colleagues to ensure strong provisions in the energy package to address these issues.

I also note that S. 1766 contains provisions that would exempt hydraulic fracturing, a natural gas production technique, from regulation under the Safe Drinking Water Act. Legislation proposing this has been referred to the EPW Committee, and I intend to hold hearings on this matter at the earliest possible time in the upcoming session. Once the EPW Committee has acted on this matter, it is likely I will have amendments to propose to this provision.

S. 1766 also reauthorizes the Department of Energy contractor provisions of the Price Anderson Act. The EPW Committee will be holding hearings early in the session on Price Anderson reauthorization. Of course, nuclear reactor powerplants licensed by the Nuclear Regulatory Commission, as well as on security at nuclear powerplants. Senator REID and I will work with the leader on appropriate language to be included in any energy package debated on the floor.

CBO ESTIMATE ON H.R. 3009

Mr. BAUCUS. Mr. President, on December 14, I reported S 107–126 to accompany H.R. 3009, a bill to extend the Andean Trade Preference Act, to grant additional benefits under the act, and for other purposes. At the time the report was filed, the estimates of the Congressional Budget Office were not available.

I wish to correct a statement made in the report as filed. At section VI.A, the report states that the Andean Trade Preference Expansion Act involves no new or increased budget authority. In fact, the wool provisions contained in section 201 of the bill involve $24 million in increased budget authority and outlays for fiscal year 2002 and $12 million in increased budget authority and outlays for fiscal year 2003. I ask unanimous consent that a letter of transmittal and the CBO estimate be printed in the Record.

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


Hon. Max Baucus.
Chairman, Committee on Finance.
U.S. Senate, Washington, DC.

Dear Mr. Chairman: The Congressional Budget Office has prepared a cost estimate for H.R. 3009, the Andean Trade Promotion and Drug Eradication Act. If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Erin Whitaker, who can be reached at 226–2720.

Sincerely,

Barry B. Anderson.
(For Dan L. Crippen, Director).

Enclosure.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

H.R. 3009—Andean Trade Preference Expansion Act

Summary: H.R. 3009 would extend the period during which preferential treatments is provided to certain products of countries under the Andean Trade Preference Act (ATPA). In addition, the bill would provide preferential treatment under ATPA for additional articles, including certain footwear and petroleum products. The bill also would provide certain ceiling fans and certain steam-generating boilers.

The Congressional Budget Office estimates that enacting the bill would reduce revenues by $43 million over the 2002–2006 period, and by the same amount over the 2002–2011 period. CBO also estimates that enacting the bill would increase direct spending by $24 million in 2002 and by $12 million in 2003. Because enacting H.R. 3009 would affect receipts and direct spending, pay-as-you-go procedures would apply.

CBO has determined that H.R. 3009 contains no private-sector or intergovernmental mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would not affect the budgets of state, local, or tribal governments.

Estimated cost to the Federal Government: The estimated budgetary impact of H.R. 3009 is shown in the following table.

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| Andean Trade Preference Expansion (Title I). ATPA expired on December 4, 2001. H.R. 3009 would extend the ATPA program until February 28, 2006. Several products of benefit to consumers would continue to receive preferential duty treatment if the bill were enacted. Based on information from the International Trade Commission and other trade sources, CBO estimates that, if enacted, all provisions that expand ATPA treatment to new products (including canned tuna) would reduce revenues by $24 million in 2002 and by $10 million over the 2002–2006 period.

Miscellaneous Trade Provisions (Title II). H.R. 3009 would provide temporary duty-free treatment to ceiling fans from Thailand through July 30, 2002. The bill would also provide duty-free treatment to certain steam or vapor generating boilers used in nuclear facilities through December 31, 2006. Based on information from the International Trade Commission and other trade sources, CBO estimates that, if enacted, all provisions that expand ATPA treatment to new products (including canned tuna) would reduce revenues by $24 million in 2002 and by $10 million over the 2002–2006 period.

Under current law, certain apparel articles that are the product or manufacture of an ATPA beneficiary country are entitled to preferential treatment. The bill would allow apparel articles assembed from fabrics with a certain form or shape in the United States and certain other apparel articles to receive duty-free treatment. Apparel articles assembed from fabrics produced in the ATPA region would also receive preferential treatment if they do not exceed certain percentanges of imports on apparel articles. All preferential treatment would expire after February 28, 2006. Based on information from the International Trade Commission, the Office of Textiles and Apparel in the Department of Commerce, and private-sector sources, CBO estimates that if enacted, all provisions that expand ATPA treatment to new products (including canned tuna) would reduce revenues by $24 million in 2002 and by $10 million over the 2002–2006 period.
Impact on state, local, and tribal governments: The bill contains no intergovernmental or private-sector mandates as defined in UMRA and would not affect the budgets of state, local, and tribal governments.

Previous CBO estimate: On October 10, 2001, CBO transmitted a cost estimate for H.R. 3009 as ordered reported by the House Committee on Ways and Means on September 27, 2001. This estimate reflects changes to several provisions. The alteration of the tariff-rate quota program for imports of canned tuna from ATPA countries, the inclusion of preferential treatment for imports of ceiling fans from Thailand and certain steam or vapor generating boilers, the removal of the provisions affecting the Caribbean Basin Economic Recovery Act and the African Growth and Opportunity Act, and the alteration of the wool import program would further reduce revenues relative to the earlier version of H.R. 3009, by $2 million in 2002, would lessen the reduction of revenues by $29 million over the 2002-2006 period, and would lessen the reduction of revenues by $45 million over the 2002-2011 period. The alteration of the wool import program would increase direct spending, relative to the earlier version, by $24 million in 2002 and by $36 million over the 2002-2003 period. Estimate prepared by: Federal Revenues: Erin Whitaker (226-5720), Wool Refund Program: Mark Grabowicz (226-2890), Impact on State, Local, and Tribal Governments: Elyse Goldman (225-3220). Impact on the Private Sector: Paige Piper/Bach (226-2940).


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 August 14, 1991, in St. Petersburg, FL. Two gay men were shot with buckshot fired from a 12-gauge shotgun. The attacker, Christopher Scott Morris, was charged with two counts of aggravated battery in connection with the incident.

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.

Pay-as-you-go considerations: The Balanced Budget and Emergency Deficit Control Act sets up procedures for legislation affecting receipts or direct spending. The net changes in governmental receipts that are subject to pay-as-you-go procedures are shown in the following table. For the purposes of enforcing pay-as-you-go procedures, only the effects in the current year, the budget year, and the succeeding four years are counted.

![Pay-as-you-go considerations table]

NATIONAL DRUG CONTROL POLICY

Mr. WELLSTONE. Mr. President, I rise today to provide a perspective on the recent Senate confirmation of John Walters to the position of Director of the Office of National Drug Control Policy. In the coming months, I intend to raise certain issues with Mr. Walters regarding his stated positions about the priorities of his office as it deals with our country’s domestic drug policy, and I hope my colleagues will do the same.

First, I urge President Bush and Mr. Walters to keep their public commitment to focus on the severe addiction problems faced in our own country and to significantly improve the infrastructure of private and public drug and alcohol treatment and prevention programs. On May 10, 2001, President Bush made a firm public commitment to invest an additional $1.6 billion in new funding for drug and alcohol treatment over the next five years. Investing in drug and alcohol treatment is not only a critically important public health priority that will save the lives of millions Americans across this nation, it will also save tax dollars. Research has shown that health care, child welfare, and criminal justice costs decrease, and the productivity of individuals who receive proper treatment helps improve the health and the economy of our country as they return to work, pay taxes, and care for their families.

In addition to public funding, John Walters and the White House Office of National Drug Control Policy should support the passage of full addiction treatment parity legislation so that private insurance can be the first line of defense for the millions of Americans who are employed, have health care, but are struggling with the disease of addiction, and are routinely denied adequate care. By contrast, federal employees enjoy full addiction treatment parity and are covered by the Federal Employees Health Benefits Program, a federal program which serves federal employees, military personnel, and their families.

I urge President Bush and John Walters to continue the support for improving private insurance coverage by supporting passage of full addiction treatment parity legislation.

Strengthening the drug and alcohol treatment and prevention services has taken on greater importance in the aftermath of the tragedies of September 11th. Stress and trauma associated with these events, and the ensuing international events and economic downturn will continue to strain the personal, psychological, and economic resources of individuals and families across our nation. Unfortunately many of them will turn to drugs and alcohol as a way to cope with these pressures, and may develop serious addiction disorders. In a special report issued in response to the terrorist attacks, the National Institute on Drug Abuse reviewed the research literature and reported that, “Stress is one of the most powerful triggers for relapse in addicted individuals, even after long periods of abstinence. Researchers have reported that individuals exposed to stress are more likely to abuse alcohol and other drugs or undergo relapse.”

Researchers funded by the National Institute on Drug Abuse have reported increases in the wholesale resale of drugs in New York City after the events of September 11th. Reports from drug treatment and prevention providers across the nation have shown an increase in the need for treatment and prevention services following these recent events.

I urge John Walters to anticipate the disease of addiction so that individuals who suffer from this disease will seek treatment is imperative. Americans will be looking to the President and John Walters as the Director of the Office of National Drug Control Policy to provide the leadership and to shape this message to the country that addiction can be successfully treated, and to support this message by providing adequate funding. I urge John Walters to find innovative ways for the Office of National Drug Control Policy to work closely with recovering communities, national organizations, state associations of treatment and prevention providers, anti-drug coalitions, families, employers, and other community leaders to reduce stigma and promote recovery, treatment, and prevention nationwide.

Finally, President Bush has nominated a highly qualified individual, Dr. Allen W. Springer, to be his choice as Deputy Director for Demand Reduction for the Office of National Drug Control Policy. Dr. Barthwell is extraordinarily qualified for this position and the Administration would be fortunate to have her expertise readily available as the lead White House advisor on domestic drug and alcohol treatment and prevention issues. In addition to being a physician who has long practiced addiction medicine, Dr. Barthwell presently serves as the President of the American Society of Addiction Medicine and is on the board of three federal advisory committees for the National Institute on Drug Abuse, the...
Food and Drug Administration, and the Center for Substance Abuse Treatment. Dr. Barthwell also has worked with policy makers at the highest levels of state and federal government. I urge the Senate to confirm Dr. Barthwell’s nomination as soon as possible. Her contributions will be invaluable as the White House implements the President’s addiction treatment expansion initiative, one which could go a long way to help our country effectively deal with the serious domestic drug addiction problem that it faces.

DEFENSE AUTHORIZATION

Mr. THOMAS. Mr. President, I rise to commend the fiscal year 2002 Defense authorization conference, particularly Senators LEVIN and Senator WARNER, for retaining the language adopted by the Senate with regard to reforming the Federal Prison Industries. During consideration of the Defense authorization bill, the Senate voted 74-24 to table an amendment that would have removed the Federal Prison Industries reform provision from the bill. Section 817 of the bill, which has now been incorporated into the conference report and adopted overwhelmingly by both the House and the Senate, ends FPI’s “mandatory source” status as a supplier of products to the Department of Defense, DOD. When this bill becomes law, it is required to compete for future Department of Defense contracts that have been previously monopolized under FPI’s “mandatory source” status dating back to 1934. Most importantly, this provision will enable the Department of Defense to determine, for itself, whether the FPI can best meet the Department’s needs in terms of price, quality, and time of delivery. If the DOD determines that the FPI product is not the best one available, the Department can purchase a more competitive product to meet its needs.

I would like to point out that by eliminating the Federal Prison Industries’ mandatory source status, this reform affects another controversial marketing scheme that the FPI developed in recent years. As a result of this bill, the FPI will no longer be able to require Defense contractors to use their products. Let me give an example of what this means: when the Naval Facilities Engineering Command, NAVFAC, the Corps of Engineers, Air Force, or any other Defense agency issues a contract for architect-engineer, A/E, services, the A/E firm cannot be forced to specify FPI products, such as office furniture systems, in its designs and specifications. It is my view that architects and engineers should be free to specify products, such as modular office systems, interior design, and other products, that provide the highest quality design, best value, and greatest contribution to the Federal Government. Should the FPI continue to mandate that subcontractors use FPI products it would be in direct conflict with the underlying provisions of the Defense authorization language—in effect circumventing congressional intent.

Mr. President, I also want my colleagues to know that there are still a number of issues relevant to the practices of the Federal Prison Industries that Congress must address in the near future. Senator LEVIN and I have introduced a broader initiative—S. 1295—that seeks to make a number of needed government reforms affecting the sales and services by FPI. We are also working with the bipartisan team of Representatives HOEKSTRA, FRANK, COLLINS, MALONEY, and SENSENBRENNER of their companion bill, H.R. 1577. It is my hope that when we return in January, Congress will take up comprehensive Federal Prison Industry reform. It is also my strong desire that the Bush administration address this issue administratively. Many of the problems we are experiencing with the FPI have not been the result of legislative action, but rather administrative expansion. I look forward to working with Senator LEVIN and Senator WARNER in oversight of the implementation of this provision in the Defense Department’s acquisition regulations.

I have a long record of interest in the issue of unfair government competition with the private sector. When the government needs commercially available products and services, the government should go to the competitive, private sector market to procure those services. Such full and open competition leads to the highest quality, the most fair and reasonable price, and the overall best value for the taxpayer. I am pleased the Congress is taking another step in that direction by enacting the FPI reforms in this bill. Once again, I commend Senator LEVIN and Senator WARNER for their leadership, and I thank them for the cooperation they have extended to me in this matter.

THE PACIFIC SALMON RECOVERY ACT

Mr. CRAIG. Mr. President, Senator BOXER introduced last Thursday, December 13, 2001, the Pacific Salmon Recovery Act that will grant Federal funding for State and Tribal salmon recovery efforts in California, Idaho, Oregon, Washington, and Alaska. I would like to thank them for their hard work and for Senator BOXER’s determination to have a bipartisan bill on salmon recovery. I also would like to thank my colleague from Idaho, Senator CRAPO, Senators SMITH and WYDEN from Oregon, and Senator RICKSTEIN from California, for their valuable input that clearly helped to create responsible and effective bipartisan legislation to recover salmon. I enjoyed working with all of them and their staff.

For over 20 years, California, Idaho, Oregon, Washington, and Alaska, have attempted mightily to sustain salmon runs in river basins throughout the West and, along with the Federal Government, have invested billions of dollars in that effort.

Many individual citizens in my State of Idaho and some special interest groups from around the country have frequently criticized justly the expenditures of these large sums of money for salmon recovery. The criticism often pointed to poor coordination among State, Federal, and Tribal fish and wildlife agencies as to ineffective recovery programs developed either by those agencies or under their supervision.

The Pacific Salmon Recovery Act, S. 1625, takes aim at these infirmities and establishes a framework that will ensure better coordination and more effective recovery programs. I am convinced that we’ll get better “bang for the buck” if this bill is enacted.

However, salmon recovery is complex. Recent scientific research has underscored the difficulty in finding quick solutions to salmon recovery. Scientists have been candid in stating unequivocally that there is no “silver bullet” that can cause salmon populations to recover or reverse the diminishing salmon returns. The focus on dam removal during the last several years has retarded progress in recovering salmon. The majority of a salmon’s life cycle is spent in the ocean. It is there where the salmon nourishes itself and prepares for the arduous journey back to spawning areas. What is becoming increasingly clear from new ocean research is that warm ocean temperature is causing a severe reduction in the ocean’s carrying capacity. More research in this area will provide helpful insight as to what can be done to adjust to that devastating fact. The recent change to colder Pacific Ocean temperatures is widely credited for the record salmon returns that the Pacific Northwest has experienced this year. It is my hope that a more open dialogue on ways to approach salmon recovery will ensure continued progress on effective measures that will both protect these fish and protect the economy of the West. It is my belief that this bill will enhance the prospect of achieving that goal.

There are many good provisions in this bill. For example, it authorizes $350 million a year over the next five years to be spent on salmon recovery, a sizable amount that I hope will be appropriated by Congress each of those years. But I would like to highlight the peer review provisions in particular. Those provisions require each State or Tribal science based recovery activity to undergo scientific peer review before that activity will be funded with Federal money. It is my hope that the very successful peer review requirement contained in the Northwest Power Act for State and Tribal salmon recovery programs that get Pacific Northwest ratepayer money.

Ensuring accountability for large expenditures of taxpayer money is essential to keep the trust of the American taxpayer.
The American taxpayers are entitled to a fair accounting and an objective review of the underlying science that supports many of the very expensive recovery plans, particularly the salmon supplementation and habitat restoration programs, that will be developed by the States and participating Tribes.

The peer review requirement in this bill will provide the reasonable assurances of competency for those expensive programs that the taxpayer deserves.

Again, I thank my colleagues from Idaho, California, and Oregon for their strong support and commitment to include Idaho in the quest to achieve successful salmon recovery in the West and for their tireless efforts over the last several months to draft the appropriate legislative framework in which to accomplish the complex task of recovering those marvelous and important fish.

TOP GOVERNMENT ETHICS AWARD

Mr. ROCKFELLER. Mr. President, today I am proud to highlight the recognition given to the Department of Veterans Affairs for the outstanding job they have done and the recognition they are receiving for their employee ethics programs.

The Office of Government Ethics has announced that VA’s Office of General Counsel received their Outstanding Ethics Program Award. The award was presented on December 13 by Amy Comstock, the director of the ethics office.

VA has the largest centralized ethics program in the Federal Government and is the second largest Federal department with 219,000 employees scattered nationwide and hundreds of facilities. Ethics issues are administered through the Office of General Counsel, both in VA’s central office and through its 23 regional counsel office, who review financial disclosure reports and conduct annual ethics training. These efforts are supported by human resources staff.

In addition, VA’s ethics issues are particularly complex. VA’s mission is so broad and many of its employees have outside activities. For example, many VA physicians are also on faculty at affiliated universities and conduct outside research.

It is critical that our Federal agencies live up to the expectations of the Americans people, particularly of the nation’s veterans whom we serve. This award demonstrates how a centralized and proactive approach can yield tremendous results. I am pleased to see VA’s efforts being recognized.

ADDITIONAL STATEMENTS

REAR ADMIRAL (SELECT) PATRICK W. DUNNE, USN

Mr. WARNER. Mr. President, I rise today to recognize and honor Captain Patrick W. Dunne, United States Navy, as he departs the Navy’s Office of Legislative Affairs and assumes command of U.S. Naval Forces in Guam. Captain Dunne is a Naval Officer of the finest caliber who has established an impeccable reputation in the Navy and with the Congress through his multiple tours as a Congressional Liaison.

A career submariner, Captain Dunne graduated from the United States Naval Academy in 1973. As a junior officer, he has served with distinction at sea, both in the fast attack submarines USS Batish and USS Baton Rouge, and the fleet ballistic missile submarine USS Nathanael Greene. In May 1985, Captain Dunne was selected Naval Aide to President Reagan. In addition to his normal duties, he was responsible for the coordination of all military support for the Reykjavik Summit with President Gorbachev. Following this eventful tour, Captain Dunne assumed command of the attack submarine USS Baltimore, home ported in Norfolk, VA. During his command, Baltimore completed a deployment to the Mediterranean Sea and the operational evaluation of one of the Navy’s newest submarine sonar systems.

Captain Dunne then began his first of three tours at the Navy’s Office of Legislative Affairs as the Congressional Liaison Officer for Submarine Programs. Following, Captain Dunne returned to sea, assuming command of the submarine tender USS Frank Cable home ported in Charleston, South Carolina. Under his command, Frank Cable was awarded the Meritorious Unit Commendation for its exceptional support of the submarines assigned to Submarine Squadron Four. Subsequent staff tours include serving as the Head, Plans and Programs for the Director, Submarine Warfare on the Chiefs of Naval Operations staff, and his second tour in the Office of Legislative Affairs, this time as the Director of Naval Programs. Captain Dunne was next selected to serve as the Chief of Naval Operations’ Special Assistant for SharePoint. Captain Dunne then returned to the Office of Legislative Affairs for the third time as the Deputy Chief of Legislative Affairs.

The Department of the Navy, Congress, and the American people have been served well by this dedicated naval officer. Members of this Congress will not soon forget the leadership, service, and dedication of Captain Pat Dunne. He will be missed. We wish Pat, and his lovely wife Dianne, our very best as he continues his already distinguished career.

BERNICE FOX

Mr. DOMENICI. Mr. President, I rise today to recognize a long-time New Mexican, Bernice Fox, who is retiring after an amazing record of service in the public and private sectors. Her work in these areas has spanned 63 years, a most remarkable achievement.

Bernice Fox, born in Bloomington, Illinois in 1920, has lived in New Mexico for almost 40 years. In the private sector, she owned and operated motels and apartments, and she worked as a legal secretary for several New Mexican attorneys.

In 1993, instead of enjoying the retirement that most of us would be seeing, but that the dynamic Bernice Fox began still another career in support of the Department of Energy at the Waste Isolation Pilot Plant in Carlsbad, New Mexico. She was present to witness the opening of that remarkable facility, the world’s only permanent repository for transuranic radioactive wastes.

Now Bernice Fox is planning to retire from the Department of Energy at the end of this year. I salute her for her long service to the citizens of New Mexico and the nation. Whether her next career involves real retirement or still another challenge, I salute Bernice Fox on her long history of contributions.

Bernice Fox is being honored with her own special day by proclamation of the Governor of New Mexico. It is only fitting that Congress further honor her with this statement today.

TRIBUTE TO GEORGE A. BANDOUVERES

Mr. SMITH of New Hampshire. Mr. President, I rise today to pay tribute to George Bandouveres of Rollinsford, NH, for being honored with World War II medals for acts of bravery. George, a veteran of the U.S. Army, served his country with honor during World War II.

I admire the many veterans who have served America with courage and devotion. My own father, a naval aviator, was killed in a World War II related incident days before my fourth birthday. I admire the heroism of George Bandouveres. The medals he so bravely earned while serving in the 103rd Infantry Division are a tribute to his service to our Nation.

George was active in World War II campaigns in Italy, Greece, Naples-Foggia, Rome-Arno, southern France, Rhinelan, and Central Europe. For his services he received military medals including: Bronze Star Medal, Good Conduct Medal, World War II Victory Medal, American Campaign Medal, European-Middle Eastern Campaign Medal with bronze and silver service stars and a bronze service arrowhead, Combat Infantryman Badge and Honorable Service Lapel Button.

I was honored to help George secure the medals he acquired while serving in the U.S. Army during World War II. His courage and devotion to America are to be commended. It is truly an honor and a privilege to represent him in the U.S. Senate.

TRIBUTE TO STEVEN P. BARBA

Mr. SMITH of New Hampshire. Mr. President, I rise today to pay tribute to Steve Barba of Dixville Notch, NH, for
on being named as the Business and Industry Association Lifetime Achievement Award winner for 2001. The Business and Industry Association Lifetime Achievement Award recognizes business leaders who have demonstrated a commitment to leadership in their profession and dedication to their community and the State of New Hampshire.

Steve is the president and managing partner of the Balsams Grand Resort Hotel in Dixville Notch. Since 1971, he and his three partners have owned the operating company for the 15,000 acre resort and have restored it to its original greatness. The hotel is a four-star resort which is designated as one of the Historic Hotels of America by the National Trust for Historic Preservation.

He has been actively involved as a legendary leader in community, state and national programs and has served organizations including: director of boards for Citizens Bank-New Hampshire, New Hampshire Public Television, Community Charitable Foundation and Mary Hitchcock Memorial Hospital. Steve is also a selectman for the town of Dixville.

A graduate of Michigan State University, he holds a B.A. and also did a year of graduate study there in English and American literature.

Steve has served the citizens of New Hampshire with dedication and charity. I commend him for his success as a leader in the business community and for his countless contributions to the community at large in Dixville and the State. It is truly an honor and a privilege to represent him in the Senate.●

TRIBUTE TO SAUL GREENSPAN
● Mr. SMITH of New Hampshire. Mr. President, I rise today to pay tribute to Saul Greenspan of Nashua, NH, for being honored with World War II medals for acts of bravery. Ralph, a veteran of the U.S. Army, served his country with honor during World War II.

I admire the many veterans who have served our country with courage and devotion. My own father, a naval aviator, was killed in a World War II related incident days before my fourth birthday. As a Vietnam veteran, I admire the heroism of Ralph Frisella. The medals are symbolic of why serving in the 45th Army, 180th Division in Oran, Algeria, are a tribute to his service to our Nation. He remained with the 180th Division until the end of the war and later served as an MP in Germany.

Ralph was active in World War II campaigns including: Sicily, Naples-Foggia, Anzio, Rome-Arno, southern France, Rhinelnd, Ardennes-Alsace and Central Europe. He served 100 days of combat duty and received military medals including: Bronze Star Medal, Good Conduct Medal, American Campaign Medal, European-Middle Eastern Campaign Medal, WWII Victory Medal, Army of Occupation Medal with German Clasp, Combat Infantryman Badge and Honorable Service Lapel Button WWII.

I was honored to help Ralph secure the medals he acquired while serving in the U.S. Army during World War II. His courage and devotion to America are to be commended. It is truly an honor and a privilege to represent him in the Senate.●

TRIBUTE TO THE ROSEWOOD COUNTRY INN OF BRADFORD, NEW HAMPSHIRE
● Mr. SMITH of New Hampshire. Mr. President, I rise today to pay tribute to Innkeepers Dick and Lesley for their notable achievements in the hospitality industry and wish them continued success in the future. It is truly an honor and a privilege to represent them in the Senate.

The Inn is located on 12 hilltop acres in the town of Bradford in the Dartmouth/Lake Sunapee Region of New Hampshire. The Rosewood offers 11 guest suites and was recognized for its sunlit porches, inviting common areas, fireplaces and whirlpool tubs. With its High Victorian architecture in a historic setting, the Inn offers visitors an atmosphere of warmth and relaxation.

The Inn was founded in 1896, and was originally known as Pleasant View Farm. In the early 1900s, famous celebrities including Jack London, Gloria Swanson, Mary Pickford, Charlie Chaplain and the Gish sisters were among visitors who signed the Inn’s guest register.

In the past, innkeepers Dick and Lesley have won other honors for their property being selected as One of New Hampshire’s Eight Most Romantic Inns by Chronicle Books and Inn of the Year by the State of New Hampshire.

As a former small business owner, I commend Dick and Lesley for their entrepreneurial excellence and success. The people of New Hampshire and the country continue to enjoy the superior ambiance and hospitality at the Rosewood Inn each year. I congratulate the Rosewood Country Inn of Bradford and Dick and Lesley for their notable achievements in the hospitality industry and wish them continued success in the future. It is truly an honor and a privilege to represent them in the Senate.●

TRIBUTE TO MSGR. JOHN MOLAN
● Mr. SMITH of New Hampshire. Mr. President, I rise today to pay tribute to Msgr. John Molan of Manchester, NH, for being awarded the Catholic Leadership Award from Saint Anselm College in Manchester, NH.

Msgr. Molan graduated from Saint Anselm College in Manchester and went on to study at Saint Mary’s Seminary in Baltimore, MD, where he received a master’s degree in social work. In his vocational career he has served many areas of the church including: director of Catholic Charities, pastor of several parishes, and vicar general of the diocese. A veteran of World War II, he served as chaplain of the New Hampshire National Guard and was a member of the U.S. Army Reserve. As the son of a naval aviator who was killed in a World War II incident and a Vietnam veteran, I applaud Msgr. Molan’s selflessness dedication to America.

Msgr. Molan has served the citizens of New Hampshire with care and concern. I commend Msgr. Molan for being recognized for his outstanding service to the church and community and thank him for making a positive difference in his brothers and sisters in the State. It is truly an honor and a privilege to represent him in the Senate.●
### MEASURE PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

**S. 1833.** A bill to amend the Public Health Service Act with respect to qualified organ procurement organizations.

### ADDITIONAL COSPONSORS

<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Cosponsor</th>
<th>State</th>
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<tbody>
<tr>
<td>S. 839</td>
<td>At the request of Mrs. Hutchison, the name of the Senator from Ohio (Mr. DeWine) was added as a cosponsor of S. 839, a bill to amend title XVIII of the Social Security Act to increase the amount of payment for inpatient hospital services under the medicare program and to freeze the reduction in payments to hospitals for indirect costs of medical education.</td>
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<td>S. 1099</td>
<td>At the request of Mrs. Hutchison, the name of the Senator from South Carolina (Mr. Hollings) was added as a cosponsor of S. 1099, a bill to require the provision of information to parents and adults concerning bacterial meningitis and the availability of a vaccination with respect to such diseases.</td>
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<td>S. 1220</td>
<td>At the request of Mr. Breaux, the name of the Senator from Arkansas (Mrs. Lincoln) was added as a cosponsor of S. 1220, a bill to authorize the Secretary of Transportation to establish a grant program for the rehabilitation, preservation, or improvement of railroad track.</td>
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<td>S. 1663</td>
<td>At the request of Mrs. Clinton, the name of the Senator from Mississippi (Mr. Cochran) was added as a cosponsor of S. 1663, a bill to amend title IV, United States Code, to add National Korean War Veterans Armistice Day to the list of days on which the flag should especially be displayed.</td>
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<td>S. 1707</td>
<td>At the request of Mr. Jeffords, the names of the Senator from North Dakota (Mr. Dorgan) and the Senator from Virginia (Mr. Allen) were added as cosponsors of S. 1707, a bill to amend title XVIII of the Social Security Act to specify the schedule for payments under the medicare physician fee schedule for 2002 and to direct the Medicare Payment Advisory Commission to conduct a study on replacing the use of the sustainable growth rate as a factor in determining such update in subsequent years.</td>
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<td>S. 1749</td>
<td>At the request of Mr. Kennedy, the names of the Senator from Wisconsin (Mr. Kohl), the Senator from Florida (Mr. Graham), the Senator from Maryland (Ms. Mikulski), the Senator from Connecticut (Mr. Dodd), and the Senator from Minnesota (Mr. Dayton) were added as cosponsors of S. 1749, a bill to enhance the border security of the United States, and for other purposes.</td>
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<td>S. 1750</td>
<td>At the request of Mr. Hollings, the name of the Senator from Utah (Mr. Hatch) was added as a cosponsor of S. 1750, a bill to make technical corrections to the HAZMAT provisions of the USA PATRIOT Act.</td>
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<td>S. 1782</td>
<td>At the request of Mr. Biden, the name of the Senator from Hawaii (Mr. Akaka) was added as a cosponsor of S. 1782, a bill to authorize the burial in Arlington National Cemetery of any former Reservist who died in the September 11, 2001, terrorist attacks and would have been eligible for burial in Arlington National Cemetery but for age at time of death.</td>
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<td>S. 1819</td>
<td>At the request of Mr. Kennedy, the names of the Senator from Wisconsin (Mr. Feingold) was added as a cosponsor of S. 1819, a bill to provide that members of the Armed Forces performing services in the Republic of Korea shall be entitled to tax benefits in same manner as if such services were performed in a combat zone, and for other purposes.</td>
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<td>S. 182</td>
<td>At the request of Mr. Feingold, the name of the Senator from California (Mrs. Boxer) was added as a cosponsor of S. Res. 182, a resolution expressing the sense of the Senate that the United States should allocate significantly more resources to combat global poverty.</td>
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<td>S. 192</td>
<td>At the request of Mr. Biden, the name of the Senator from Oklahoma (Mr. Inhofe) was added as a cosponsor of S. Con. Res. 88, a concurrent resolution expressing solidarity with Israel in the fight against terrorism.</td>
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<td>S. 2613</td>
<td>At the request of Mrs. Feinstein, the name of the Senator from California (Mrs. Boxer) was added as a cosponsor of S. 2613, the America’s Competitiveness Act of 2002, which was ordered to lie on the table.</td>
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<td>S. 2614</td>
<td>At the request of Mr. Kennedy for himself and Mr. Voinovich, an amendment to the bill S. 1271, to amend chapter 35 of title 44, United States Code, for the purpose of facilitating compliance by small business concerns with certain Federal paperwork requirements, to establish a task force to examine information collection and dissemination, and for other purposes.</td>
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<tr>
<td>S. 2615</td>
<td>At the request of Mr. Kennedy (for Mr. Kerry) proposed an amendment to the bill S. 1271, supra.</td>
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### TEXT OF AMENDMENTS

**SA 2611.** Mr. BAUCUS submitted an amendment intended to be proposed to amendment SA 2471 submitted by Mr. Daschle and intended to be proposed to the bill (S. 1731) to strengthen the safety net for agricultural producers, to enhance resource conservation and rural development, to provide for farm credit, agricultural research, nutrition, and related programs, to ensure consumers abundant food and fiber, and for other purposes: which was ordered to lie on the table; as follows:

#### Subtitle C—Income Loss Assistance

**SEC. 1021. INCOME LOSS ASSISTANCE.**

(a) **In General.**—The Secretary of Agriculture (referred to in this subtitle as the ‘‘Secretary’’) shall use $1,800,000,000 of funds of the Commodity Credit Corporation to make emergency financial assistance available to producers on a farm that have incurred qualifying income losses for the 2001 crop.

(b) **Administration.**—The Secretary shall make assistance available under this section in the same manner as provided under section 815 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (Public Law 106-277; 114 Stat. 1549A-55), including using the same loss thresholds for the quantity and economic losses as were used in administering this section.

(c) **Use of Funds for Cash Payments.**—The Secretary may use funds made available
under this section to make, in a manner consis-
tent with this section, cash payments not for crop disasters, but for income loss to carry out the purposes of this section.

SEC. 1021. COMMODITY PURCHASE PROGRAM. (a) IN GENERAL.—The Secretary shall use $500,000,000 of the funds of the Commodity Credit Corporation to make and administer payments for losses to producers for 2001 losses in a county that has received an emergency designation by the President or the Secretary after January 1, 2001, of which $200,000 shall be made available for the American Indian livestock program under section 806 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (Public Law 106-277; 114 Stat. 1549A-51).

(b) ADMINISTRATION.—The Secretary shall make assistance available under this section in the same manner as provided under section 806 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (Public Law 106-277; 114 Stat. 1549A-51).

SEC. 1022. LIVESTOCK ASSISTANCE PROGRAM. (a) IN GENERAL.—The Secretary may pro-
tate under subsection (a) to provide assistance to purchases by the Secretary under any section 5 of United States Code.

(b) OTHER PURCHASES. (a) IN GENERAL. The Secretary shall use not less than $500,000,000 of the funds made available under subsection (a) to purchase agricultural commodities, especially agricultural commodities that have experienced low prices during the 2001 crop year, as determined by the Sec-
retary.

(b) GEOGRAPHIC DIVERSITY.—The Secretary is encouraged to purchase agricultural com-
modities under this section in a manner that reflects the geographic diversity of agricul-
tural production in the United States, par-
ticularly agricultural production in the Northeast and Mid-Atlantic States.

(c) OTHER PURCHASES.—The Secretary shall ensure that purchases of agricultural com-
modities under this section are in addition to purchases by the Secretary under any other law.

(d) TRANSPORTATION AND DISTRIBUTION COSTS.—The Secretary may use not more than $20,000,000 of the funds made available under subsection (a) to provide assistance to States to cover costs incurred by the States in transporting and distributing agricultural commodities purchased under this section.

(e) PURCHASES FOR SCHOOL NUTRITION Pro-
grams.—The Secretary shall use not less than $50,000,000 of the funds made available under subsection (a) to purchase agricultural commodities of the type distributed under section 6(a) of the Richard B. Russell Na-
tional School Lunch Act (42 U.S.C. 1755) for distribution to schools and service institu-
tions in accordance with section 6(a) of that Act.

SEC. 1023. COMMODITY CREDIT CORPORATION. The Secretary shall use the funds, facili-
ties, and authorities of the Commodity Credit Corporation to carry out this subtitle.

SEC. 1024. ADMINISTRATIVE EXPENSES. (a) IN ADDITION TO FUNDS OTHERWISE AVAILABLE, NOT LATER THAN 30 DAYS AFTER THE DATE OF ENACTMENT OF THIS ACT, OUT OF ANY FUNDS IN THE TREASURY NOT OTHERWISE APPROPRIATED, THE SECRETARY OF THE TREASURY SHALL TRANSFER TO THE SECRETARY OF AGRICULTURE TO PAY THE SALARIES AND EXPENSES OF THE DEPART-
MENT OF AGRICULTURE IN CARRYING OUT THIS SUB-
title $50,000,000, TO REMAIN AVAILABLE UNTIL EX-
pended.

(b) RECEIPT AND ACCEPTANCE.—The Sec-
retary shall be entitled to receive, shall ac-
cept, shall carry out this section, and shall transfer under subsection (a), without further appropriation.

SEC. 1025. REGULATIONS. The Secretary may pro-
mulgate such regulations as are necessary to implement this subtitle.

(b) PROCEDURE.—The promulgation of the regulations and administration of this sub-
title shall be made without regard to—

(1) the notice and comment provisions of section 553 of title 5, United States Code;

(2) the Statement of Policy of the Sec-
retary of Agriculture effective July 24, 1971 (36 Fed. Reg. 13801), relating to notices of proposed rulemaking and public participa-
tion in rulemaking; and

(3) chapter 35 of title 44, United States Code (commonly known as the “Paperwork Reduction Act”).

(c) CONGRESSIONAL REVIEW OF AGENCY RULEMAKING.—In carrying out this section, the Secretary shall use the authority pro-
vided under section 806 of title 5, United States Code.

SEC. 1027. EMERGENCY DESIGNATION. The entire amount made available by each of sections 1021 through 1023—

(1) shall be available only to the extent that the President submits to Congress an official budget request for the amount that includes designation of the entire amount of the request as an emergency requirement for the purposes of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900 et seq.); and

(2) is designed to carry the Congress as an emer-
gency requirement under section 251(b)(2)(A) of the Balanced Budget and Emergency Def-
icit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)).

SA 2612. Mr. KENNEDY (for Mr. LIEBERMAN (for himself and Mr. Voinovich)) proposed an amendment to the bill S. 1271, to amend chapter 35 of title 44, United States Code, for the purpose of facilitating compliance by small business concerns with certain Federal paperwork requirements to es-
tablish a task force to examine information collection and dissemination, and for other purposes; as follows:

On page 13, line 21, strike “and”.

On page 14, line 3, strike the period and insert “; and”.

On page 14, insert between lines 3 and 4 the follow-
ing: “(5) examine the feasibility of measures to strengthen the dissemination of information.”

SA 2613. Mr. KENNEDY (for Mr. KERRY (for the special purpose of facilitating compliance by small business concerns with certain Federal paperwork requirements, to establish a task force to examine the feasibility of streamlining paper-
work requirements applicable to small busi-
ness concerns, and for other purposes.

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Governmental Affairs, with an amendment to strike all after the en-
acting clause and insert in lieu thereof the follow-
ing:

SECTION 1. SHORT TITLE. This Act may be cited as the Small Business Paperwork Relief Act of 2001.

SEC. 2. FACILITATION OF COMPLIANCE WITH FEDERAL PAPERWORK REQUIRE-
MENTS. (a) REQUIREMENTS APPLICABLE TO THE DIRECT-
OR OF OMB.—Section 3504(c) of title 44, United States Code (commonly referred to as the “Pa-
perwork Reduction Act”), is amended—

(1) by substituting “; and inserting a semi-

colon; and

(b) by adding at the end the following: “(6) publish in the Federal Register and make available on the Internet (in consultation with

PRIVILEGE OF THE FLOOR

Mr. DODD. Mr. President, I ask unan-
imous consent that Patrick Rooney, a

fellow in my office, be granted the privilege of the floor.

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

TO AMEND CHAPTER 90 OF TITLE 5, UNITED STATES CODE, RELAT-
ING TO FEDERAL LONG-TERM CARE INSURANCE

Mr. KENNEDY. I ask unanimous con-
sent that the Senate proceed to the im-
mediate consideration of H.R. 2559, Cal-
endar No. 235.

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

The legislative clerk read as follows: A bill (H.R. 2559) to amend chapter 90 of title 5, United States Code, relating to Fed-
eral long-term care insurance.

There being no objection, the Senate proceeded to the immediate consideration of the bill.

Mr. KENNEDY. I ask unanimous consent that the bill be read the third time, passed, the motion to reconsider be laid upon the table, all with no intervening action or debate, and any statements be printed in the RECORD.

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

The bill (H.R. 2559) was read the third time and passed.

SMALL BUSINESS PAPERWORK ACT OF 2001

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consider-
ation of Calendar No. 234, S. 1271, the bill.

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

The assistant legislative clerk read as follows:

A bill (S. 1271) to amend chapter 35 of title 44, United States Code, for the purpose of fac-
ilitating compliance by small business concerns with certain Federal paperwork require-
ments, to establish a task force to examine the feasibility of streamlining paper-
work requirements applicable to small busi-
ness concerns, and for other purposes.

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Governmental Affairs, with an amendment to strike all after the en-
acting clause and insert in lieu thereof the follow-
ing:

SECTION 1. SHORT TITLE. This Act may be cited as the “Small Business Paperwork Relief Act of 2001”. 
the Small Business Administration) on an annual basis a list of the compliance assistance resources available to small businesses, with the first such publication occurring not later than 1 year after the date of enactment of the Small Business Paperwork Relief Act of 2001.”.

(b) Establishment of Agency Point of Contact.—Section 3506 of title 44, United States Code, is amended by adding at the end the following:

“(1) In addition to the requirements described in subsection (c), each agency described under paragraph (2) shall, with respect to the collection of information and the control of paperwork, establish a point of contact in the agency to act as a liaison between the agency and small businesses (as defined in section 3 of the Small Business Act (15 U.S.C. 632)). Each such point of contact shall be established not later than 1 year after the date of enactment of the Small Business Paperwork Relief Act of 2001.

“(2) An agency described under this paragraph—

“(A) any agency with a head that is listed at a level I position on the Executive Schedule under section 5312 of title 5; and

“(B) any small business ombudsman or other individual designated by the head of each applicable department or agency (and in the case of paragraph (12) by the Director)

“(c) The number of enforcement actions described under subparagraphs (A) and (B) in which the civil penalty is reduced or waived.

“(D) The total monetary amount of the reductions or waivers referred to under subparagraph (C).

“SECTION 3. ESTABLISHMENT OF TASK FORCE ON INFORMATION COLLECTION AND DISSEMINATION.

“(a) In General.—Chapter 35 of title 44, United States Code, is amended by—

“(1) by redesignating section 3520 as section 3521; and

“(2) by inserting after section 3521 the following:

“§ 3520. Establishment of task force on information collection and dissemination

“(a) There is established a task force to study the feasibility of streamlining requirements with respect to small business concerns regarding collection of information and strengthening dissemination of information (in this section referred to as the ‘task force’).

“(b) The members of the task force shall be appointed by the Director, and include—

“(1) not less than 1 representative of the Department of Labor, including 1 representative of the Bureau of Labor Statistics and 1 representative of the Occupational Safety and Health Administration;

“(2) not less than 1 representative of the Environmental Protection Agency;

“(3) not less than 1 representative of the Department of Transportation;

“(4) not less than 1 representative of the Office of Advocacy of the Small Business Administration;

“(5) not less than 1 representative of the Internal Revenue Service;

“(6) not less than 2 representatives of the Department of Health and Human Services, including 1 representative of the Health Care Financing Administration;

“(7) not less than 1 representative of the Department of Agriculture;

“(8) not less than 1 representative of the Department of Interior;

“(9) not less than 1 representative of the General Services Administration;

“(10) not less than 1 representative of each of 2 agencies not represented by representatives described under paragraphs (1) through (9) and (11);

“(11) 1 representative of the Director, who shall convene and chair the task force; and

“(12) not less than 3 representatives of the small business community.

“(c) The task force shall—

“(1) recommend a plan for the development of an interactive Government application, available through the Internet, to allow each small agency to determine Federal requirements regarding collection of information (and, when possible, which other Federal regulatory requirements) apply to that particular business;

“(2) identify ways to integrate the collection of information across Federal agencies and programs, and examine the feasibility of requiring each agency to consolidate requirements regarding collections of information with respect to small business concerns, within and across agencies without negatively impacting the effectiveness of underwriting regulations and regulations regarding such collections of information, in order that each small business concern may submit all information to the agency—

“(A) to 1 point of contact in the agency; and

“(B) in a single format, such as a single electronic reporting system, with respect to the agency;

“(3) examine the feasibility and helpfulness to small businesses of the Director publishing a list of the collections of information applicable to small business concerns (as defined in section 2 of the Small Business Act (15 U.S.C. 632)), organized—

“(A) by North American Industrial Classification System code;

“(B) industrial/sector description; or

“(C) in another manner by which small business concerns can more easily identify requirements with which those small business concerns are expected to comply; and

“(4) examine the savings, including cost savings, for implementing a system of electronic paperwork submissions.

“(d) Not later than 1 year after the date of enactment of the Small Business Paperwork Relief Act of 2001, the task force shall submit a report of its findings and recommendations (c) to—

“(1) the Director; and

“(2) the chairpersons and ranking minority members of—

“(A) the Committee on Governmental Affairs and the Committee on Small Business of the Senate; and

“(B) the Committee on Government Reform and the Committee on Small Business of the House of Representatives.

“(e) In this section, the term ‘small business concern’ has the meaning given under section 3 of the Small Business Act (15 U.S.C. 632).”.

(b) Technical and Conforming Amendment.—The table of sections for chapter 35 of title 44, United States Code, is amended by—

“(1) in paragraph (2), by striking ‘‘;’’ and ‘‘;’’ and inserting a semicolon;

“(2) in paragraph (3)(J), by striking the period and inserting ‘‘;’’; and

“(3) by adding at the end the following:

“(4) in addition to the requirements of this chapter regarding the reduction of information collection burdens for small business concerns (as defined in section 2 of the Small Business Act (15 U.S.C. 632)), make efforts to—

“(A) further reduce the information collection burden for small business concerns with fewer than 25 employees; and

“(B) eliminate any unnecessary paperwork burdens.”.

SEC. 4. REGULATORY ENFORCEMENT REFORMS.

Section 223 of the Small Business Regulatory Enforcement Fairness Act of 1996 (5 U.S.C. 601 note) is amended by striking subsection (c) and inserting the following:

“§ 3250. Establishment of task force on information collection and dissemination.


“SEC. 4. REGULATORY ENFORCEMENT REFORMS.

Section 223 of the Small Business Regulatory Enforcement Fairness Act of 1996 (5 U.S.C. 601 note) is amended by striking subsection (c) and inserting the following:

“§ 3250. Establishment of task force on information collection and dissemination.

“(1) In General.—Not later than 1 year after the date of enactment of the Small Business Paperwork Relief Act of 2001, and not later than every 2 years thereafter, each agency shall submit a report to the Director of the Office of Management and Budget and the chairpersons and ranking minority members of the Committee on Governmental Affairs and the Committee on Small Business of the Senate, and the Committee on Small Business of the House of Representatives, that includes information with respect to the applicable 1-year period or 2-year period covered by the report in each of the following:

“(A) The number of enforcement actions in which a civil penalty is assessed.

“(B) The number of enforcement actions in which a civil penalty is assessed against a small entity.

“(C) The number of enforcement actions described under subparagraphs (A) and (B) in which the civil penalty is reduced or waived.

“(D) The total monetary amount of the reductions or waivers referred to under subparagraph (C).

“(2) Definitions in Reports.—Each report under paragraph (1) shall include definitions of the terms ‘enforcement actions’, ‘reduction or waiver’, and ‘small entity’ as used in the report.

“Amend the title so as to read: ‘‘A bill to amend chapter 35 of title 44, United States Code, for the purpose of facilitating compliance by small business concerns with certain Federal paperwork requirements, to establish a task force to examine information collection and dissemination, and for other purposes.’’

Mr. KENNEDY. Senator LIEBERMAN and Senator KERRY each have an amendment at the desk, and I ask unanimous consent that each amendment be considered and agreed to and that the Amendment to reconsider be laid upon the table en bloc.

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

The amendments (Nos. 2612 and 2613), en bloc, were agreed to, as follows:

AMENDMENT NO. 2612

(Purpose: To provide for the task force to examine the feasibility of measures to strengthen the dissemination of information)

On page 13, line 29, strike, “and”.

On page 14, line 3, strike the period and insert “;’’ and “’”.

On page 14, insert between lines 3 and 4 the following:

“(d) examine the feasibility of measures to strengthen the dissemination of information.”

AMENDMENT NO. 2613

(Purpose: To modify the appointment of members of the task force, and for other purposes)

On page 11, line 9, strike “Director” and insert “head of each applicable department or agency (and in the case of paragraph (12) by the Director)”.

On page 14, line 7, insert “, including any minority views of the task force,” after “(c)”.

On page 14, line 8, strike “and”.

On page 14, line 12, insert “and Entrepreneurship,” after “Business”.

On page 14, line 16, strike the period and insert “,” and “’”.

On page 14, insert between lines 16 and 17 the following:


Mr. VOINOVICH. Mr. President, I am pleased that today the Senate will pass S. 1271, the Small Business Paperwork Relief Act of 2001.”
As my colleagues know, small business owners are the backbone of our economy and significantly important to the fiscal health of the United States. Small businesses constitute more than 90 percent of this Nation’s employers, employ 53 percent of the private work force, and generate 74 percent of this country’s new jobs.

While on the whole, America’s small business owners are successful, the numerous Federal paperwork requirements that they must face has, I believe, had a negative impact on further entrepreneurial growth in the United States. There is little doubt that America’s small business owners could be even more successful if they were able to devote more time and resources to their businesses instead of mountains of Federal paperwork. That is why I introduced S. 1271. This “good government” legislation continues the efforts on the part of Congress to streamline and reduce paperwork burdens on small businesses and help increase the productivity of American business.

The Office of Management and Budget—OMB—has estimated that the Federal paperwork burden is 7.2 billion hours annually, at a cost of some $150 billion per year. Small business owners are particularly hurt by regulatory and paperwork burdens. The Small Business Administration—SBA—estimates that the costs to small businesses are a staggering $5,100 per employee. While many of these burdens are important and necessary, the high costs of understanding them and complying with them can sometimes prevent small businesses from being able to expand or even stay afloat. In some cases, this burden can deter entrepreneurs from opening in the first place.

The Small Business Paperwork Relief Act of 2001 will help improve the ability of small business owners to understand and comply with Federal regulations. It mandates through the following helpful provisions:

A requirement for OMB to annually publish in the Federal Register and on the Internet a list of the compliance assistance resources available to small business owners.

A requirement for each Federal agency to establish a single point of contact to help small business owners fill out forms and comply with Federal regulations.

A requirement for each Federal agency to make further efforts to reduce paperwork for small businesses with fewer than 25 employees.

The establishment of an interagency task force to develop an interactive government web-site to help each small business owner understand which Federal paperwork requirements and regulations apply to his or her business.

An amendment to the Small Business Regulatory Enforcement Fairness Act—SBREFA—to require that each agency maintain information on the number of enforcement actions in which civil penalties are assessed, the number of such actions against small entities, the number of such actions in which civil penalties are reduced or waived, and the monetary amount of each reduction or waiver.

As the bill was introduced just this past July, I am pleased that the Senate has taken action in considering this important legislation, and I am also pleased that the bill enjoys bipartisan support.

I am especially grateful to thank Senator BLANCHE LINCOLN for joining me in introducing this bill, and I thank the co-sponsors of S. 1271, Senators BOND, LEAHY, JEFFORDS, CONRAD, MILLER, LIEBERMAN, CARPER, CLELAND, BUNDY, TRENDON, GITLITZ, DAYTON, and KERRY for their strong support.

I also thank the many business groups who have helped us craft a solid bill with their suggestions and those who have lent their support to this legislation. Participation Alliance; the National Federation of Independent Businesses; the U.S. Chamber of Commerce; the American Farm Bureau Federation; the Cleveland Growth Association; the Associated Roofing Contractors; the National Association of Convenience Stores; the American Feed Industry Association; the National Association of Manufacturers; the National Tooling and Machining Association; National Small Business United; the National Restaurant Association; the National Pest Management Association; the Academy of General Dentistry; the American Road and Transportation Builders Association; the National Small Business Regulatory Relief; the Small Business Legislative Council; the Small Business Survival Committee; the Agricultural Retailers Association; the Associated General Contractors; the Automotive Marketing Institute; the National Automobile Dealers Association; the National Business Association; the National Roofing Contractors Association; the Society of American Florists, and the National American Equipment Dealers Association.

Further, I thank public interest groups such as OMB Watch for their valuable input. I also thank the administration for their support of this bill and for the valuable input of OMB in helping to make this bill more effective in helping our nation’s small businesses. And since the House of Representatives passed a similar version of S. 1271 this past March, I thank the President for his full support for the President’s signature very soon.

Once again, I am pleased that the Senate has acted to provide relief to small business owners. This bill will help our Nation’s economy and will allow small business owners the ability to better understand and comply with Federal regulations and paperwork requirements. It is good for the country and good for our economy and I thank my colleagues for their support in passing this bill today.

Mr. KERRY. Mr. President, I speak today in support of Senator VOINOVICH’s legislation, the Small Business Paperwork Relief Act of 2001, as well as my amendment to improve the legislation for the benefit of America’s small businesses.

While legislation such as the Regulatory Flexibility Act, and the Small Business Regulatory Enforcement Fairness Act have made great strides in helping to ease the regulatory burden on our small businesses, more work remains to be done.

In the report prepared by the Small Business Administration’s Office of Advocacy on the recommendations of the White House Conference on Small Business in 1995, the Office of Advocacy stated that:

Federal, state and local governments impose numerous requirements on the operation of businesses. The burdens associated with these requirements are often exacerbated by substantial paperwork and record-keeping requirements. In addition to the cost and administrative burdens, small and medium-sized businesses are simply keeping abreast of the various regulatory and paperwork requirements.

Six years later, this statement is still true.

While I support the Small Business Paperwork Relief Act, I think it is important to point out that I objected to an original request to pass this legislation by unanimous consent because the Committee on Small Business and Entrepreneurship, which I chair, has jurisdiction over some of the issues included in this legislation. Additionally, the expertise of the Committee on issues of importance to small business is needed to ensure that any legislation designed to help our Nation’s small businesses. That being said, Senator VOINOVICH and I have addressed my questions about the legislation and agreed to an amendment. I believe the bill is better because of our work.

The legislation originally called for the Director of the Office of Management and Budget to appoint members to the “Task Force” created in the legislation from the various agencies listed in the bill. However, I had no objection to the Task Force being led by the OMB Director, if I had had reservations about the OMB Director selecting the participants, a function that should be exercised with care and wisdom. The amendment makes this change.

Additionally, my amendment has a provision stating that in any report issued by the Task Force, minority views must be included. This provision has been added as a result of my consultations with SBA’s Office of Advocacy, who were concerned that reports issued on small business issues may not reflect the views of small business advocates. By allowing minority opinions, any report issued by the Task Force will at the very least contain concerns raised by the small business community.

My amendment also adds the National Ombudsman to the list of recipients bi-annual reporting on the number of enforcement actions taken by agencies. The National Ombudsman, located
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at the SBA, serves as a confidential re-
source to field complaints and com-
ments from small businesses about the re-
egulatory processes and actions taken
by regulatory agencies. Additionally,
the National Ombudsman rates Federal
regulatory agencies on their treatment
of small businesses and issues a report
card. Therefore, I felt it appropriate that
agency information regarding regu-
lar enforcement be shared with the Na-
tional Ombudsman.

My amendment makes a tech-
technical change in the legislation to
reflect the name change of the Senate
Committee on Small Business to the
Committee on Small Business and En-
trepreneurship, which occurred on
June 29th of this year.

I believe the changes my amendment
makes will provide additional support
for our small businesses suffering from
paperwork burdens, and I ask my col-
leagues to support the amendment and
the underlying legislation.

Mr. KENNEDY. I ask unanimous con-
sent that the committee-reported sub-
stitute amendment be agreed to, the
bill, as amended, be read the third
time, passed, and ordered re-

I ask unanimous con-
sent that the committee-reported sub-
stitute amendment be agreed to, the
bill, as amended, be read the third
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S. 1271

Be it enacted by the Senate and House of Repre-
sentatives of the United States of America in
Congress assembled.

SECTION 1. SHORT TITLE.

This Act may be cited as the “Small Busi-
ness Paperwork Relief Act of 2001.”

SEC. 2. FACILITATION OF COMPLIANCE WITH

FEDERAL PAPERWORK REQUIRE-
MENTS.

(a) REQUIREMENTS APPLICABLE TO THE DI-
rection of section 3506(c) of title 44, United
States Code (commonly referred to as the
“Paperwork Reduction Act”), is amended
by adding at the end the following:

(1) in paragraph (2)(B), by striking “;” and
inserting a semicolon;

(2) in paragraph (3)(D), by striking the pe-
riod and inserting a semicolon;

(3) by adding at the end the following:

“§ 3520. Establishment of task force on infor-
mation collection and dissemination

There is established a task force to study the feasibility of streamlining require-
ments with respect to small business con-
cerns regarding collection of information and strengthening dissemination of in-
formation (in this section referred to as the ‘task force’).

(b) The members of the task force shall be appointed by the head of each applicable de-
partment or agency (and in the case of para-
graph (12) by the Director), and include—

(1) not less than 2 representatives of the Department of Labor, including 1 repre-
sentative of the Bureau of Labor Statistics and 1 representative of the Occupa-
tional Safety and Health Administration;

(2) not less than 1 representative of the Environmental Protection Agency;

(3) not less than 1 representative of the Department of Transportation;

(4) not less than 1 representative of the Office of Advocacy of the Small Business Ad-
ministration;

(5) not less than 1 representative of the Internal Revenue Service;

(6) not less than 2 representatives of the Department of Health and Human Services,
including 1 representative of the Health Care
Financing Administration;

(7) not less than 1 representative of the Department of Agriculture;

(8) not less than 1 representative of the Department of Interior;

(9) not less than 1 representative of the General Services Administration;

(10) not less than 1 representative of each of 2 agencies not represented by representa-
tives described under paragraphs (1) through
(9) and (11);

(11) 1 representative of the Director, who shall conv
the task force; and

(12) not less than 3 representatives of the small business community.

(c) The task force shall—

(1) recognize the need for the development of an interactive Government application,
available through the Internet, to allow each
small business to better understand which
Federal requirements regarding collection of information (and, when possible, which
other Federal regulatory requirements) apply to their particular business;

(2) identify ways to integrate the collect-
ion of information across Federal agencies
and programs and examine the feasibility of
issuing, for each agency, the requirements
regarding collections of information (in
re to small business concerns, within and across agencies without nega-
tively impacting the effectiveness of under-
lying laws and regulations regarding such
collections of information, in order that each
small business concern may submit all infor-
mation required by those agencies;

(3) examine the feasibility and helpful-
to small businesses of the Director pub-
lishing a list of the collections of informa-
tion applicable to small business concerns
(as defined in section 3 of the Small Busi-
ness Act (15 U.S.C. 632)), organized—

(A) by North American Industrial Classi-
fication System Code;

(B) industrial/sector description;

(C) in another manner by which small
business concerns can easily identity
requirements with which those small busi-
ness concerns are expected to comply;

(4) examine the savings, including cost
savings, for implementing a system of elec-
tronic paperwork submissions; and

(5) examine the feasibility of measures to
strengthen the dissemination of information.

(d) Not later than 1 year after the date of
enactment of the Small Business Paperwork
Relief Act of 2001, the task force shall sub-
mit a report of its findings under subsection (c),
including any minority views of the task
force, to—

(1) the Director;

(2) the chairpersons and ranking minority
members of—

(A) the Committee on Governmental Af-
airs and the Committee on Small Business
and Entrepreneurship of the Senate; and

(B) the Committee on Governmental Re-
form and the Committee on Small Busi-
ness of the House of Representatives;

(3) the Small Business and Agriculture
Regulatory Enforcement Ombudsman de-
signated under section 30(b) of the Small
Business Act (15 U.S.C. 657(b));

In this section, “small business con-
cern” has the meaning given under

(b) TECHNICAL AND CONFORMING AMEN-
dMENT.—The table of sections for chapter 35 of
—
title 44, United States Code, is amended by
striking the item relating to section 3520 and
inserting the following:

“3520. Establishment of task force on infor-
mation collection and dissemination

(c) AUTHORIZATION OF APPROPRIA-
tIONS.—Section 223 of the Small Business Re-
egulatory Enforcement Fairness Act of 1996 (5
U.S.C. 661 note) is amended by striking sub-
sections (c) and inserting:

“(c) REPORTS.—

(1) IN GENERAL.—Not later than 1 year
after the date of enactment of the Small
Business Paperwork Relief Act of 2001, and
not later than every 2 years thereafter, each
agency shall submit a report to the Director
of the Office of Management and Budget and
the Chairpersons and ranking minority
members of the Committee on Governmental Af-
airs and the Committee on Small Business

(2) TECHNICAL AND CONFORMING AMEN-
dMENT.—The table of sections for chapter 35 of
—
title 44, United States Code, is amended by
striking the item relating to section 3520 and
inserting the following:

“3520. Establishment of task force on infor-
mation collection and dissemination

3521. Authorization of appropriations.”

SEC. 4. REGULATORY ENFORCEMENT REFORMS.

Section 223 of the Small Business Regu-
lar Enforcement Fairness Act of 1996 (5
U.S.C. 661 note) is amended by striking sub-
sections (c) and inserting:

“(c) REPORTS.—

(1) IN GENERAL.—Not later than 1 year
after the date of enactment of the Small
Business Paperwork Relief Act of 2001, and
not later than every 2 years thereafter, each
agency shall submit a report to the Director
of the Office of Management and Budget and
the Chairpersons and ranking minority
members of the Committee on Governmental Af-
airs and the Committee on Small Business

at the SBA, serves as a confidential re-
source to field complaints and com-
ments from small businesses about the re-
egulatory processes and actions taken
by regulatory agencies. Additionally,
the National Ombudsman rates Federal
regulatory agencies on their treatment
of small businesses and issues a report
card. Therefore, I felt it appropriate that
agency information regarding regu-
lar enforcement be shared with the Na-
tional Ombudsman.

My amendment makes a tech-
technical change in the legislation to
reflect the name change of the Senate
Committee on Small Business to the
Committee on Small Business and En-
trepreneurship, which occurred on
June 29th of this year.

I believe the changes my amendment
makes will provide additional support
for our small businesses suffering from
paperwork burdens, and I ask my col-
leagues to support the amendment and
the underlying legislation.

Mr. KENNEDY. I ask unanimous con-
sent that the committee-reported sub-
stitute amendment be agreed to, the
bill, as amended, be read the third
time, passed, and ordered re-

of the Senate, and the Committee on the Judiciary and the Committee on Small Business of the House of Representatives, that includes information with respect to the applicable 1-year period or 2-year period covered by the report on each of the following:

"(A) The number of enforcement actions in which a civil penalty is assessed.

"(B) The number of enforcement actions in which a civil penalty is assessed against a small entity.

"(C) The number of enforcement actions described under subparagraphs (A) and (B) in which the civil penalty is reduced or waived.

"(D) The total monetary amount of the reductions or waivers referred to under subparagraph (C).

"(2) Definitions in reports.—Each report under paragraph (1) shall include definitions of the terms ‘enforcement actions’, ‘reduction or waiver’, and ‘small entity’ as used in the report.”.

NATIONAL MUSEUM OF AFRICAN AMERICAN HISTORY AND CULTURE PLAN FOR ACTION PRESIDENTIAL COMMISSION ACT OF 2001

Mr. KENNEDY. I ask unanimous consent that the Senate immediately proceeds to the consideration of H.R. 3442.

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

The legislative clerk read as follows:

A bill (H.R. 3442) to establish the National Museum of African American History and Culture Plan for Action Presidential Commission to develop a plan of action for the establishment and maintenance of the National Museum of African American History and Culture in Washington, D.C., and for other purposes.

There being no objection, the Senate proceeded to the immediate consideration of the bill.

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

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

The bill (H.R. 3442) was read the third time and passed.

ORDERS FOR TUESDAY, DECEMBER 18, 2001

Mr. KENNEDY. I ask unanimous consent that when the Senate completes its business today, it adjourn until the hour of 9:30 a.m., Tuesday, December 18, that immediately following the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate resume consideration of the conference report to accompany H.R. 1; that the vote on adoption of the ESEA conference report originally scheduled for 11 a.m. occur at 12 noon, with the additional 60 minutes of debate equally divided between the chairman and ranking member of the HELP Committee.

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

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. KENNEDY. 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 Tuesday, December 18, 2001, at 9:30 a.m.
HONORING JAMES MARCEL CARTIER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, December 17, 2001

Mr. CROWLEY. Mr. Speaker, on this three-month anniversary of the September 11th terrorist attacks on the United States, I rise to honor James Marcel Cartier, a constituent of mine whose body still lies in the rubble. James’ story is one of thousands. The second youngest child of seven in a close-knit Jackson Heights family, James was deeply loved by those who knew him. Soft-spoken, with a sunny disposition, he was quick to show affection, particularly towards his mother Carmen, who he adored. A devoted son, not a day passed when he did not visit his parents and inquire about their health, or run errands on their behalf.

A die-hard New York Knicks fan, his younger brother, Michael remembers his great laugh, big dimples, and giant smile. Two years apart in age, James and Michael were inseparable. They served as alter boys together, worked side by side in a neighborhood pizzeria together, and slept in the same room in their parents’ basement until two years ago, when they moved out with a friend into a three-bedroom apartment in Astoria, Queens. “The first night there, we had trouble sleeping, because we weren’t next to each other,” said his brother. “And even after we moved out, he still went home all the time to have dinner with my parents.”

James was devoted to his nephews, Best Man at Michael’s wedding, a phone call away from any family member or friend that needed his help. His love and support made their lives in the World Trade Center a little bit easier. He was a wonderful uncle, with a generosity and kindness that was truly inspiring.

James was in World Trade Center Tower 1. James agreed to meet on the street, but while they waited, the terrorist attacks happened. His body was found in the devastation that the terrorists wrought on my city that fateful day. A memorial service honored his life, while the ashes of the victims hung heavy over New York for weeks as the sky stayed dark with grief. Mr. Cartier is survived by his mother Carmen, his father Patrick Cartier, his sisters Jenny Farrell, Marie Cartier, Michele Cartier-Granieri, and his brothers John, Michael, and Patrick Cartier. His sorrow is deep and their solace is knowledge that their son and brother now walks with the angels. Mr. Speaker, please join me in recognizing Mr. James M. Cartier for his service to our country.

His story is one of thousands. The second youngest child of seven in a close-knit Jackson Heights family, James was deeply loved by those who knew him. Soft-spoken, with a sunny disposition, he was quick to show affection, particularly towards his mother Carmen, who he adored. A devoted son, not a day passed when he did not visit his parents and inquire about their health, or run errands on their behalf. A die-hard New York Knicks fan, his younger brother, Michael remembers his great laugh, big dimples, and giant smile. Two years apart in age, James and Michael were inseparable. They served as alter boys together, worked side by side in a neighborhood pizzeria together, and slept in the same room in their parents’ basement until two years ago, when they moved out with a friend into a three-bedroom apartment in Astoria, Queens. “The first night there, we had trouble sleeping, because we weren’t next to each other,” said his brother. “And even after we moved out, he still went home all the time to have dinner with my parents.”

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Mr. Speaker, I rise today to pay special tribute to Earnest L. Rice, on the occasion of his retirement from United Parcel Service after thirty-four years of service.

Earnest L. Rice was born and raised in Georgetown, South Carolina. After graduating high school in 1962, Mr. Rice moved to New York City. In 1965 he joined the army, where he served a year of duty in Vietnam.

Upon his return to New York City, Mr. Rice began his career to United Parcel Service in 1967 as a package car driver in the Harlem area of Manhattan. After several years, he was promoted to supervisory position, before being assigned to managerial post in 1983. In 1992, Mr. Rice was appointed as the Community Relations Manager for the Metro New York District, a position he has held for the last ten years, and a position in which he has striven to provide every United Parcel customer the highest quality of service.

Throughout his lifetime, Mr. Rice has been an invaluable community leader, lending his talents and abilities to assist the community. Currently he is a member of Congressman JOSE E. SERRANO’S Military Advisory Board. He has served on the Board of Directors of the Harlem YMOCA, and volunteers time with the American Cancer Society and City Meals-On-Wheels.

In March of this year, Mr. Rice was presented with the “Outstanding Volunteer” award by the American Cancer Society. The East Harlem Citizens Committee presented him with the “East Harlem Distinguished Service” award in June.

Mr. Speaker, I am pleased to bring to the attention of my colleagues the achievements and work of Mr. Earnest L. Rice, and I ask my fellow Members of Congress to join me in recognizing Mr. Rice’s many contributions to New York City.

A PROCLAMATION RECOGNIZING TERRY McGLADE
HON. ROBERT W. NEY
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Monday, December 17, 2001

Mr. NEY. Mr. Speaker, whereas, Terry McGlade has demonstrated exemplary and sweet young man was working for the hard work and dedication he striven to provide every United Parcel customer the highest quality of service.

Throughout his lifetime, Mr. Rice has been an invaluable community leader, lending his talents and abilities to assist the community. Currently he is a member of Congressman JOSE E. SERRANO’S Military Advisory Board. He has served on the Board of Directors of the Harlem YMOCA, and volunteers time with the American Cancer Society and City Meals-On-Wheels.

In March of this year, Mr. Rice was presented with the “Outstanding Volunteer” award by the American Cancer Society. The East Harlem Citizens Committee presented him with the “East Harlem Distinguished Service” award in June.

Mr. Speaker, I am pleased to bring to the attention of my colleagues the achievements and work of Mr. Earnest L. Rice, and I ask my fellow Members of Congress to join me in recognizing Mr. Rice’s many contributions to New York City.

A PROCLAMATION RECOGNIZING THE RETIREMENT OF ARTHUR TATE, JR.
HON. ROBERT W. NEY
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Monday, December 17, 2001

Mr. NEY. Mr. Speaker, whereas, Arthur Tate, Jr. has served the Ohio Department of Rehabilitation and Correction for 31 years; and Whereas, Arthur Tate, Jr. has been a loyal leader to his co-workers and will continue to be an admired citizen of the State of Ohio; and Whereas, Arthur Tate, Jr. has worked to bring kindness and love to the lives of his family members and his staff; and
Whereas, Arthur Tate, Jr. has used his position as Warden of the Belmont Correction Institution to help educate the public on rehabilitation; and

Whereas, Arthur Tate, Jr. must be commended for his professionalism and his ability to motivate those around him by establishing a supportive environment;

Whereas, Arthur Tate Jr.’s dedication and service will be missed by the entire law enforcement community;

Therefore, I join with the residents of the entire 18th Congressional District of Ohio in celebrating Arthur Tate’s years of service and retirement from the Ohio Department of Rehabilitation and Correction.

EDEN PRAIRIE, MN, MOURNS THE DEATH OF ITS GREAT MAYOR JEAN HARRIS

HON. JIM RAMSTAD
OF MINNESOTA
IN THE HOUSE OF REPRESENTATIVES

Monday, December 17, 2001

Mr. RAMSTAD. Mr. Speaker, the people of Eden Prairie, Minnesota, and our entire state are in mourning today because we’ve had a death in the family.

Minnesotans are saddened over the passing of Mayor Jean Harris—a truly gifted and exceptionally dedicated public servant whose vision, leadership, courage, integrity and compassion has had a huge impact on Minnesota and the nation. Dr. Jean Harris represented the best in public service and she will be sorely missed by all of us.

Not allowed to enter the public library as a child because of the color of her skin, Dr. Jean Harris was a true pioneer, an African-American who broke new ground from her childhood right through to the courageous way she dealt with her terminal illness. Raised in a second-floor apartment in a segregated neighborhood in Richmond, VA, Dr. Harris was a ground-breaking worker in the civil rights movement by the power of her example and accomplishments as physician, advisor to presidents, corporate executive and beloved mayor.

I will miss Jean Harris because she was a true friend and adviser I could always count on for wise counsel and sound judgment.

Mr. Speaker, the only black student in her class at Virginia Commonwealth University’s Medical College of Virginia, Jean Harris advised five U.S. Presidents as a member of health commissions and served as Virginia’s Secretary of Human Resources, overseeing a $2.3 billion budget and 22,000 employees.

Dr. Harris also served with great distinction as a consultant on health issues to the U.S. Agency for International Development, the National Institutes of Health, the U.S. Department of Health and Human Services, and Congress. Jean was a valued member of my Health Care Advisory Committee and highly respected faculty member of her medical school, Howard University, Johns Hopkins University and the Drew Post-Graduate School of Medicine in California. Later, she was Director of Medical Affairs for the University of Minnesota Hospital and Clinic.

Mr. Speaker, Jean Harris’ voice was never still. She spoke out against injustice at every opportunity and made a real difference on so many fronts. After moving to Minnesota to become Vice President of Control Data Corp., she became involved in our state’s politics and earned a sterling reputation for her leadership and integrity. Dr. Harris served on the Eden Prairie City Council from 1987 to 1994 and was mayor from the time of her election until her death. She was vice president of the Minnesota Mayors’ Association and a member of the Women’s Economic Roundtable and the Women’s Health Leadership Trust.

In 1990, Mayor Harris was a candidate for Lt. Governor in Minnesota. Subsequently, Mayor Harris served on the Commission on Reform and Efficiency in State Government, the Judicial Selection Committee and the Minnesota Health Care Commission.

Mr. Speaker, Mayor Jean Harris never met a challenge she did not face head on, including the cancer that ultimately claimed her life. “You cannot offer me a challenge I won’t take,” Jean Harris said on the day she learned she had cancer.

Jean was a totally open and honest person, and that candor led to frank discussions. But she had consensus-building skills that brought people together, producing strong bonds between people, bonds that will never be forgotten. Her inclusiveness knew no bounds.

Mr. Speaker, we owe so much to Major Jean Harris’ visionary, dynamic, caring leadership. She touched so many lives during her remarkable career, and she always put people first. Mayor Harris loved her City of Eden Prairie and the wonderful people who showed their great admiration at the pools each time she ran for election over her 14 years in office.

Jean Harris’ pioneering voice for justice and fairness may be quieted now, but her actions will echo for time immemorial, in Eden Prairie, throughout Minnesota and across America. Jean Harris’ legacy will continue to inspire all of us who knew and loved her.

Mr. Speaker, our thoughts and prayers are with Jean’s wonderful family; husband Leslie Ellis, and daughters Cynthia, Soraja and Pamela. May God bless Jean Harris and her family.

A PROCLAMATION RECOGNIZING PAUL SCHRECK

HON. ROBERT W. NEY
OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, December 17, 2001

Mr. NEY. Mr. Speaker, whereas, Paul Schreck has devoted himself to serving others through his membership in the Boy Scouts of America troop 401; and

Whereas, Paul Schreck has demonstrated his time and talent with Steubenville by creating a website for the town; and

Whereas, Paul Schreck has demonstrated a commitment to meet challenges with enthusiasm, confidence and outstanding service; and

Whereas, Paul Schreck must be commended for the hard work and dedication he put forth in earning the Eagle Scout Award; Therefore, I join with the entire 18th Congressional District of Ohio in congratulating Paul Schreck for his Eagle Scout Award.

PAYING TRIBUTE TO ROBERT DOLPHIN, JR.

HON. SCOTT MCINNIS
OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, December 17, 2001

Mr. MCINNIS. Mr. Speaker, I would like to take this opportunity to pay tribute to Robert Dolphin, Jr. and thank him for his contributions to Ft. Lewis College and the Durango community. Bob will always be remembered as a dedicated administrator and leader of the community, and as he celebrates his retirement, let it be known that this will be a great loss for a college and town that has relied on him for his knowledge and wisdom in times of hardship and prosperity.

Bob became a member of the community when he came to the Ft. Lewis College in 1984 to become Dean of the School of Business Administration and to teach finance. His success and hard work as Dean was awarded several years later with an acting appointment as Vice President of Business and Finance, a position he served until his permanent appointment in 1988. I am especially thankful to Bob for his success in securing the funding to add several new buildings to the college, most notably the Center for Southwest Studies.

Not content with the financial responsibilities of Ft. Lewis College, Bob branched out his time to serve the community of Durango. After serving as a city councilman, he moved on to the Office of the Mayor where he served successfully and diligently for his constituents during prosperous and difficult times. Bob has also donated his leadership ability and efforts to other needful organizations throughout the community by serving as Chairman for the United Way of Southwest Colorado and President of the Durango Area Chamber Resort Association.

Mr. Speaker, I just mentioned several of the many accomplishments in Robert Dolphin, Jr.’s life, but none compare to his character and dedication to the people of Durango. Robert is a remarkable person in that he is kind and caring to others and always has an open ear to someone in need. He is not afraid to stand up for what he believes in and works tirelessly to achieve success in all of his civic and academic efforts. I would like to extend my congratulations on Robert’s retirement and wish him and his lovely wife Nancy the best in their future endeavors.

ON THE SUFFOLK COUNTY POLICE DEPARTMENT’S 3RD PRECINCT GANG INTERDCTION TEAM

HON. STEVE ISRAEL
OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, December 17, 2001

Mr. ISRAEL. Mr. Speaker, I rise today to pay tribute to the Gang interdiction Team in the Suffolk County Police Department’s Third Precinct. This team has been incredibly successful and is making a real difference in the lives of the people of New York’s Second District.

The Gang Interdiction Team was founded following a homicide that also involved the wounding of an innocent young child. From
October 29 to December 15, 2001, the team worked rotating shifts throughout the precinct from 8 in the morning until midnight.

The Gang Interdiction Team made 154 arrests and had 290 significant contacts in that short time. The level of gang activity decreased significantly in the almost two months the team was in operation.

Mr. Speaker, throughout the 1990’s police departments across New York State once again learned how effective strong police deployments can be in reducing crime. In dealing with gangs, this is even more important, for if we can keep gang activity down, we may be able to keep young people out of the sort of trouble that gang-life ultimately brings.

I would like to note in particular that I will be working closely with Tom Spota, Suffolk County’s new District Attorney and the Suffolk County Police Department in efforts to continue this program to keep the 2nd Congressional District safe for our families.

Whereas, Brian Feeley must be commended for the hard work and dedication he put forth in earning the Eagle Scout Award; Therefore, I join with the entire 18th Congressional District of Ohio in congratulating Brian Feeley for his Eagle scout Award.

CONFERENCES REPORT ON S. 1438, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2002

SPEECH OF
HON. JIM RYUN
OF KANSAS
IN THE HOUSE OF REPRESENTATIVES
Thursday, December 13, 2001

Mr. RYUN of Kansas. Mr. Speaker, as our military forces continue to confront the terrorism, we must remember the burden that is being carried by our personnel and their families. They have been called on to make even greater sacrifices to protect the freedoms of our nation. For the past several years, military personnel accounts have been stretched at the expense of those who need it most.

With the largest pay raise since 1982, S. 1438 allows every service member to receive a 5 to 10 percent raise. This bill acts to cut out-of-pocket housing costs for military personnel, with a goal to completely eliminate the expense by 2005.

There are many pressures in today’s force that influence the decision of a military family of whether or not to remain in the service. This body has witnessed an ever-increasing challenge of recruiting and retaining. We have found that providing a valuable, quality health care benefit is vital to maintaining the welfare of our families.

This bill works to protect the health care choices of one important group: military spouses. I have worked hard to put women back in charge of their pregnancy-related healthcare. Provisions of this bill will eliminate burdensome red tape experienced when attempting to retain a physician of their choice. By fully funding the defense health program, we are striving to build a military healthcare system that attracts patients based on quality, not on rules & regulations.

Now, more than ever before we realize that our presence represents a stabilizing force to countries around the globe. With pace of deployments likely to be increased, the Armed Services Committee has appropriately concentrated on enhancing quality of life issues in support of our deserving personnel.

I am pleased that this bill directly addresses the quality-of-life problems of today’s service members.

A PROCLAMATION RECOGNIZING JASON PAUL HUBER

HON. ROBERT W. NEY
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Monday, December 17, 2001

Mr. NEY. Mr. Speaker, whereas, Jason Huber has devoted himself to serving others through his membership in the Boy Scouts of America troop 401; and

Whereas, Jason Huber has shared his time and talent with the community in which he resides; and

Whereas, Jason Huber has demonstrated a commitment to meet challenges with enthusiasm, confidence and outstanding service; and

Whereas, Jason Huber must be commended for the hard work and dedication he put forth in earning the Eagle Scout Award; Therefore, I join with the entire 18th Congressional District of Ohio in congratulating Jason Paul Huber for his Eagle Scout Award.
SENATE COMMITTEE MEETINGS

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, December 18, 2001 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

10:30 a.m.
Health, Education, Labor, and Pensions
To hold hearings to examine the limits of existing laws with respect to protecting against genetic discrimination.
SD-106

10 a.m.
Judiciary
Business meeting to consider pending calendar business.
SD-226
Monday, December 17, 2001

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S13321–S13364

Measures Reported:

S. 1631, to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to direct the Director of the Federal Emergency Management Agency to conduct a study to determine the resources that are needed for development of an effective nationwide communications system for emergency response personnel, with an amendment in the nature of a substitute. (S. Rept. No. 107–127)

Measures Passed:

Federal Long-Term Care Insurance: Senate passed H.R. 2559, to amend chapter 90 of title 5, United States Code, relating to Federal long-term care insurance, clearing the measure for the President.

Small Business Paperwork Relief Act: Senate passed S. 1271, to amend chapter 35 of title 44, United States Code, for the purpose of facilitating compliance by small business concerns with certain Federal paperwork requirements, and to establish a task force to examine information collection and dissemination, after agreeing to the committee amendment in the nature of a substitute, and the following amendments proposed thereto:

Kennedy (for Lieberman) Amendment No. 2612, to provide for the task force to examine the feasibility of measures to strengthen the dissemination of information.

Kennedy (for Kerry) Amendment No. 2613, to modify the appointment of members of the task force.


Elementary and Secondary Education Act Authorization Conference Report: Senate began consideration of the conference report on H.R. 1, to close the achievement gap with accountability, flexibility, and choice, so that no child is left behind.

A unanimous-consent-time agreement was reached providing for further consideration of the conference report on Tuesday, December 18, 2001, with a vote on adoption of the conference report to occur at 12 noon.

Federal Farm Bill: Senate resumed consideration of S. 1731, to strengthen the safety net for agricultural producers, to enhance resource conservation and rural development, to provide for farm credit, agricultural research, nutrition, and related programs, and to ensure consumers abundant food and fiber.

A motion was entered to close further debate on Daschle (for Harkin) Amendment No. 2471, in the nature of a substitute, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate.

Messages From the House:

Measures Placed on Calendar:

Additional Cosponsors:

Additional Statements:

Amendments Submitted:

Privilege of the Floor:

Adjournment: Senate met at 12:30 p.m., and adjourned at 5:46 p.m., until 9:30 a.m. on Tuesday, December 18, 2001. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S13364.)

Committee Meetings

No committee meetings were held.
House of Representatives

Chamber Action

Reports Filed: Reports were filed today as follows:
Filed on Dec. 13, H.R. 556, to prevent the use of certain bank instruments for unlawful Internet gambling (H. Rept. 107–339 Part 1).
Speaker Pro Tempore: Read a letter from the Speaker wherein he appointed Representative McKeon to act as Speaker pro tempore for today.
Medal of Valor Review Board: The Chair announced the Speaker’s appointment of Mr. Tim Bivens of Dixon, Illinois and Mr. William J. Nolan of Chicago, Illinois to the Medal of Valor Review Board for a four year term.
Recess: The House recessed at 2:05 p.m, subject to the call of the Chair.

Senate Message: Message received from the Senate appears on page H10155.

Committee Meetings

No Committee meetings were held.

NEW PUBLIC LAWS
(For last listing of Public Laws, see Daily Digest of December 13, 2001, p. D1255)

H.R. 2291, to extend the authorization of the Drug-Free Communities Support Program for an additional 5 years, to authorize a National Community Antidrug Coalition Institute. Signed on December 14, 2001. (Public Law 107–82)


Committee Meetings for Tuesday, December 18, 2001
(Committee meetings are open unless otherwise indicated)

Senate

Committee on Banking, Housing, and Urban Affairs: to hold hearings on the nomination of Vickers B. Meadows, of Virginia, to be an Assistant Secretary, and the nomination of Diane Leneghan Tomb, of Virginia, to be an Assistant Secretary, both of the Department of Housing and Urban Development, 2:30 p.m., SD–538.

Committee on Commerce, Science, and Transportation: to hold hearings to examine issues surrounding the collapse of Enron Corporation, 9:30 a.m., SR–253.

Committee on Finance: business meeting to mark up H.R. 3005, to extend trade authorities procedures with respect to reciprocal trade agreements; and to consider the nomination of Richard Clarida, of Connecticut, to be Assistant Secretary for Economic Policy, the nomination of Kenneth Lawson, of Florida, to be Assistant Secretary for Enforcement, and the nomination of B. John Williams, Jr., of Virginia, to be Chief Counsel for the Internal Revenue Service and Assistant General Counsel, all of the Department of the Treasury; the nomination of Janet Hale, of Virginia, to be Assistant Secretary for Management and Budget, and the nomination of Joan E. Ohl, of West Virginia, to be Commissioner on Children, Youth, and Families, both of the Department of Health and Human Services; and the nomination of James B. Lockhart III, of Connecticut, to be Deputy Commissioner of Social Security, and the nomination of Harold Daub, of Nebraska, to be a Member of the Social Security Advisory Board, both of the Social Security Administration, 9:30 a.m., SD–215.

Committee on Foreign Relations: Subcommittee on International Operations and Terrorism, to hold hearings to examine the global outreach of Al-Qaeda, 2:30 p.m., SD–419.

House

No Committee meetings are scheduled.

Joint Meetings

Conference: meeting of conferees on H.R. 3061, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, 5 p.m., SC–5, Capitol.
Next Meeting of the SENATE
9:30 a.m., Tuesday, December 18

Senate Chamber

Program for Tuesday: Senate will continue consideration of the conference report on H.R. 1, Elementary and Secondary Education Act Authorization, with a vote on adoption of the conference report to occur at 12 noon.

Next Meeting of the HOUSE OF REPRESENTATIVES
12:30 p.m., Tuesday, December 18

House Chamber

Program for Tuesday: Consideration of Suspensions:
(1) H.R. 2187, use of receipts from mineral leasing activities on Naval oil shale reserves for environmental restoration, waste management, and environmental compliance;
(2) H.R. 107, Cold War Interpretive Study Act,
(3) H.R. 3334, Richard J. Guadagno Headquarters and Visitors Center Humboldt Bay National Wildlife Refuge, California;
(4) H.R. 3275, Terrorist Bombings Convention Implementation;
(5) H. Res. 308, Establishment of a National Motivation and Inspiration Day Inspiration Day;
(6) H.R. 3072, Vernon Tarlton Post Office Building, Forest City, North Carolina;
(7) H.R. 3379, Raymond M. Downey Post Office Building, Deer Park, New York;
(8) H.R. 3178, Water Infrastructure Security and Research Development;
(9) H.R. 3054, True American Heroes Act;
(11) S. 1789, Best Pharmaceuticals for Children; and
(12) H. Con. Res. 273, Reaffirming the Relationship between the United States and the Philippines; and Consideration of H.R., Economic Growth and Security Act (Subject to a Rule).

Extensions of Remarks, as inserted in this issue

HOUSE
Crowley, Joseph, N.Y., E2319
Israel, Steve, N.Y., E2319
McInnis, Scott, Colo., E2320
Maloney, Carolyn B., N.Y., E2319
Ney, Robert W., Ohio, E2319, E2320, E2321, E2321
Radanovich, George, Calif., E2319
Ramstad, Jim, Minn., E2320
Ryun, Jim, Kans., E2321

(House proceedings for today will be continued in the next issue of the Record.)