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House of Representatives

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

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
February 26, 2002.

I hereby appoint the Honorable JUDY BIGGERT 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:

Lord God Almighty, Creator of heaven and earth, and every wonderful thing under the heavens, as the House of Representatives comes to order for legislative business today, we are mindful of our Jewish brothers and sisters as they ''gather together with joy and happiness'' for the feast of Purim.

The ancient prayer of Esther echoes in our prayer because of the circumstances surrounding our Nation now:

''Lord, our King, You alone are God. Help us. At times we feel alone and have no help but You. As children we learned from the people of this land and our founders that You, O Lord, chose us from among all peoples, and that You would fulfill all Your promises to them.

''Be mindful of us, O Lord, and manifest Yourself in this time of distress and give us courage.

''King of gods and ruler of every power, put in our mouths persuasive words. O God, more powerful than all, hear the voice of Your people in need. Save us from the power of the wicked and deliver us from all our fears.''

In the end, Lord, You granted Your people victory and they rejoice to this very day. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. PITTS 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. Monahan, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title:

H.R. 3699. An act to revise certain grants for continuum of care assistance for homeless individual and families.

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

H.R. 2646. An act to provide for the continuation of agricultural programs through fiscal year 2011.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 2646) ''An Act to provide for the continuation of agricultural programs through fiscal year 2011,'' requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. HARKIN, Mr. LEAHY, Mr. CONRAD, Mr. DASCHLE, Mr. LUGAR, Mr. HELMS, and Mr. COCHRAN, to be the conferees on the part of the Senate.

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

S. 980. An act to provide for the improvement of the safety of child restraints in passenger motor vehicles, and for other purposes.

S.J. Res. 32. Joint resolution congratulating the United States Military Academy at West Point on its bicentennial anniversary, and commending its outstanding contributions to the Nation.

APPOINTMENT OF MEMBER TO REPRESENT THE HOUSE AT GEORGE WASHINGTON'S BIRTHDAY CEREMONIES

The SPEAKER pro tempore. Pursuant to the order of the House of Thursday, February 14, 2002, the Chair announces the Speaker's appointment of the following Member of the House to represent the House of Representatives at wreath-laying ceremonies at the Washington Monument for the observance of George Washington's birthday held on Friday, February 22, 2002:

Mr. BARTLETT of Maryland.

PERMISSION TO INSERT PROGRAM AND REMARKS OF MEMBER REPRESENTING THE HOUSE AT GEORGE WASHINGTON'S BIRTHDAY CEREMONIES

Mr. PITTS. Madam Speaker, I ask unanimous consent that the program and the remarks of the gentleman from Maryland (Mr. BARTLETT), the Member representing the House of Representatives at the wreath-laying ceremony at

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the Washington Monument for the observance of George Washington's birthday on Friday, February 22, 2002, be inserted in today's CONGRESSIONAL RECORD.

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

There was no objection.

GEORGE WASHINGTON—THE 270TH CELEBRATION OF HIS BIRTH

OPENING

Arnold Goldstein, Superintendent, National Capital Parks—Central, National Park Service.

PRESENTATION OF COLORS

Armed Forces Color Guard.

TO THE COLOR

The Old Guard Fife and Drum Corps.

PLEDGE OF ALLEGIANCE

Arnold Goldstein.

RETIREMENT OF THE COLORS

WELCOME

Terry Carlstrom, Regional Director, National Park Service.

MUSICAL SELECTION

The Old Guard Fife and Drum Corps.

REMARKS

Fran Mainella, Director, National Park Service.

Honorable Roscoe G. Bartlett, Sixth District, Maryland, U.S. House of Representatives.

Delegate Eleanor Holmes Norton, Delegate, District of Columbia, U.S. House of Representatives.

James Symington, First Vice President, Washington National Monument Society.

PRESENTATION OF THE WREATHS

The Wreath of the U.S. House of Representatives, Honorable Roscoe Bartlett, Delegate Eleanor Holmes Norton.

The Wreath of the Washington National Monument Society, James Symington, Terry Carlstrom.

The Wreath of the National Park Service, Director Fran Mainella, Arnold Goldstein.

TAPS

CONGRESSMAN ROSCOE G. BARTLETT (R–MD), CEREMONY IN HONOR OF THE BIRTHDAY OF GEORGE WASHINGTON, WASHINGTON MONUMENT, WASHINGTON, DC, FEBRUARY 22, 2002

I am honored to have the privilege of representing my colleagues in the Congress at this commemoration of the 270th anniversary of the birth of George Washington on February 22, 1732 on the grounds of the Washington Monument in Washington, DC.

When I was growing up and for many years after, George Washington was popularly know as the Father of Our Country. Our young people in school and each new influx of immigrants to our country were taught that to understand American ideals, American government and what made America a great country, you had to begin by learning about the character, the conduct and the contributions of George Washington. Among the many giants of our nation's founders, George Washington was the single most, indeed the dispensable individual who was both most responsible for an who personified the ideals of the radically new form of government—a democratic republic—for a new and fragile nation, the United States of America.

There would have been no Declaration of Independence—if George Washington had not led the successful effort to break the British siege of Boston in the Spring of 1767.

The American Revolution would not have succeeded without George Washington leading a ragtag Continental Army through eight arduous and harrowing years against the most powerful military in the world, that of Great Britain.

Three would have been no Constitutional Convention and no Constitution—without George Washington leading it as its President and inspiration.

Our nationa is being ably led by our 43rd President, George W. Bush. However, there would be no Presidency at all without George Washington is the only President of the United States ever elected unanimously—not just once, but twice.

There's an old saying that what's everybody's business is nobody's business.

In place of the study of George Washington and the celebration of ''Washington's Birthday'' has emerged the concept of ''Presidents' Day.''

Use of the term Presidents' Day insults the memory and ignores the contributions of George Washington. That is a disservice to all Americans, but especially to our young people and to the immigrants who come to America.

H.R. 420, a bill introduced by myself and my colleague. Tom Tancredo (R–CO), would require all federal government entities to refer to the federal holiday that falls on the third Monday in February by its legal name, Washington's birthday. The bill also calls upon the President to issue a proclamation each year recognizing the anniversary of the birthday of President Abraham Lincoln.

I would like to share a statement by Congressman Tancredo:

''America has been blessed with many great presidents, and none greater than George Washington. The framers of the Constitution may have created the office of the President, but George Washington created the presidency, and infused it with the power to stand as a symbol of America's awesome potential.''

''This February 22nd marks the 270th anniversary of our first president's birth, and our bill will help ensure that the true meaning of the holiday our nation observes in February is not lost. H.R. 420 simply mandates that officials and publications of the United States Government refer to this holiday by its proper legal name—Washington's Birthday.

''Lastly, it urges the president to issue a proclamation each year officially recognizing the anniversary of the birth of another great American presdient—Abraham Lincoln''.

COMMUNICATION FROM STAFF MEMBER OF THE HONORABLE BOB SCHAFFER, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from Brandi Graham, Chief of Staff to the Honorable Bob SCHAFFER, Member of Congress:

HOUSE OF REPRESENTATIVES,
February 14, 2002.

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

DEAR MR. SPEAKER: This is to formally notify you, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a second civil subpoena for documents and testimony issued by the Superior Court of the District of Columbia in a civil case pending there.

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

Sincerely,

BRANDI GRAHAM,
Chief of Staff to Congressman Bob Schaffer.

DANIEL PEARL

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

Mr. PITTS. Madam Speaker, on the day we found out that Daniel Pearl was dead, the editors of the Wall Street Journal said, ''His murder is an act of barbarism that makes a mockery of everything that Danny's kidnappers claimed to believe in.

''They claimed to be Pakistani nationalists, but their actions most surely bring shame to all true Pakistani patriots.''

I think the editors of the Journal got it exactly right. Murder is never an act of patriotism, no matter what country one comes from.

Pakistan's President Pervez Musharraf is doing everything he can to track down Mr. Pearl's killers. Our own President says he is confident that Pervez Musharraf is doing everything possible to find them.

Pervez Musharraf has proven that he is a reliable ally in our war on terrorism. He has proven it by tracking down terrorists, even when they are citizens of his own country.

Daniel Pearl, another totally innocent victim in this war on terrorism, died seeking the truth. Let us make sure he did not die in vain. Let us help Pervez Musharraf find his killers, stop terrorism, and bring peace and democracy to the struggling nations of this world.

CONVEYING SYMPATHY TO THE FAMILY OF DANIEL PEARL

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Madam Speaker, the Chaplain this afternoon prayed that we might have persuasive words. Might I add my voice of outrage to the tragic and heinous killing of Daniel Pearl.

My sympathies to his family, my acknowledgment of his pregnant wife, and, as well, my sympathies to those of us who covet and love freedom.

Daniel Pearl died an outrageous and heinous and horrific and cruel death, and we must never forget that he stands for the expression of truth and the seeking of reconciliation. For that reason, we must bring the perpetrators of this violence to justice; and I would join with the administration, and I ask the Congress to join, as well, to ask that those who perpetrated this terrible act will be brought to justice in the United States of America.

Let us applaud the leadership of Pakistan, that they will pursue those to the very end. Let us not forget the message of Daniel Pearl and his wife, that reconciliation and peace, espousing freedom and justice throughout the world, is a valid value for the United States of America.

AGRICULTURAL REFORM

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

Mr. SMITH of Michigan. Madam Speaker, the Senate recently passed their farm bill. In that farm bill, they had payment limitations that I think is the kind of farm policy we should have in this country.

I ask all my colleagues in this Chamber to support the idea of some kind of payment limitations, whether it be $200,000 or $300,000 or a half a million dollars, but something so that the megafarms and the megacorporations that own 50,000, 60,000, 80,000 acres are not capturing so much of the proceeds of our farm program payments.

Madam Speaker, there are some people who say that there are payment limits for price supports. There are no payment limits for price supports. They can do an end-run.

Let me just demonstrate the top five recipients of farm program payments for 1996 through 2000, according to the Environmental Working Group's Web site: Riceland Foods, $49 million; Farmers Rice Co-op, $38 million; Harvest States Co-op, $28 million; Tyler Farms, $23 million; and Producers Rice Mill, $19 million.

It is reasonable to have farm policy that helps most of the farmers in this country. We can argue about what a family farm is, but what we cannot argue about is farm policy that gives most of the money to the megafarms.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Any record votes on postponed questions will be taken after debate has concluded on all motions to suspend the rules, but not before 6:30 p.m. today.

FAMILY SPONSOR IMMIGRATION ACT OF 2001

Mr. SENSENBRENNER. Madam Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 1892) to amend the Immigration and Nationality Act to provide for the acceptance of an affidavit of support from another eligible sponsor if the original sponsor has died and the Attorney General has determined for humanitarian reasons that the original sponsor's classification petition should not be revoked.

The Clerk read as follows:

Senate amendment:

Page 3, line 4, after ''law,'' insert ''sister-in-law, brother-in-law,''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentlewoman from Texas (Ms. JACKSON-LEE) each will control 20 minutes.

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

GENERAL LEAVE

Mr. SENSENBRENNER. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on H.R. 1892, the bill under consideration.

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

There was no objection.

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

Madam Speaker, H.R. 1892, the Family Sponsor Immigration Act of 2001, was introduced by the two gentlemen from California (Mr. CALVERT) and (Mr. ISSA).

I want to thank them for bringing to our attention an unintended quirk in the Immigration and Nationality Act that needlessly keeps families separated. I also want to thank them as well for developing this bill, which corrects the problem.

Each year, the United States provides hundreds of thousands of immigrant visas for spouses and other family members of U.S. citizens and permanent residents. Tragically, each year a number of these U.S. citizens and permanent residents petitioning for their family members will die before the immigration process is complete.

Generally, INS regulations provide for automatic revocation of a petition when the petitioner dies. The consequences are severe for a beneficiary when his or her petitioner dies before the beneficiary has adjusted status or received an immigrant visa. If no other relative can qualify as a petitioner, then the beneficiary would lose the opportunity to become a permanent resident.

For instance, if a petition is revoked because a widowed citizen-father dies after petitioning for an adult unmarried daughter, the daughter would have no living mother to file a new petition. If another relative can file an immigrant visa petition for the beneficiary, that beneficiary would still go to the end of the line if the visa category was numerically limited.

For instance, if the daughter's mother was alive, she could file a new first family-preference petition. However, the daughter would lose her priority date based on the time her father's petition had been filed with the INS and would receive a later priority date based upon the filing date of her mother's petition.

Because of the severe consequences of the revocation of a visa petition, INS regulations do allow the Attorney General, in his or her discretion, to determine that, for humanitarian reasons, revocation would be inappropriate, and thus complete the unification of a family.

However, there is a complication. The Illegal Immigration Reform and Immigrant Responsibility Act of 1996 requires that when a family member petitions for a relative to receive an immigrant visa, the visa can only be granted if the petitioner signs a legally-binding affidavit of support promising to provide support of the immigrant.

If the petitioner has died, obviously he or she cannot sign the affidavit. Thus even in cases where the Attorney General feels a humanitarian waiver of the revocation of the visa petition is warranted, under current law a permanent resident visa cannot be granted because the affidavit requirement is unfulfilled.

H.R. 1892 solves this dilemma. It simply provides that in cases where the petitioner has died and the Attorney General has determined for humanitarian reasons that revocation of the petition would be inappropriate, a close family other than the petitioner would be allowed to sign the necessary affidavit of support.

Eligible family members in H.R. 1892, as it passed the House last July, would include spouses, parents, grandparents, mothers- and fathers-in-law, siblings, adult sons and daughters, adult sons and daughters-in-law, and grandchildren. Legal guardians would also be eligible.

The Senate passed a minor amendment to the bill to add brothers- and sisters-in-law, and this is the motion to concur in the amendment that is before the House today.

□ 1415

H.R. 1892 is humanitarian and pro-family. I urge my colleagues to support the bill.

Madam Speaker, I reserve the balance of my time.

Ms. JACKSON-LEE of Texas. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise to support H.R. 1892 and thank the co-sponsors of this legislation, the gentleman from California (Mr. ISSA) and the gentleman from California (Mr. CALVERT); and as well I thank the chairman of the Committee on the Judiciary for his astuteness and commitment to this legislation, having spearheaded its movement through the House the last time we were able to vote on it. I as well thank the ranking member for his commitment to these issues.

I believe that this is a legislative initiative that is extremely important because it speaks to the cornerstone of immigration policy in this Nation, and that is family reunification. In spite of all the tragedies that we have faced in the last year and reminding ourselves of the tragedy of September 11, I believe this Nation should never stray

away from the honest need to reunite families who legally want to access the opportunities of citizenship in this country.

Last July I supported this measure as it passed the House and the Senate. The Family Sponsor Immigration Act of 2001 is a very important immigration bill with a bipartisan support. We are correcting a glitch in the immigration law. As the ranking member of the Subcommittee on Immigration Claims of the House Committee on the Judiciary, I was pleased to work with the gentleman from Pennsylvania (Mr. GEKAS), the chairman of that subcommittee, on that legislation along with the original sponsor of this legislation as well. Again, I thank them for their service and their leadership.

Currently, the Immigration and Nationality Act requires that the same person that petitions for the admission of an immigrant must be the same person who signs the affidavit of support. That person is called a sponsor. So if the sponsor dies, current law does not allow someone else to sign the affidavit of support, although they are a legitimate person, although there is no attempt to commit fraud; and that person is unable to adjust his or her status to receive an immigrant visa even though they have been waiting in a line, have a very procedurally correct manner, and adhering to laws of our Nation. There lies the problem. There lies the complete loss of your opportunity to seek citizenship in a legal manner.

Such consequence of the law toward a beneficiary when his or her petitioner dies before the beneficiary has a chance to adjust status or receive an immigrant visa has been and continues to be harsh and only creates a pool of individuals that remain illegally in this country.

H.R. 1892 will amend the Immigration Nationality Act to allow an alternative sponsor, a close family member; and with the Senate amendment, a close family member can be a sister now or a brother-in-law.

Additionally, I am pleased that we were able to work out an agreement last July that further allows alternative sponsors to be a spouse, a parent, mother-in-law, father-in-law, sibling, child if at least 18 years of age, son, daughter, son-in-law, daughter-in-law, grandparent or grandchildren and now a brother-in-law or sister-in-law of a sponsored alien or legal guardian of a sponsored alien all with the idea of reunifying a family.

I am grateful to all of the members of the subcommittee, Democrats and Republicans, who saw fit to ensure that families can stay together. This bill, H.R. 1892, which has bipartisan support, is important because in the event of death of a sponsor, the beneficiary's application will now be able to have someone else sign the affidavit of support and the beneficiary's application for permanent residency can move forward without losing the beneficiary's priority date, in essence, not having them go to the back of the line and, therefore, delaying them being reunited with their family.

Just think of moms and dads whose children are here, young children are here or the father and children are here or the mother and children are here and they want to reunite with that mother or father.

Madam Speaker, I believe this is an important initiative that we have done in a bipartisan way, and it speaks loudly to the fact that the United States will craft a very legitimate immigration policy that addresses the question that we are a country of laws, but we are also a country of immigrants.

Madam Speaker, I rise to support H.R. 1892, and I believe that it is a legislative initiative that speaks to the cornerstone of immigration policy in this Nation: family reunification. Last July I supported this measure as it passed the House and the Senate. The Family Sponsor Immigration Act of 2001 is a very important immigration bill. With bipartisan support, we are correcting a glitch in the immigration law. As the ranking member of the Subcommittee on Immigration and Claims of the House Committee on the Judiciary, I was pleased to work with the gentleman from Pennsylvania (Mr. GEKAS), the chairman of the subcommittee, on this legislation, along with the original sponsors of this legislation as well, and I thank them for their service and leadership.

Currently, the Immigration and Nationality Act requires that the same person that petitions for the admission of an immigrant must be the same person who signs the affidavit of support: the sponsor, that person is called. So, if the sponsor dies, current law does not allow someone else to sign the affidavit of support, although they are a legitimate person, although there is no attempt to commit fraud, and that person is unable to adjust his or her status to receive an immigrant visa, even though they have been waiting in a line in a very procedurally correct manner and adhering to the laws of our Nation. Such consequences of the law toward a beneficiary when his or her petitioner dies before the beneficiary has a chance to adjust status or receive an immigrant visa, has been and continues to be too harsh.

H.R. 1892 will amend the Immigration Nationality Act to allow an alternative sponsor, a close family member, and with the Senate amendment a close family member can be a sister or brother-n-law.

Additionally, I am very pleased that we were able to work out an agreement last July that further allows alternative sponsors to be a spouse, parent, mother-in-law, father-in-law, sibling, child, if at least 18 years of age, son, daughter, son-in-law, daughter-in-law, grandparent or grandchild, and now a brother or sister-in-law of a sponsored alien or legal guardians of a sponsored alien, all with the idea of reunifying a family.

This bill, H.R. 1892, which has bipartisan support, is important because in the event of the death of the sponsor the beneficiary's application will now be able to have someone else sign the affidavit of support and the beneficiary's application for permanent residency can move forward without losing the beneficiary's priority date, in essence, not having them go to the back of the line and, therefore, delaying them being reunited with their family.

Madam Speaker, I believe this is an important initiative that we have done in a bipartisan way, and I ask my colleagues to support this legislation.

Madam Speaker, I reserve the balance of my time.

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

Mr. ISSA. Madam Speaker, I rise in support of H.R. 1892, Family Sponsor Immigration Act of 2001, as amended in the Senate. I want to thank our chairman, the gentleman from Wisconsin (Mr. SENSENBRENNER); our subcommittee chairman, the gentleman from Pennsylvania (Mr. GEKAS); the leadership on both sides of the aisle that worked diligently to bring a fuller and more complete reform to the floor here today.

I would also like to thank the gentleman from California (Mr. CALVERT), who is not on the committee but who has constituents that were faced with exactly this problem and brought it to our attention, only to find that I had constituents with this exact same problem, thus creating the need for the bill.

Last I would like to thank Senator FEINSTEIN who has taken time out of her busy schedule on the Senate side to research this and to make those amendments which, in fact, make this a more thorough bill and less likely to need to be revisited.

Lastly, rather than speaking of the merits of this bill, I would like to go down on record as saying that the Family Sponsor Immigration Reform Act is just another example of how we work together on a bipartisan basis to find the legal alternatives to immigration, and to encourage those who play by the rules, those who go through the hoops, sometimes a decade, to get their legal status should be rewarded.

At a time when we are saying to those who come here illegally that we will not tolerate it any more, I hope this is the first of many reforms that allows us to say we have an open door if you want to come through the front door, and we are closing and locking the back door.

Ms. JACKSON-LEE of Texas. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, let me conclude by again acknowledging my support, but also raising two important points that I would like to acknowledge. I might say that the chairman of the full committee has expressed a great interest in this, and I want to thank him for his support on these issues.

I hope that we can finally bring some rest to the passage of 245–i which is another legislative initiative that deals with the reuniting of families. I know that our committee worked very hard on that legislation.

Then I think, again, in the shadow of the tragedies that we faced this past September, it is important that we

move consistently with a purpose to reorder our immigration policies by means of restructuring the INS with an assistant attorney general for immigration affairs so that we can share data and information. Intelligence is clearly a key element of what we need to reform our immigration policies and to fight terrorism, two dual issues which I think we can do.

Immigration does not equate to terrorism. I hope we have an opportunity to debate those legislative initiatives, get them passed, and begin on a pathway of formulating a very comprehensive immigration policy for the United States of America. I offer my support for this legislation.

Ms. WOOLSEY. Madam Speaker, today I support and applaud the House's final passage of the "Family Immigration Sponsor Act." And, I thank my colleague, Mr. CALVERT, for his work on this issue.

A family in my district, with a tragic story, has become a well-known example of why this bill's passage is necessary. Mrs. Zhenfu Ge, a 73-year-old Chinese national, came to the United States in 1998 to help care for her dying daughter and her daughter's children. Her daughter—my constituent Yanyu Wong—requested that her mother be allowed to stay in America to take care of her grandchildren. Following the rules of the Immigration and Naturalization Service (INS), my constituent immediately submitted the appropriate paperwork to sponsor her mother's petition for a green card so she could stay in the United States.

Sadly, on April 15, 2001, Yanyu Wong lost her fight against cancer. This was only 11 days before the INS was scheduled to grant Mrs. Ge's permanent resident status. In a desperate attempt to keep his mother-in-law in the country, my constituent's husband petitioned to be Mrs. Ge's new sponsor. However, INS law mandates the sponsor be another adult blood relative. Without an adult blood relative left alive to sponsor her, Mrs. Ge was told that she must go back to China and restart the visa process.

Realizing the devastating results of these circumstances, I introduced H.R. 2011, a private bill to allow Mrs. Ge to remain legally in the United States while she completed the process to attain legal status. Forcing Mrs. Ge to abandon her family during this time would only add to the family tragedy. Enabling Mrs. Ge to stay in the country could give the children a living link to their mother, and her culture, something they would be denied forever if Mrs. Ge is deported.

With the passage of Representative CALVERT's Family Immigration Sponsor Act, Mrs. Ge will be able to stay in America and take care of her grandchildren, while she completes the immigration process. With the passage of this bill, Mrs. Ge can keep her promise to her daughter.

There's no doubt that the Family Immigration Sponsor Act will be able to assist other families in situations similar to Mrs. Ge's. Passing H.R. 1892 is the smart way for this country to help encourage families to stay intact.

Mr. WU. Madam Speaker, I rise in support of H.R. 1892, the Family Sponsor Immigration Act, introduced by my colleague Representative KEN CALVERT.

Our government plays a key role in shaping the lives of thousands of immigrants. It is our duty to ensure that our system is fair to aspiring residents.

Under our current law, someone applying to become a permanent U.S. resident must be sponsored by a family member who assumes financial responsibility for that person. However, if the sponsor dies before U.S. permanent residency is granted, the applicant must find another sponsor and start the process all over again. This process can take as long as 7 years.

This must change.

As an immigrant, I understand the difficulties of the immigration process. One should not have to wait another 7 years if the sponsor dies. H.R. 1892 addresses this issue. It would allow for substitute sponsors. More importantly, it will help unite families that have been separated.

I applaud Representative CALVERT for introducing this important legislation, and I urge my fellow colleagues to join in support of this bill which will ensure a fair process for those seeking U.S. residency.

Ms. JACKSON-LEE of Texas. Madam Speaker, I have no further requests for time, and I yield back the balance of my time.

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

The SPEAKER pro tempore (Mrs. BIGGERT). The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 1892.

The question was taken.

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

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

The yeas and nays were ordered.

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

APPALACHIAN REGIONAL DEVELOPMENT ACT AMENDMENTS OF 2002

Mr. LATOURETTE. Madam Speaker, I move to suspend the rules and pass the Senate bill (S. 1206) to reauthorize the Appalachian Regional Development Act of 1965, and for other purposes.

The Clerk read as follows:

S. 1206

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Appalachian Regional Development Act Amendments of 2002".

SEC. 2. PURPOSES.

(a) THIS ACT.—The purposes of this Act are—

(1) to reauthorize the Appalachian Regional Development Act of 1965 (40 U.S.C. App.); and

(2) to ensure that the people and businesses of the Appalachian region have the knowledge, skills, and access to telecommunication and technology services necessary to compete in the knowledge-based economy of the United States.

(b) APPALACHIAN REGIONAL DEVELOPMENT ACT OF 1965.—Section 2 of the Appalachian Regional Development Act of 1965 (40 U.S.C. App.) is amended—

(1) in subsection (b), by inserting after the third sentence the following: "Consistent with the goal described in the preceding sentence, the Appalachian region should be able to take advantage of eco-industrial development, which promotes both employment and economic growth and the preservation of natural resources."; and

(2) in subsection (c)(2)(B)(ii), by inserting ", including eco-industrial development technologies" before the semicolon.

SEC. 3. FUNCTIONS OF THE COMMISSION.

Section 102(a) of the Appalachian Regional Development Act of 1965 (40 U.S.C. App.) is amended—

(1) in paragraph (5), by inserting ", and support," after "formation of";

(2) in paragraph (7), by striking "and" at the end;

(3) in paragraph (8), by striking the period at the end and inserting a semicolon; and

(4) by adding at the end the following:

"(9) encourage the use of eco-industrial development technologies and approaches; and

"(10) seek to coordinate the economic development activities of, and the use of economic development resources by, Federal agencies in the region.".

SEC. 4. INTERAGENCY COORDINATING COUNCIL ON APPALACHIA.

Section 104 of the Appalachian Regional Development Act of 1965 (40 U.S.C. App.) is amended—

(1) by striking "The President" and inserting "(a) IN GENERAL.—The President"; and

(2) by adding at the end the following:

"(b) INTERAGENCY COORDINATING COUNCIL ON APPALACHIA.—

"(1) ESTABLISHMENT.—In carrying out subsection (a), the President shall establish an interagency council to be known as the 'Interagency Coordinating Council on Appalachia'.

"(2) MEMBERSHIP.—The Council shall be composed of—

"(A) the Federal Cochairman, who shall serve as Chairperson of the Council; and

"(B) representatives of Federal agencies that carry out economic development programs in the region.".

SEC. 5. TELECOMMUNICATIONS AND TECHNOLOGY INITIATIVE.

Title II of the Appalachian Regional Development Act of 1965 (40 U.S.C. App.) is amended by inserting after section 202 the following:

"SEC. 203. TELECOMMUNICATIONS AND TECHNOLOGY INITIATIVE.

"(a) IN GENERAL.—The Commission may provide technical assistance, make grants, enter into contracts, or otherwise provide funds to persons or entities in the region for projects—

"(1) to increase affordable access to advanced telecommunications, entrepreneurship, and management technologies or applications in the region;

"(2) to provide education and training in the use of telecommunications and technology;

"(3) to develop programs to increase the readiness of industry groups and businesses in the region to engage in electronic commerce; or

''(4) to support entrepreneurial opportunities for businesses in the information technology sector.

''(b) SOURCE OF FUNDING.—

''(1) IN GENERAL.—Assistance under this section may be provided—

''(A) exclusively from amounts made available to carry out this section; or

''(B) from amounts made available to carry out this section in combination with amounts made available under any other Federal program or from any other source.

''(2) FEDERAL SHARE REQUIREMENTS SPECIFIED IN OTHER LAWS.—Notwithstanding any provision of law limiting the Federal share under any other Federal program, amounts made available to carry out this section may be used to increase that Federal share, as the Commission determines to be appropriate.

''(c) COST SHARING FOR GRANTS.—Not more than 50 percent (or 80 percent in the case of a project to be carried out in a county for which a distressed county designation is in effect under section 226) of the costs of any activity eligible for a grant under this section may be provided from funds appropriated to carry out this section.''.

SEC. 6. ENTREPRENEURSHIP INITIATIVE.

Title II of the Appalachian Regional Development Act of 1965 (40 U.S.C. App.) is amended by inserting after section 203 (as added by section 5) the following:

''SEC. 204. ENTREPRENEURSHIP INITIATIVE.

''(a) DEFINITION OF BUSINESS INCUBATOR SERVICE.—In this section, the term 'business incubator service' means a professional or technical service necessary for the initiation and initial sustainment of the operations of a newly established business, including a service such as—

''(1) a legal service, including aid in preparing a corporate charter, partnership agreement, or basic contract;

''(2) a service in support of the protection of intellectual property through a patent, a trademark, or any other means;

''(3) a service in support of the acquisition and use of advanced technology, including the use of Internet services and Web-based services; and

''(4) consultation on strategic planning, marketing, or advertising.

''(b) PROJECTS TO BE ASSISTED.—The Commission may provide technical assistance, make grants, enter into contracts, or otherwise provide funds to persons or entities in the region for projects—

''(1) to support the advancement of, and provide, entrepreneurial training and education for youths, students, and businesspersons;

''(2) to improve access to debt and equity capital by such means as facilitating the establishment of development venture capital funds;

''(3) to aid communities in identifying, developing, and implementing development strategies for various sectors of the economy; and

''(4)(A) to develop a working network of business incubators; and

''(B) to support entities that provide business incubator services.

''(c) SOURCE OF FUNDING.—

''(1) IN GENERAL.—Assistance under this section may be provided—

''(A) exclusively from amounts made available to carry out this section; or

''(B) from amounts made available to carry out this section in combination with amounts made available under any other Federal program or from any other source.

''(2) FEDERAL SHARE REQUIREMENTS SPECIFIED IN OTHER LAWS.—Notwithstanding any provision of law limiting the Federal share under any other Federal program, amounts made available to carry out this section may be used to increase that Federal share, as the Commission determines to be appropriate.

''(d) COST SHARING FOR GRANTS.—Not more than 50 percent (or 80 percent in the case of a project to be carried out in a county for which a distressed county designation is in effect under section 226) of the costs of any activity eligible for a grant under this section may be provided from funds appropriated to carry out this section.''.

SEC. 7. REGIONAL SKILLS PARTNERSHIPS.

Title II of the Appalachian Regional Development Act of 1965 (40 U.S.C. App.) is amended by inserting after section 204 (as added by section 6) the following:

''SEC. 205. REGIONAL SKILLS PARTNERSHIPS.

''(a) DEFINITION OF ELIGIBLE ENTITY.—In this section, the term 'eligible entity' means a consortium that—

''(1) is established to serve 1 or more industries in a specified geographic area; and

''(2) consists of representatives of—

''(A) businesses (or a nonprofit organization that represents businesses);

''(B) labor organizations;

''(C) State and local governments; or

''(D) educational institutions.

''(b) PROJECTS TO BE ASSISTED.—The Commission may provide technical assistance, make grants, enter into contracts, or otherwise provide funds to eligible entities in the region for projects to improve the job skills of workers for a specified industry, including projects for—

''(1) the assessment of training and job skill needs for the industry;

''(2) the development of curricula and training methods, including, in appropriate cases, electronic learning or technology-based training;

''(3)(A) the identification of training providers; and

''(B) the development of partnerships between the industry and educational institutions, including community colleges;

''(4) the development of apprenticeship programs;

''(5) the development of training programs for workers, including dislocated workers; and

''(6) the development of training plans for businesses.

''(c) ADMINISTRATIVE COSTS.—An eligible entity may use not more than 10 percent of the funds made available to the eligible entity under subsection (b) to pay administrative costs associated with the projects described in subsection (b).

''(d) SOURCE OF FUNDING.—

''(1) IN GENERAL.—Assistance under this section may be provided—

''(A) exclusively from amounts made available to carry out this section; or

''(B) from amounts made available to carry out this section in combination with amounts made available under any other Federal program or from any other source.

''(2) FEDERAL SHARE REQUIREMENTS SPECIFIED IN OTHER LAWS.—Notwithstanding any provision of law limiting the Federal share under any other Federal program, amounts made available to carry out this section may be used to increase that Federal share, as the Commission determines to be appropriate.

''(e) COST SHARING FOR GRANTS.—Not more than 50 percent (or 80 percent in the case of a project to be carried out in a county for which a distressed county designation is in effect under section 226) of the costs of any activity eligible for a grant under this section may be provided from funds appropriated to carry out this section.''.

SEC. 8. PROGRAM DEVELOPMENT CRITERIA.

(a) ELIMINATION OF GROWTH CENTER CRITERIA.—Section 224(a)(1) of the Appalachian Regional Development Act of 1965 (40 U.S.C. App.) is amended by striking ''in an area determined by the State have a significant potential for growth or''.

(b) ASSISTANCE TO DISTRESSED COUNTIES AND AREAS.—Section 224 of the Appalachian Regional Development Act of 1965 (40 U.S.C. App.) is amended by adding at the end the following:

''(d) ASSISTANCE TO DISTRESSED COUNTIES AND AREAS.—For fiscal year 2003 and each fiscal year thereafter, not less than 50 percent of the amount of grant expenditures approved by the Commission shall support activities or projects that benefit severely and persistently distressed counties and areas.''.

SEC. 9. GRANTS FOR ADMINISTRATIVE EXPENSES OF LOCAL DEVELOPMENT DISTRICTS.

Section 302(a)(1)(A)(i) of the Appalachian Regional Development Act of 1965 (40 U.S.C. App.) is amended by inserting ''(or, at the discretion of the Commission, 75 percent of such expenses in the case of a local development district that has a charter or authority that includes the economic development of a county or part of a county for which a distressed county designation is in effect under section 226)'' after ''such expenses''.

SEC. 10. AUTHORIZATION OF APPROPRIATIONS.

Section 401 of the Appalachian Regional Development Act of 1965 (40 U.S.C. App.) is amended to read as follows:

''SEC. 401. AUTHORIZATION OF APPROPRIATIONS.

''(a) IN GENERAL.—In addition to amounts authorized by section 201 and other amounts made available for the Appalachian development highway system program, there are authorized to be appropriated to the Commission to carry out this Act—

''(1) $88,000,000 for each of fiscal years 2002 through 2004;

''(2) $90,000,000 for fiscal year 2005; and

''(3) $92,000,000 for fiscal year 2006.

''(b) TELECOMMUNICATIONS AND TECHNOLOGY INITIATIVE.—Of the amounts made available under subsection (a), the following amounts may be made available to carry out section 203:

''(1) $10,000,000 for fiscal year 2002.

''(2) $8,000,000 for fiscal year 2003.

''(3) $5,000,000 for each of fiscal years 2004 through 2006.

''(c) AVAILABILITY.—Sums made available under subsection (a) shall remain available until expended.''.

SEC. 11. ADDITION OF COUNTIES TO APPALACHIAN REGION.

Section 403 of the Appalachian Regional Development Act of 1965 (40 U.S.C. App.) is amended—

(1) in the third undesignated paragraph (relating to Kentucky)—

(A) by inserting ''Edmonson,'' after ''Cumberland,'';

(B) by inserting ''Hart,'' after ''Harlan,''; and

(C) by striking ''Montogomery,'' and inserting ''Montgomery,''; and

(2) in the fifth undesignated paragraph (relating to Mississippi)—

(A) by inserting ''Montgomery,'' after ''Monroe,''; and

(B) by inserting ''Panola,'' after ''Oktibbeha,''.

SEC. 12. TERMINATION.

Section 405 of the Appalachian Regional Development Act of 1965 (40 U.S.C. App.) is amended by striking ''2001'' and inserting ''2006''.

SEC. 13. TECHNICAL AND CONFORMING AMENDMENTS.

(a) Section 101(b) of the Appalachian Regional Development Act of 1965 (40 U.S.C. App.) is amended in the third sentence by striking ''implementing investment program'' and inserting ''strategy statement''.

(b) Section 106(7) of the Appalachian Regional Development Act of 1965 (40 U.S.C.

App.) is amended by striking ''expiring no later than September 30, 2001''.

(c) Sections 202, 214, and 302(a)(1)(C) of the Appalachian Regional Development Act of 1965 (40 U.S.C. App.) are amended by striking ''grant-in-aid programs'' each place it appears and inserting ''grant programs''.

(d) Section 202(a) of the Appalachian Regional Development Act of 1965 (40 U.S.C. App.) is amended in the second sentence by striking ''title VI of the Public Health Service Act (42 U.S.C. 291–291o), the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963 (77 Stat. 282),'' and inserting ''title VI of the Public Health Service Act (42 U.S.C. 291 et seq.), the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15001 et seq.),''.

(e) Section 207(a) of the Appalachian Regional Development Act of 1965 (40 U.S.C. App.) is amended by striking ''section 221 of the National Housing Act, section 8 of the United States Housing Act of 1937, section 515 of the Housing Act of 1949,'' and inserting ''section 221 of the National Housing Act (12 U.S.C. 1715*l*), section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f), section 515 of the Housing Act of 1949 (42 U.S.C. 1485),''.

(f) Section 214 of the Appalachian Regional Development Act of 1965 (40 U.S.C. App.) is amended—

(1) in the section heading, by striking ''GRANT-IN-AID'' and inserting ''GRANT'';

(2) in subsection (a)—

(A) by striking ''grant-in-aid Act'' each place it appears and inserting ''Act'';

(B) in the first sentence, by striking ''grant-in-aid Acts'' and inserting ''Acts'';

(C) by striking ''grant-in-aid program'' each place it appears and inserting ''grant program''; and

(D) by striking the third sentence;

(3) by striking subsection (c) and inserting the following:

''(c) DEFINITION OF FEDERAL GRANT PROGRAM.—

''(1) IN GENERAL.—In this section, the term 'Federal grant program' means any Federal grant program authorized by this Act or any other Act that provides assistance for—

''(A) the acquisition or development of land;

''(B) the construction or equipment of facilities; or

''(C) any other community or economic development or economic adjustment activity.

''(2) INCLUSIONS.—In this section, the term 'Federal grant program' includes a Federal grant program such as a Federal grant program authorized by—

''(A) the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.);

''(B) the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460*l*–4 et seq.);

''(C) the Watershed Protection and Flood Prevention Act (16 U.S.C. 1001 et seq.);

''(D) the Carl D. Perkins Vocational and Technical Education Act of 1998 (20 U.S.C. 2301 et seq.);

''(E) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.);

''(F) title VI of the Public Health Service Act (42 U.S.C. 291 et seq.);

''(G) sections 201 and 209 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3141, 3149);

''(H) title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.); or

''(I) part IV of title III of the Communications Act of 1934 (47 U.S.C. 390 et seq.).

''(3) EXCLUSIONS.—In this section, the term 'Federal grant program' does not include—

''(A) the program for construction of the Appalachian development highway system authorized by section 201;

''(B) any program relating to highway or road construction authorized by title 23, United States Code; or

''(C) any other program under this Act or any other Act to the extent that a form of financial assistance other than a grant is authorized.''; and

(4) by striking subsection (d).

(g) Section 224(a)(2) of the Appalachian Regional Development Act of 1965 (40 U.S.C. App.) is amended by striking ''relative per capita income'' and inserting ''per capita market income''.

(h) Section 225 of the Appalachian Regional Development Act of 1965 (40 U.S.C. App.)—

(1) in subsection (a)(3), by striking ''development program'' and inserting ''development strategies''; and

(2) in subsection (c)(2), by striking ''development programs'' and inserting ''development strategies''.

(i) Section 303 of the Appalachian Regional Development Act of 1965 (40 U.S.C. App.) is amended—

(1) in the section heading, by striking ''INVESTMENT PROGRAMS'' and inserting ''STRATEGY STATEMENTS'';

(2) in the first sentence, by striking ''implementing investments programs'' and inserting ''strategy statements''; and

(3) by striking ''implementing investment program'' each place it appears and inserting ''strategy statement''.

(j) Section 403 of the Appalachian Regional Development Act of 1965 (40 U.S.C. App.) is amended in the next-to-last undesignated paragraph by striking ''Committee on Public Works and Transportation'' and inserting ''Committee on Transportation and Infrastructure''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. LATOURETTE) and the gentleman from Pennsylvania (Mr. HOLDEN) each will control 20 minutes.

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

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

Madam Speaker, we are back here today to consider legislation that reauthorizes the Appalachian Regional Commission. On August 2 of last year, the House unanimously passed H.R. 2501, the Appalachian Regional Development Reauthorization Act of 2001. The legislation we are considering today, S. 1206, is very similar to the previously passed House bill with a few minor exceptions.

Both the House and the Senate legislation recognize the diligent efforts of the Appalachian Regional Commission to implement reforms required by the 1998 reauthorization that authorized the commission for 5 years.

The Appalachian Regional Commission includes 406 counties in 13 States; 117 of those counties are considered to be distressed under ARC's definition of economic conditions. This means the 117 counties have a 3-year unemployment rate of at least 150 percent of the national average, a per capita market income of no more than two-thirds the national average, and a poverty rate of at least 150 percent of the national rate.

Historically, the Appalachian region has faced high levels of poverty and economic distress resulting from geographic isolation and inadequate infrastructure. Since 1965, through its unique Federal, State, local and private partnerships, the ARC has worked to improve economic and living conditions through area-development programs. ARC funds are directed to locally developed projects that address basic water and sewer infrastructure needs, business and entrepreneurial development, education and workforce training, and improved health.

These programs provide technical assistance and capacity-building as well as improving telecommunications and information technology to foster sustainable economic development.

ARC's assistance continues to be a crucial part of the region's economy and has enabled it to adjust to the elimination of major industries by identifying alternatives to provide jobs and attract outside investment.

Like the previously passed House bill, S. 1206 assists ARC in completing its important mission by requiring 50 percent of ARC project funds go to distressed counties and areas by creating a council to coordinate Federal economic development assistance in the region by assisting affordable access to technology and telecommunications through a new program initiative and by lowering the administrative costs for local development districts that include a distressed county.

The committee has worked very closely with the administration and the other body to produce a bipartisan and widely supported bill.

On that note, Madam Speaker, I want to extend personal thanks to Senator VOINOVICH of Ohio and his staff in the other body for working with us as we attempted to resolve the differences between the House-passed bill and the Senate bill that we are considering today.

I am happy to say that the passage of S. 1206 today will clear the measure to be sent to the President for his signature. I support the bill. I do want to commend and thank the leadership of our full committee, the gentleman from Alaska (Mr. YOUNG); and the gentleman from Minnesota (Mr. OBERSTAR), the ranking member; also the gentleman from Illinois (Mr. COSTELLO), who is not with us today but an outstanding ranking member of our subcommittee. We are honored to have our friend, the gentleman from Pennsylvania (Mr. HOLDEN) with us today.

On the majority side, there are two Members who really contributed mightily to the effort as this bill moved through the House and now as we consider the Senate bill: first, a new member of our committee and our subcommittee, the gentlewoman from West Virginia (Mrs. CAPITO), who came to me very early in her term and early in this session of Congress and indicated that the reauthorization of the Appalachian Regional Commission was one of her top, if not her top, legislative priority in this Congress. She has

been instrumental in making sure that this bill has gotten to where it is today. I want to publicly thank her.

Also to the gentleman from Kentucky (Mr. LEWIS), who had additional counties that he sought to have represented by ARC, and he was like the proverbial tick on a dog making sure that that language withstood the discussions between the House and the Senate, and today S. 1206 bears the fruit of the gentleman's endeavors, and we are appreciative of his work as well.

Madam Speaker, I urge support of the legislation.

Madam Speaker, I reserve the balance of my time.

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

I would first like to commend my friend, the gentleman from Ohio (Mr. LATOURETTE), the chairman of the Subcommittee on Economic Development, Public Buildings, and Emergency Management of the Committee on Transportation and Infrastructure for his diligence in moving this legislation through the House. I would also like to commend the gentleman from Illinois (Mr. COSTELLO), the ranking Democrat on the subcommittee, who provided invaluable help and assistance in advancing the bill through the legislative process.

Madam Speaker, S. 1206, the Appalachian Regional Development Act Amendments of 2002, authorizes appropriations for the Appalachian Regional Commission for 5 years.

The commission works to ensure the people and businesses of the Appalachian region have the knowledge, skills, and access to telecommunications and technology services necessary to compete in the knowledge-based economy of the United States.

The bill authorizes the President to establish an interagency coordinating council on Appalachia. Further, it establishes a telecommunications and technology initiative and an entrepreneurship initiative. These two initiatives are geared toward increasing access to not only telecommunications and technology, but also to providing access to business incubator services and to initiate sustainable businesses.

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The bill also promotes regional skills partnerships.

In June, 2000, the Appalachian Regional Commission issued a report that documented the return the American taxpayer gets for its investment in the Appalachian region. $32.4 million in ARC funding for infrastructure produced 23,777 direct jobs and an estimated 20,954 indirect jobs. This same investment produced $576.9 million in wages and $14.3 million in State income taxes.

In my congressional district, the ARC approved a grant totaling $350,000 to the Schuylkill Economic Development Corporation for improvements to the Schuylkill Highbridge Business Park that is expected to result in the creating of 600 new jobs and the generation of over $40 million in private sector investment.

Just as it has done since its inception, the ARC has proven it provides a fair return, both socially and economically, for the Federal Government's investment.

Madam Speaker, the Appalachian Regional Commission works. It has built a successful business strategy on a regional approach and serves as a model for other Federal, State and regional development partnerships.

Madam Speaker, I am pleased to support this bill and urge my colleagues to join me in passing S. 1206.

Madam Speaker, I reserve the balance of my time.

Mr. LATOURETTE. Madam Speaker, it is my pleasure to yield as much time as she might consume to the gentlewoman from West Virginia (Mrs. CAPITO), who was instrumental in crafting this legislation.

Mrs. CAPITO. Madam Speaker, I rise today in support of S. 1206, and I would like to thank my colleagues, the gentleman from Ohio (Mr. LATOURETTE) and the gentleman from Pennsylvania (Mr. HOLDEN), for their whole-hearted support not only of my efforts in seeing this come to the floor today but in bringing it to the floor.

As a native of West Virginia, the only State that falls entirely within the bounds of the Appalachian Regional Commission's borders, I stand here today to recognize and applaud the tremendous work this economic development body performs to enhance Appalachia's economic landscape and to foster job growth.

America's investment in the ARC has accomplished great things in my home State of West Virginia to improve infrastructure and diversify local economies. These efforts will continue to foster better health care, workforce training, telecommunications and job creation.

Additionally, it has been shown that completed ARC projects generate higher than expected tax revenues for local and State economies. And with ARC reauthorization, these programs will have the added stability and long-term financial security that will bring about expanded economic development for our future.

Recent reports have indicated that every dollar of Federal funding for ARC leverages about $58 more in private investment and traditional financing through local, State and Federal partnerships. But my support for the ARC is not only based on documented statistics. It is also based on my own personal experience working with the various regional development groups.

Just last year, the town of Wardensville, West Virginia, contacted me regarding the need for immediate assistance with the damaged sewer system. I contacted the ARC and was able to secure the necessary emergency funding which allowed the town to repair the damage almost immediately. This is merely one example that typifies the numerous and diverse ways in which the ARC assists local communities.

As a side note, I would like to say 11 of the 20 counties that I represent in West Virginia are considered distressed economies in ARC's terminologies.

Whether it is building new roads, providing employee training or assisting local communities with flood damage, the ARC has proven itself to be a tremendous asset for West Virginia and the rest of the region.

I am especially grateful to the ARC for its commitment to improving the lives of my fellow West Virginians. As Congress seeks ways to enhance the livelihoods of not only West Virginians but also of all people of Appalachia, we must recognize the contributions of the ARC and immediately reauthorize it.

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

GENERAL LEAVE

Mr. LATOURETTE. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on S. 1206, the measure that we are considering at present.

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

There was no objection.

Mr. LATOURETTE. Madam Speaker, I yield myself the balance of my time.

Madam Speaker, this is a good piece of legislation.

I know that the gentleman from Kentucky (Mr. LEWIS) wanted to be here to speak on this bill. I again, for the purposes of the RECORD, one of the county's names that escapes me, but I know that every time I saw the gentleman from Kentucky (Mr. LEWIS) he wanted Edmondson County, Edmondson County, Edmondson County included in this piece of legislation. It is included in this legislation thanks to his efforts, and the folks in Edmondson County should be thankful for his endeavors.

With that, I urge passage of the bill.

Mr. RAHALL. Madam Speaker, I am very pleased that the House will pass S. 1206, the "Appalachian Regional Development Act Amendments of 2002" today. This bill is nearly identical to HR 2501, a bill to reauthorize the Appalachian Regional Commission (ARC) that we passed in the House on August 2, 2001. The ARC gives grants to build highways, water and sewer systems, industrial parks and to develop health care programs and educational workforce training in distressed areas.

I am pleased that HR 2501 originated in the Committee on Transportation and Infrastructure, of which I am a Member. I am also pleased that my constituent, Mike Whitt, the Executive Director of the Mingo County, West Virginia, Redevelopment Authority, testified on June 20, 2001, before the Subcommittee on Economic Development, Public Buildings and Emergency Management.

Mr. Whitt gave case studies of how ARC programs make a positive difference in the

lives of the people of West Virginia When Mike Whitt testified, he told of how the ARC gave financial help to create the James H. Buck Harless Wood Products Industrial Park that was developed on a reclaimed strip mine site. This created 90 new jobs for my constituents to manufacture value added wood products.

In addition, the ARC gave Mingo County a big boost by helping its people get in to the acquaculture industry.

In the mid-90s, ARC funded a study conducted by the Freshwater Institute of abandoned mine waters in West Virginia. Mingo County and neighboring Logan County were identified as having water with enough volume and quality to generate 25–30 million pounds of arctic char—a fish belonging to the salmon family.

Mingo County has begun hatching fish in these mine waters. Then they ship the minnows to a grow-out farm in Logan County. This project has created nine new jobs so far for local residents, and Mr. Whitt projects about 40 additional new jobs will be created in the acquaculture industry for local residents.

Best of all, Mingo and Logan Counties are the only counties in West Virginia that will ship fresh arctic char to Boston's seafood market—and the ARC study of abandoned mine waters gave them their start.

Finally, regarding tourism, Mike Whitt was able to help to develop the Hatfield-McCoy Trails Recreation Project with the help of a $100,000 grant from the ARC.

The Hatfield-McCoy Trail has become really popular with hikers. It has boosted travel and tourism in Mingo County. Motels that never had guests over the weekend are now filling up on weekends. Again, the ARC seed money for the project gave the Hatfield-McCoy Trail help with its development.

So we have an industrial park, acquaculture and tourism coming to Mingo County, thanks to ARC's helping hand, when previously Mingo County's residents relied almost solely on the coal mines for a job.

Mingo County is still on the ARC's list of distressed counties. The ARC is helping Mingo County to diversify, with funds to back up projects, and working hand-in-hand with good people like Mike Whitt, whose goal is to take Mingo County off the ARC distressed counties list.

The entire state of West Virginia is included in the ARC jurisdiction, along with parts of 12 other states ranging from the far North of the Deep South: New York, Pennsylvania, Maryland, Virginia, Kentucky, Ohio, North Carolina, South Carolina, Tennessee, Georgia, Alabama and Mississippi.

Today's bill will authorize $446 million for ARC programs from fiscal years 2002–2006. Because two of my goals in Congress are to bridge the digital divide and to crate jobs, I am pleased that the bill includes a Telecommunications and Information Technology Initiative and an emphasis on boosting job skills.

First of all, the Telecommunications and Information Technology initiative is authorized for $33 million from fiscal years 2002–2006 in order to develop the telecommunications infrastructure in Appalachia, so that rural and small towns will not be left behind in the Information Age.

This means that students in West Virginia, and all of Appalachia, will have remote access to course materials that previously were only available in more affluent, urban areas.

For job creation, S. 1206 provides that the ARC can enter into partnerships with educational institutions, nor-for-profit organizations, state and local governments and unions to provide job training to boost the local economy in West Virginia and throughout Appalachia.

Finally, S. 1206 contains an ''Entrepreneurship Regional Initiative'' to help local entrepreneurs throughout Appalachia to start and expand local businesses. This will be done by providing local business persons with more capital and education and training.

Madam Speaker, the ARC is a true example of results and has been a model for developing other organizations to help citizens like the Delta Regional Authority which serves 236 counties in federal-state partnerships in eight states: Mississippi, Alabama, Arkansas, Illinois, Kentucky, Louisiana, Missouri and Tennessee.

The reason the ARC has been used as a model is because, through its programs, the ARC has helped people to help themselves by giving them a start in health care, education, business development, and in building highways and water and sewer infrastructures, along with bridging the digital divide, which is so vital in today's world.

I could not be more pleased that the House will pass this bill today, and I look forward to the seeing the president sign the bill expeditiously.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. LATOURETTE) that the House suspend the rules and pass the Senate bill, S. 1206.

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

A motion to reconsider was laid on the table.

EXPRESSING SYMPATHY TO PEOPLE OF DEMOCRATIC REPUBLIC OF CONGO

Mr. ROYCE. Madam Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 304) expressing sympathy to the people of the Democratic Republic of the Congo who were tragically affected by the eruption of the Nyiragongo volcano on January 17, 2002, and supporting an increase in the amount of assistance provided by the United States to the people of the Democratic Republic of the Congo, as amended.

The Clerk read as follows:

H. CON. RES. 304

Whereas on January 17, 2002, the Nyiragongo volcano, which stands 11,380 feet high and is located 6 miles north of the city of Goma in the Democratic Republic of the Congo, began to erupt without warning;

Whereas 147 people lost their lives and 150,000 people have been displaced as a result of the recent Nyiragongo eruption;

Whereas the recent Nyiragongo eruption is the most destructive volcanic eruption to occur in Africa during the last 25 years;

Whereas the lava flow from the recent Nyiragongo eruption was a mile wide in places and destroyed the cathedral and water plant of Goma and countless villages and buildings;

Whereas dangers from fires, toxic fumes, reoccurring tremors, and natural methane gas under Lake Kivu continue to plague the Goma region of the Democratic Republic of the Congo;

Whereas the recent Nyiragongo eruption destroyed crops and contaminated the main water supply of Goma;

Whereas the suddenness of the recent Nyiragongo eruption resulted in the separation of many children from their parents;

Whereas the United States has provided assistance valued at $4,400,000 for food, water, sanitation, and town planning to the people of the Democratic Republic of the Congo affected by the recent Nyiragongo eruption;

Whereas the Office of United States Foreign Disaster Assistance (OFDA) of the United States Agency for International Development (USAID) has made available additional funds for assistance to the people affected by the recent Nyiragongo eruption; and

Whereas the Governments of the United Kingdom, Germany, France, and Belgium have also offered assistance to the people of the Democratic Republic of the Congo: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress expresses its deepest sympathies and condolences to the people of the Democratic Republic of the Congo who were tragically affected by the eruption of the Nyiragongo volcano on January 17, 2002.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ROYCE) and the gentlewoman from California (Ms. LEE) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. ROYCE).

GENERAL LEAVE

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

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

There was no objection.

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

This resolution is sponsored by the gentleman from Illinois (Mr. DAVIS) and the gentleman from New Jersey (Mr. PAYNE) and the gentlewoman from California (Ms. LEE), two Members of the House Subcommittee on Africa which I chair, and this expression of support deserves the support of the House.

On January 17, the Nyiragongo volcano erupted and spewed white-hot lava on Goma, a city on the shores of Lake Kivu in eastern Congo; and that eruption disrupted the lives of one-half million people. Over 100 people lost their lives in the initial stage, 150,000 were displaced by the lava flow, and that lava flow was a mile wide in some places. Then the eruption destroyed the water plant, the homes, part of the airport, the crops and an important part of the business district. This natural catastrophe increased the already dire humanitarian situation of a people

suffering from the impact of the war that started in Goma on August 2, 1988, and then spread throughout the country.

The United States moved quickly to aid the people affected by the volcanic eruption, the most devastating eruption in Africa in more than a quarter century. We have provided over $4 million in assistance. This includes food, sanitation, town planning and seismographic analysis to determine if there was any danger of another volcanic eruption.

The U.S. contribution was part of an international response that included coordinated support from the United Kingdom, from Germany, from France and Belgium. This resolution supports this aid.

Madam Speaker, I reserve the balance of my time.

Ms. LEE. Madam Speaker, I yield myself such time as I may consume, and I rise in strong support of this resolution.

First, I want to thank our subcommittee chair, the gentleman from California (Mr. ROYCE), for his leadership and his support on all the issues which we deal with as it relates to Africa; and I would like to commend my good friend and colleague, the gentleman from Illinois (Mr. DAVIS), for introducing this very important and very compassionate resolution; and I urge all of our colleagues here today to support its passage.

This resolution offers our condolences to the people of the Democratic Republic of the Congo who were tragically affected by the eruption of the Nyiragongo volcano on January 17.

Madam Speaker, before dawn on January 17, the volcano, located 60 miles north of the city of Goma in the Democratic Republic of the Congo, began to erupt without warning. This volcano, the eruption was really the most destructive to occur in Africa during the last 25 years. The lava flow from the eruption was a mile wide in places and destroyed a major cathedral, the water plant of Goma and countless buildings and surrounding villages.

Dangers from fires, toxic fumes, reoccurring tremors and natural methane gas under Lake Kivu plagued Goma after the first tremors ceased.

Madam Speaker, according to the United States Agency for International Development and the United Nations, a total of 400,000 Goma residents, 400,000, were affected by this eruption; 147 people died and more than 150,000 residents lost their homes.

The eruption destroyed crops and contaminated the main water supply which threatened to trigger a cholera epidemic.

The suddenness of the recent Nyiragongo eruption also resulted in the separation of many children from their parents. This is really a humanitarian disaster of enormous potential.

Madam Speaker, I would like to commend Mr. Dieudonne Wafula, a Congolese vulcanologist, who predicted the volcano's eruption and actually sent e-mails to experts around the world, including to our own country, one week before the lava began flowing on January 17. His work was very integral to setting up an international survey team to monitor the behavior of the volcano after the major eruption, thereby avoiding a further calamity to the residents of Goma.

Madam Speaker, I would also like to commend the United States Agency for International Development for its very swift response to this crisis. Monetary support, relief commodities, including blankets, water jugs, water stations, dust masks, seismographic equipment and emergency food aid, were among the relief support provided by our government. The total value of that assistance to date is near $4.4 million.

We have responded in a good way to the crisis suffered by the people of Goma. Many residents in that poor region live on less than $1 per day and really had no way to deal with the immediate tragedy caused by the volcano. I am pleased that the United States government, through our development agency, was there to help.

Madam Speaker, now the immediate crisis has passed, but the lingering effects may require further cooperation between the United States, USAID and the United Nations and other government agencies. So I trust that we will be willing to step up to the plate should the need exist and we are called upon to help.

I urge my colleagues to support H. Con. Res. 304; and, Madam Speaker, I want to once again commend the gentleman from Illinois (Mr. DAVIS) for bringing this to the attention not only of this body but of the entire country.

Madam Speaker, I yield 4 minutes to the gentleman from Illinois (Mr. DAVIS), the congressperson who has introduced this resolution.

Mr. DAVIS of Illinois. Madam Speaker, I want to thank first of all the gentlewoman from California (Ms. LEE) for yielding me the time.

Madam Speaker, I rise today to express concern, sorrow and sympathy for the victims of the volcanic eruption in Goma, Congo, on January 17, 2002.

First of all, I want to thank the gentleman from Illinois (Mr. HYDE) and the gentleman from California (Mr. LANTOS), an original cosponsor, for their support and efforts in getting this resolution to the floor.

I would also like to thank the gentleman from California (Mr. ROYCE) and the gentleman from New Jersey (Mr. PAYNE), also an original cosponsor, for their constant support and assistance on this resolution and other issues concerning the people of Africa.

In the early hours of January 17, 2002, the massive volcano Nyirangongo exploded, creating three deadly lava paths, each estimated to be approximately a mile wide, which instantly destroyed homes, buildings and innocent life that crossed its path.

□ 1445

After the volcanic eruption ended, the dangers did not cease for the people of Goma. Earthquakes followed by tremors and heavy rains extended the misery. Almost a week later, hope began to emerge in the Goma region. The experts announced that the eruption had stopped. The water supply that was feared to be contaminated by volcanic ash was declared safe, although the water distribution system was only up to 50 percent of its capacity. The aid workers, who were forced to wait due to the recurring dangers, were finally able to begin the process of delivering food and supplies to the distraught.

I agree with President Bush that the United States should and will help the victims of Goma to rebuild their town and their lives. I am very pleased that the United States has allocated up to $3 million for relief efforts to date, which will become more than $4 million in total aid, for the homes and lives that were taken within seconds will take years to rebuild.

America, Madam Speaker, is at her best when we come to the aid of others in great need. So again I want to thank all of those who have shown support for this resolution.

I also commend and thank Mr. Franz Stuppard, a Congressional Fellow on my staff, and Jennifer Luciano for their work on this resolution. This happens to be Franz's last week of his fellowship, and I want to thank him for his service as he returns to the General Services Administration, which is his regular workstation. I wish that we could keep him, because he has done such an outstanding job, but I know that GSA is awaiting his return.

I again thank the gentleman from California (Mr. ROYCE) and the gentlewoman from California (Ms. LEE) for their support, and I urge passage of this resolution.

Ms. LEE. Madam Speaker, I yield myself such time as I may consume.

In closing, I want to urge my colleagues once again to support this resolution, and I want to thank Chairman ROYCE and the gentleman from Illinois (Mr. DAVIS) for bringing this to the attention of this body and of the entire country. I know that our country will continue to rise to the occasion in addressing the great humanitarian crises that the people of the Republic of the Congo are facing.

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

Mr. ROYCE. Madam Speaker, I yield myself the balance of my time; and I would again like to thank the gentlewoman from California (Ms. LEE), the gentleman from Illinois (Mr. DAVIS), and the gentleman from New Jersey (Mr. PAYNE).

Madam Speaker, as we pass this resolution in support of the people of Goma in the Democratic Republic of the Congo, there is at this time, today, an important meeting under way. And in

this meeting are representatives of the Congolese opposition political parties, the armed rebel movements, civil society, and the Government of the Democratic Republic of the Congo. They are meeting in South Africa as part of the Inter-Congolese Dialogue. We urge them to put the interests of the nation over their parochial concerns.

This dialogue for peace is mandated by the Lusaka Accords, which provides a blueprint to return peace to the divided Congo. It is intended to map out a new political arrangement that will result in the establishment of a democratic system of government. In addition, all foreign troops are to be withdrawn from Congolese soil. This will provide the resourceful Congolese people with the opportunity to benefit from their own talents and the abundant natural resources with which they have been blessed. We hope they succeed.

Mr. McDERMOTT. Madam Speaker, I rise today in support of H. Con. Res. 304.

Before I was elected to my first term in the Congress I was stationed in the Democratic Republic of the Congo as a Regional Medical Officer for the Foreign Service, so I am very familiar with this wondrous yet volatile area.

The eruption of Mount Nyiragongo is the latest in a line of tragedies suffered by the Congolese people. Since the attempted coup of the late President Laurent Kabila in August 1998 the Republic has been embattled in a bitter civil war between the government and opposition rebel groups.

Now, with the eruption of Mount Nyiragongo, the Congolese people are witnessing a new level of suffering. The results of the eruption are staggering. 46 people were initially killed, according to The International Federation of Red Cross Societies. 10,000 people are left homeless in the city of Goma.

Hundreds of thousands are out of work as a reported 13% of the city was destroyed from the 110 million cubic yards of lava erupted from the volcano. Further complicating things is a cholera outbreak that is hindering humanitarian groups from reaching the 35,000 people in need of food.

Yet despair occasionally brings hope. This most recent disaster has cast attention on the war-torn nation, and this week, at the urging of President Thabo Mbeki, South Africa is holding a summit in an effort to bring peace back to the Republic.

We can only hope that in the wake of this tragedy the warring factions can set aside their differences, begin forming a transitional government, and set a date for future elections that will bring unity and peace to the Congolese people.

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

The SPEAKER pro tempore (Mrs. BIGGERT). The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res 304, as amended.

The question was taken.

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

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

The yeas and nays were ordered.

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

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until approximately 6:30 p.m.

Accordingly (at 2 o'clock and 50 minutes p.m.), the House stood in recess until approximately 6:30 p.m.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. ISAKSON) at 6 o'clock and 30 minutes p.m.

RESIGNATION AS MEMBER OF COMMITTEE ON INTERNATIONAL RELATIONS

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on International Relations:

HOUSE OF REPRESENTATIVES,
Washington, DC, February 19, 2002.

Hon. DENNIS HASTERT,
Speaker of the House,
U.S. Capitol, Washington, DC.

DEAR MR. SPEAKER: Effective February 19, 2002, I hereby resign from the House Committee on International Relations.

Sincerely,

RICHARD BURR,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

ELECTION OF MEMBER TO COMMITTEE ON INTERNATIONAL RELATIONS

Mr. DEAL of Georgia. Mr. Speaker, I offer a resolution (H. Res. 349) and I ask unanimous consent for its immediate consideration.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

H. RES. 349

Resolved, That the following Member be and is hereby elected to the following standing committee of the House of Representatives:

International Relations: Mr. Green of Wisconsin.

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

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

APPOINTMENT AS MEMBER TO BOARD OF DIRECTORS OF NATIONAL URBAN AIR TOXICS RESEARCH CENTER

The SPEAKER pro tempore. Without objection, and pursuant to section 112 of the Clean Air Act (42 U.S.C. 7412), the Chair announces the Speaker's appointment of the following member on the part of the House to the Board of Directors of the National Urban Air Toxics Research Center to fill the existing vacancy thereon:

Mr. Hans P. Blaschek, Champaign, Illinois.

There was no objection.

COMMUNICATION FROM THE HON. JOSEPH M. HOEFFEL, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable JOSEPH M. HOEFFEL, Member of Congress:

HOUSE OF REPRESENTATIVES,
Washington, DC, February 1, 2002.

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

DEAR MR. SPEAKER: This is to formally notify you, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a civil subpoena for documents issued by the United States District Court for the Eastern District of Pennsylvania in a civil case pending there.

After consultation with the Office of General Counsel, I will determine whether it is consistent with the precedents and privileges of the House to comply with the subpoena.

Sincerely,

JOSEPH M. HOEFFEL.

COMMUNICATION FROM THE HON. BRAD SHERMAN, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable BRAD SHERMAN, Member of Congress:

WASHINGTON, DC,
February 26, 2002.

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

DEAR MR. SPEAKER: This is to formally notify you, pursuant to Rule VII of the Rules of the House of Representatives, that I have been served with civil subpoenas for documents and testimony issued by the United States District Court for the Central District of California in a civil case pending there. The testimony and documents sought relate in part to the official functions of the House.

After consultation with the Office of General Counsel, I will determine whether it is consistent with the privileges and rights of the House to comply with the subpoenas, to the extent that they seek testimony and documents that relate to the official functions of the House.

Sincerely,

BRAD SHERMAN.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair

will now put the question on motions to suspend the rules on which further proceedings were postponed earlier today.

Votes will be taken in the following order:

Concurring in the Senate amendment to H.R. 1892, by the yeas and nays; and

H. Con. Res. 304, by the yeas and nays.

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

FAMILY SPONSOR IMMIGRATION ACT OF 2001

The SPEAKER pro tempore. The pending business is the question of suspending the rules and concurring in the Senate amendment to the bill, H.R. 1892.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 1892, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 404, nays 3, not voting 26, as follows:

[Roll No. 39]

YEAS—404

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

NAYS—3

Goode
Stump
Tancredo

NOT VOTING—26

Ackerman
Bachus
Baldacci
Barton
Bentsen
Blagojevich
Bonior
Brown (FL)
Condit
Costello
Doolittle
Gilman
Hilleary
Jenkins
Lynch
Murtha
Payne
Phelps
Reyes
Riley
Roukema
Rush
Traficant
Waters
Watts (OK)
Weiner

□ 1857

Mr. TANCREDO changed his vote from ''yea'' to ''nay.''

So (two-thirds having voted in favor thereof) the rules were suspended and the Senate amendment was concurred in.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. ISAKSON). Pursuant to clause 8, rule XX, the Chair will reduce to 5 minutes the minimum time for electronic voting on the additional motion to suspend the rules on which the Chair has postponed further proceedings.

EXPRESSING SYMPATHY TO PEOPLE OF DEMOCRATIC REPUBLIC OF CONGO

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the concurrent resolution, H. Con. Res. 304, as amended.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 304, as amended, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 405, nays 1, not voting 27, as follows:

[Roll No. 40]

YEAS—405

Abercrombie
Aderholt
Akin
Allen
Andrews
Armey
Baca
Baird
Baker
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Bass
Becerra
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bono
Boozman
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Conyers
Cooksey
Cox
Coyne
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Filner

Flake
Fletcher
Foley
Forbes
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
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Lee
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Lewis (CA)
Lewis (GA)
Lewis (KY)
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LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
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Maloney (CT)
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McCarthy (MO)
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McKeon
McKinney
McNulty
Meehan
Meek (FL)
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Menendez
Mica
Millender-McDonald
Miller, Dan
Miller, Gary
Miller, George
Miller, Jeff
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Moran (KS)
Moran (VA)
Morella
Myrick
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Napolitano
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Nethercutt
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Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
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Otter
Owens
Oxley
Pallone
Pascrell
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Peterson (MN)
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Pickering
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Price (NC)
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Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
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Whitfield
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Wilson (NM)
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Woolsey
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NAYS—1

Paul

NOT VOTING—27

Ackerman
Bachus
Baldacci
Barton
Bentsen
Blagojevich
Bonior
Brown (FL)
Condit
Costello
Dooley
Doolittle
Gilman
Hilleary
Jenkins
Lynch
Murtha
Payne
Phelps
Reyes
Riley
Roukema
Rush
Traficant
Waters
Watts (OK)
Weiner

□ 1906

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

The result of the vote was announced as above recorded.

The title of the concurrent resolution was amended so as to read: ''Concurrent resolution expressing sympathy to the people of the Democratic Republic of the Congo who were tragically affected by the eruption of the Nyiragongo volcano on January 17, 2002.''.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. WATTS of Oklahoma. Mr. Speaker, I was unavoidably detained in Oklahoma earlier today on family business and missed votes on H.R. 1892 and S. 1206. I respectfully request that the RECORD reflect that, had I been here, I would have voted "yea" on each of these votes.

CONSIDERING MEMBER AS FIRST SPONSOR OF H.R. 2714

Mr. DEMINT. Mr. Speaker, I ask unanimous consent that I may hereafter be considered as the first sponsor of H.R. 2714, a bill originally introduced by the gentleman from Oklahoma (Mr. LARGENT), for the purpose of adding cosponsors and requesting reprints pursuant to clause 7 of rule XII.

The SPEAKER pro tempore (Mr. ISAKSON). Is there objection to the request of the gentleman from South Carolina?

There was no objection.

SPECIAL ORDERS

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

CONGRESSIONAL WAR POWER

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

Mr. PAUL. Mr. Speaker, the war drums are beating, louder and louder. Iraq, Iran, and North Korea have been forewarned. Plans have been laid and, for all we know, already initiated for the overthrow and assassination of Saddam Hussein.

There has been talk of sabotage, psychological warfare, arming domestic rebels, killing Hussein and even an outright invasion of Iraq with hundreds of thousands of U.S. troops. All we hear about in the biased media is the need to eliminate Saddam Hussein, with little regard of how this, in itself, might totally destabilize the entire Middle East and Central Asia. It could, in fact, make the Iraqi problem much worse.

The assumption is that, with our success in Afghanistan, we should now pursue this same policy against any country we choose, no matter how flimsy the justification. It hardly can be argued that it is because authoritarian governments deserve our wrath, considering the number of current and past such governments that we have not only tolerated but subsidized.

Protestations from our Arab allies are silenced by our dumping more American taxpayers' dollars on them.

European criticism that the U.S. is now following a unilateral approach is brushed off by the United States, which only causes more apprehension in the European Community. Widespread support from the eager media pumps the public to support the warmongers in the administration.

The pros and cons of how dangerous Saddam Hussein actually is are legitimate. However, it is rarely pointed out that the CIA has found no evidence whatsoever that Iraq was involved in the terrorist attacks of 9–11.

Rarely do we hear that Iraq has never committed any aggression against the United States. No one in the media questions our aggression against Iraq for the past 12 years by continuous bombing and imposed sanctions responsible for the death of hundreds of thousands of children in Iraq.

The Iraqis' defense of their homeland can hardly be characterized as aggression against those who rain bombs down on them. We had to go over 6,000 miles to pick this fight against a Third-World nation with little ability to defend itself.

Our policies have actually served to generate support for Saddam Hussein, in spite of his brutal control of the Iraqi people. He is as strong today, if not stronger, as he was prior to the Persian Gulf War 12 years ago.

Even today, our jingoism ironically is driving a closer alliance between Iraq and Iran, long-time, bitter enemies.

While we trade with and subsidize to the hilt the questionable government of China, we place sanctions on and refuse to trade with Iran and Iraq, which only causes greater antagonism. But if the warmongers' goal is to have a war regardless of international law and the Constitution, current policy serves their interests.

Could it be that only by war and removal of certain governments we can maintain control of the oil in this region? Could it be all about oil and have nothing to do with U.S. national security?

Too often when we dictate who will lead another country, we only replace one group of thugs with another, as we just did in Afghanistan, with the only difference being that the thugs who we support are expected to be puppet-like and remain loyal to the United States, or else.

Although bits and pieces of the administration's plans to wage war against Iraq and possibly Iran and North Korea are garnered, we never hear any mention of the authority to do so. It seems that Tony Blair's approval is more important than the approval of the American people.

Congress never complains about its lost prerogatives to be the sole declarer of war. Astoundingly, Congress is only too eager to give war powers to our presidents through the back door by the use of some fuzzy resolution that the president can use as his justification. Once the hostilities begin, the money always follows, because Congress fears criticism for not ''supporting the troops.'' But putting troops in harm's way without proper authority and unnecessarily can hardly be the way to ''support the troops.''

Let it be clearly understood: There is no authority to wage war against Iraq without the Congress passing a Declaration of War. H.J. Res. 65, passed in the aftermath of 9–11, does not even suggest that this authority exists. A U.N. resolution authorizing an Iraqi invasion, even if it were to come, cannot replace the legal process for the United States going to war as precisely defined in the Constitution. We must remember, a covert war is no more justifiable and is even more reprehensible.

Only tyrants can take a nation to war without the consent of the people. The planned war against Iraq without a declaration of war is illegal. It is unwise because of the many unforeseen consequences that are likely to result. It is immoral and unjust, because it has nothing to do with U.S. security and because Iraq has not initiated aggression against us.

Besides, the American people become less secure when we risk a major conflict driven by commercial interests and not authorized in a proper manner by the Congress. Victory under these circumstances is always elusive, and unintended consequences are inevitable.

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

(Mr. GEORGE MILLER of California addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

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

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

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from the District of Columbia (Ms. NORTON) is recognized for 5 minutes.

(Ms. NORTON addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

□ 1915

REGARDING THE NATIONAL AVIATION CAPACITY EXPANSION ACT

The SPEAKER pro tempore (Mrs. CAPITO). Under a previous order of the House, the gentleman from Illinois (Mr. LIPINSKI) is recognized for 5 minutes.

Mr. LIPINSKI. Madam Speaker, I rise tonight to speak about the National Aviation Capacity Expansion Act, a bill that will help end 20 years of aviation gridlock at the most important crossroads of American aviation.

This measure would codify a historical agreement between Mayor Daley and Governor Ryan that will expand and modernize O'Hare International Airport, take steps to construct a new south suburban airport, and keep Chicago's downtown general aviation airport open for 25 years.

It is necessary to codify this agreement into Federal law because the city and the State do not want to move forward with this $6 billion project only to have a future governor rescind the agreement, thereby throwing billions of dollars down the drain.

The agreement reached December 5 by the Governor and Mayor is good news for our national aviation transportation system and for air travelers. O'Hare modernization is perhaps the most important action Congress and the Federal Government can take to alleviate system-wide congestion.

Chicago O'Hare is a vital economic engine in Chicago, the State of Illinois, the Midwest, and the entire Nation. It is among the world's busiest airports and serves as the only dual hub with United and American Airlines basing significant equipment, employees, and assets at the facility.

O'Hare serves more than 190,000 travelers per day, nearly 73 million in the year 2000. This is the Nation's busiest airport in number of passengers. Forty-eight States have direct access to O'Hare, as it serves communities large and small.

But O'Hare needs to be redesigned to meet the demands of today's marketplace. Designed in the 1950s, the airport has intersecting runways and a layout designed for smaller aircraft. By simply reconfiguring the airport layout, many weather-related delays could be avoided. By replacing old runways with safer, parallel configurations, delays and cancellations would be greatly reduced, eliminating delays that often ripple throughout the entire Nation.

Ninety percent of O'Hare's modernization will be paid for by airline and airport guaranteed funds, including passenger facility charges, landing fees, concessions, and bonds. The rest of the funds will come through the regular FAA process for airport construction, and my legislation is very clear on this issue.

This agreement also moves forward with a south suburban airport near Peotone. Common sense dictates that we need the capacity in the near future, and with this airport at Peotone we will have it. But just expanding O'Hare does not eliminate the need for a third airport, as I mentioned before. Building Peotone will not replace O'Hare modernization. They are not mutually exclusive. Both are needed to address serious aviation capacity problems in the region and the Nation.

This agreement also addresses traffic congestion along O'Hare's northwest corridor, including western airport access, and maintains the quality of life for residents near these airports. Clearly, the environment and airport noise should not be afterthoughts, as this agreement will reduce by half the number of people impacted by noise, and it includes $450 million in funds for soundproofing. In addition, as the U.S. aviation system completes its move to quieter Stage 4 aircraft, airport noise will be reduced.

The FAA is and will continue to be the final arbiter of safety. Safety is our number one priority, and the legislation maintains the FAA's safety role.

Some might call my legislation unprecedented, but it is clear that the Chicago situation is unprecedented and unique. When the House Subcommittee on Aviation held a hearing on the issue in August, no other similar situation could be found where a State has an arbitrary veto power over a city's airport or runways. In addition, since Chicago is the crossroads of aviation, it is vitally important to codify this agreement into Federal law.

In closing, Madam Speaker, I urge all of my colleagues to cosponsor H.R. 3479, the Aviation Capacity Expansion Act. No other bill in this Congress will do more to end the aviation gridlock that plagues the American flying public.

IMPARTIAL INVESTIGATIONS WILL HIGHLIGHT THE TRUTH

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

Mr. FILNER. Madam Speaker, I have introduced this evening legislation that calls for a special prosecutor to be named to look into the whole Enron mess.

Sure, this is a business scandal, and congressional committees are looking into reforms of our auditing practices of public corporations and the safety of employee pension plans. But this is a scandal that goes far beyond that. This

is a scandal that shows the pervasive corruption in American politics.

My legislation asks for a special prosecutor to look into the relationship between Enron and the manipulation of the stock market and its value per share; to look into the relationship between contributions by Enron to the President, the Vice President, Cabinet officers, other administration officials, and congresspeople.

I am asking the prosecutor to look into the influence of Enron on Federal and State legislation, including, in particular, the effort to deregulate energy markets, both in States and in the Nation as a whole.

Finally, I ask for the prosecutor to look into the relationship between Enron and our whole Federal and State regulatory system.

When we went through the energy crisis in California in the summer of 2000 and since, many of us claimed that this was not a supply and demand crisis but a crisis of manipulation of our market; and, in fact, that criminal manipulation resulted in the theft of anywhere between $20 billion and $40 billion from California ratepayers.

Enron and a small group of its friends in the energy industry were the perpetrators of this crime. We took evidence of that crime, many of us in California, to our supposed protector, the Federal Energy Regulatory Commission. They investigated, or so they say, the situation, and they found no wrongdoing.

In fact, now that the spotlight is burning brightly on Enron, FERC has suddenly announced that they are going to look into this matter again. Why, after an investigation which was smoke and mirrors, do they say, ''Let us look again''? I think this FERC, what I call the Federal Enron Rubber-Stamping Commission, wants to preempt other investigations and stop a real look into the relationship between Enron and the crimes that were committed in the electricity market in California.

So we cannot let FERC, the Federal Enron Rubber-stamping Commission, take over this investigation. We must give this to an independent and thorough investigation by a special prosecutor.

We have to go beyond the congressional investigations into the business practices of Enron and the problems that they caused, the tragedies they caused, because this is a bigger problem, and the American people should not allow this investigation to stop with only a few business reforms instituted and maybe one or two folks thrown into jail. They must demand the investigation of the whole corruption of our political system.

We know about the contributions to both administrations in recent history. We know about the contributions to congresspeople. We know about the separate meetings Enron had with the Vice President and the energy task force of the White House over an 8-month period to determine the energy policy of this Nation.

We know that the seventh biggest company in the United States, with revenues of over $100 billion, was making our energy policy. We know that Cabinet members came from Enron right into this administration. We know that the CEO of Enron, Ken Lay, personally submitted names and interviewed candidates to be members of our Federal Energy Regulatory Commission.

We know the connections, close connections, between this administration and Enron. It was those connections that caused this scandal, and it was the connections between Enron and State legislatures and State legislators and State regulatory commissions and Federal regulatory commissions that caused their success.

Not only the failure of Enron is what ought to be investigated but why they flew so high for so long and allowed the stealing of so many billions from so many people.

So we have to look at Enron with a neutral, unbiased look. It seems to me that neither the administration nor this Congress can do that, so that is why I am calling for a special prosecutor. Enron must be fully examined so the American people can understand why and how our political system has been hijacked.

GOVERNORS' RESOLUTION ON GENERIC DRUGS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. PALLONE) is recognized for 5 minutes.

Mr. PALLONE. Madam Speaker, I rise this evening to bring attention to the Governors' resolution on generic drugs that is going to be offered by Governor Dean of Vermont at the National Governors Association conference taking place this week in Washington, D.C.

Madam Speaker, after all is said and done, the high cost of prescription drugs still remains one of the most pressing health care issues confronting our country's senior citizens, employers, managed care plans, and State and Federal drug programs. It also remains clear that generic competition can have a dramatic impact on reducing pharmaceutical costs.

There is a need, in my opinion, for statutory or legislative initiatives that allow timely access and availability of generic drugs. Frankly, Madam Speaker, Congress has been dragging its feet. Congress has been so negligent in ensuring proper entry of generics to the market that States are beginning to act on their own, as we see with the Governors' resolution.

The Governors' resolution expresses concern about the 1984 Hatch-Waxman Act. Part of the intent of the Hatch-Waxman Act was to lawfully improve consumer access to lower-priced generic drugs. The problem, Madam Speaker, is that loopholes within the Hatch-Waxman Act are being taken advantage of and preventing the availability of generic drugs to enter the market. Brand name companies have become proficient in manipulating the Hatch-Waxman law and launching campaigns to block or delay generic alternatives from reaching the market.

The Governors are concerned in their resolution that these elements within the Hatch-Waxman Act may actually be contributing to the rising costs of prescription drugs, and the resolution asks Congress to explore this issue.

In addition, the Governors raised the valid point that during this time of tight State budgets, a national deficit, and an economic recession States are burdened by Medicaid costs which are on the rise due to the soaring costs of prescription drugs. With prescription drug costs rising at a rate of up to 18 percent annually, States' Medicaid drug costs represent the fastest-growing health care expense for States, employers, and consumers across the Nation.

USA Today reported that the Business for Affordable Medicine, a coalition of governors, business, and labor unions, stated that certain reforms to the Hatch-Waxman Act could save State Medicaid programs $600 million in prescription drug costs over the next 3 years. According to the coalition, States spent about $1.2 billion in 2001 on 17 drugs, including the allergy medicine Claritin, the asthma drug Flovent, and the cancer treatment Lupron. The coalition said that the $600 million figure is the amount of savings that would occur if these 17 drugs were replaced by generic alternatives that would be allowed to enter the market.

Madam Speaker, the inclusion of generic alternatives in the marketplace is great for consumers, employers, and government purchasers because generic competition provides access to less expensive, therapeutically equivalent generic versions of brand-name drugs.

I fully support the Governor's resolution and the intent to improve access to generic drugs, and I encourage my colleagues in Congress to take the lead of the Governors here in Washington, D.C., and to pursue this important issue.

THE PRESIDENT'S AXIS OF EVIL AND THE IMPORTANCE OF MISSILE DEFENSE

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

Mr. MCINNIS. Madam Speaker, this evening I would like to cover a couple of subjects. The first subject that I would like to spend some time on is on the President's axis of evil. I really do not want to focus entirely on that particular subject, but I want to talk more specifically as kind of a jump from

that subject on to missile defense, the importance of missile defense for the United States of America; in fact, the absolute necessity for the United States to deploy as soon as possible a missile defense to secure our borders against future attempts, either accidental or intentional, to cause harm.

To lay a basis for this, I have just returned from NATO meetings. Our NATO delegation here out of the House of Representatives is chaired by the very able gentleman from Nebraska (Mr. BEREUTER).

□ 1930

We went to our NATO meetings and then after our NATO meetings went and joined another group with the British American parliamentary assembly which was chaired by our very capable Member, the gentleman from Wisconsin (Mr. PETRI). And from these meetings, it was very interesting to go to these meetings. First of all, let me state that it amazes me, it absolutely amazes me that we do not have to get very far from September 11 before the old European criticism of the United States starts to rear its ugly head.

Now that said, let me tell you that I think it is somewhat out of proportion this criticism. Mind you, it is the criticism that gets played up by the world media. It is not the things that are going right. And I can state a lot of relationships are probably more solid today with some of our European allies, for example, the British, than they have ever been in the history of relationships between these two countries.

Let me compliment the United Kingdom. The Brits have been with us from the moment those planes hit the Pentagon and targeted New York City. And they have not faltered, they have not weakened, they have not backed off one inch. My compliments to the British people. Unfortunately, that strong commitment to the goodness of what our societies represent, not the United States alone, the United States is not standing alone. The United States is willing to go it alone, but the United States wants help from its allies. That is why you have allies. But unfortunately, in my view, not all Europeans, specifically the French, the Germans, even Luxembourg, I was a little discouraged by some of the comments I heard at some of these meetings about the United States, that the United States being the only super-world power is kind of pushing unilateralism.

That is not what is happening out there. The United States of America is without question the only superpower in the world. But the United States of America is not arrogant about this. The United States of America has never ignored its friends. The United States of America does everything that it can to have a strong alliance with its natural allies. And the United States of America reaches out more than any country in the history of the world, more than any country in the history of the world. The United States of America reaches out to help other countries. It reaches out to give individual freedoms throughout the world. It reaches out and, sure, we talk and try and use education to tell people how the goodness of individual freedoms and individual rights and how it makes a country stronger and not weaker.

We are not sensitive to criticism, unless the criticism is a little unjust. It was interesting over the weekend, there was an editorial in one of the London newspapers. And they remembered the quote that Lyndon Johnson had back in the de Gaulle days when de Gaulle said to Lyndon Johnson that he wanted the American troops, the United States troops off European soil. And President Johnson immediately replied, does that include the American troops buried beneath your soil?

Twice in the last century the United States at the expense of many thousands of lives went to the defense of Europe. And I feel very confident that if Europe were challenged tomorrow, the United States would once again find itself in battle on behalf of the Europeans. The United States thinks very highly of the European nations. The United States of America thinks it is very important that we have friendships that are strong into the future. But let me tell you something about a friendship. You have got to be willing to help that friend of yours that might need some help.

Now, the United States of America through the leadership of our fine President has committed to eliminate, to the extent possible, terrorism throughout the world. Not just terrorism focused on the United States of America, but terrorism focused wherever it raises its ugly head; and it has asked for assistance from other countries, other countries in Europe. Now, that is not acting as if you were arrogant. That is not going forward on some kind of unilateral message or unilateral path. The United States of America does not accept arrogance as its policy of moving forward.

What the United States of America accepts as its policy is strength, strength through the ability to negotiate, strength through military might, strength through doing whatever you can to assist countries rebuilding themselves.

Take a look at Afghanistan. It is our obligation, we feel in this country, we feel an obligation to help build that country, to have text books in those schools, to build those schools, to allow women the rights they have never seen in that country before, all individuals in that country to begin to exercise individual rights. And the United States of America is willing to step forward not only with its military might, but with its economic might as well, as well as its compassion, whether it is the Peace Corps or whether it is the thousands and thousands of items that have been contributed throughout this Nation, whether it be jackets or school books, or whatever, sent to the country of Afghanistan.

I think it is a mistake, a deep mistake for our European allies, not all of them but for some of those European allies, to think that for some reason because the United States of America has the guts and, frankly, I think the obligation to stand up toe to toe with these terrorists, and destroy them where possible, do whatever we can to overcome the fear in the hearts of the American people and the people of this world that these terrorists have put there. And the United States is willing to be the first one out of the foxhole.

But it is a little interesting when some of the people still back in the foxhole have enough malfeasance, in my opinion, of their professional responsibilities to criticize the United States because it is the first one out of the foxhole, because the United States of America is willing to take on this terrorism, not only for our Nation's security but for the world's security. And the President has made that very clear. The Secretary of State has made that very clear.

We are not out to rid the world of terrorists that only attack the United States of America. We are out to contain and destroy to the extent possible the terrorists that rain their terror upon anywhere in the world. And we have asked some of our European allies, all of our allies to join us. It amazes me, it discourages me, it disappoints me that we have some of the countries in Europe who are speaking ill of the United States.

It was surprising to hear how often I heard criticism of President Bush's axis of evil, the three countries that President Bush highlighted as direct threats, evil countries. It reminded me of the days when President Reagan had enough guts to stand up and call Russia the Evil Empire. You know what bothered a lot of people? The fact that he was right. And here President Bush is right.

Sure, you can sugar-coat it. You can decorate your language, try and hide it, try and kind of through statesman negotiations, I guess, not really call these countries what they are. But what would you call North Korea? I asked some of my European friends, What is it that you would describe North Korea with? You want to get a Webster's dictionary and find me another word in the dictionary that would fit North Korea more appropriately than axis of evil or a combination of evil? Take a look at the suppression that North Korea does with its own citizens. How can you justify calling North Korea anything but evil when they starve their citizens to feed their military?

Then you can move on to Iraq. When we talk about biochemical warfare, do you know what country in the history of the world has used it on its own citizens? Iraq. Do you think somewhere in Webster's dictionary you could find a

definition other than the word of evil to fit the nation of Iraq? The people, the masses of Iraq deserve more than they are getting from that leadership.

Saddam Hussein is evil and his leadership regime is evil. The country, the people of North Korea, the people of Iraq, and to a lesser extent the people of Iran, are all begging for some kind of new leadership out there. And Iran is no guardian angel. Iran seems to have at least some momentum moving towards reform in their country. But the fact is right now the three primary threats to the free world are Iraq, number one, North Korea, number two, and Iran, number three.

So we have got a President that has enough gumption to be the first one out of the foxhole, to say it as it is, to talk about it in terms that are necessary for it to be talked about. And that is that these evil empires are doing not only injustices to their own people, but they threaten tremendous injustices to other nations in the world. That is what this President is standing up for. And that is what I hope our European allies understand, that the United States is not trying to snub, has made no attempt whatsoever to snub its allies anywhere in the world.

In fact, it is the United States coming out of that foxhole not only for itself, not only for our Nation, but for all nations of this world, to rid this world of a terrible, terrible cancer. And there is no other way to describe the acts of these terrorists, whether it is the kidnapping of a Wall Street Journal reporter, whether it is flying a plane into the World Trade Center or flying a plane into the Pentagon or unleashing any other act of terror. Somebody has got to have enough guts to face up to them.

Let me say, and I want to make it very carefully said that throughout my remarks the one sole strong exception standing so solid out there in the European continent is the United Kingdom. We have some other allies in the European continent that are standing with us, but the strongest out there are the British. And I want to commend my colleagues in Britain for standing with the United States of America. And I want to encourage the other European continent to join us in this battle. Not join us just in soft talk. Join us in strong action. That is what it is going to take.

This cancer that we have discovered, this cancer that we discovered through the horrible events of September 11 is not just going to disappear on its own. In fact, every day that goes by that cancer begins to spread.

Now, we took a pretty good whack out of that cancer with our military action in Afghanistan. And thanks to a lot of European allies who have helped us with intelligence, who have helped us with the money racketeering going on out there, we have been able to crawl somewhat into the cellars of some of these terrorist headquarters and begin to destroy that cancer. But the fact is cancer still exists. We cannot pray it off us, although that may help. We cannot wish it off us. Wishing is something for a dream, but it is not going to get rid of that cancer. You cannot love it off. You cannot talk it off. You have got to get in there, and you have got to take it away.

Now in my opinion several of our European allies agree that the cancer needs to be taken away. But they want it done with the absolute opportunity of, I guess you would say, anesthesia for the patient. Get the best anesthesia that you can get and deliver and put it into the patient before you begin to remove the cancer. Frankly, I agree with that. Make the patient as comfortable as you can. But the problem is the patient and the cancer are here today. The anesthesia of which these people, the European allies, some of them, are referring to, we do not have it in the operating room. We need to go after that cancer now. We cannot wait for that anesthesia to arrive because if we do, it may be too late for the patient.

So in an idealistic world, while we would like to have all of the anesthesia we need right there for that patient, in the realistic world, not the idealistic world, but the realistic world, we may have to go after that cancer before we have the kind of anesthesia that we would like to have. Those are the facts. And it is not because we are being egotistical. It is not because we want to act in a unilateral method. It is because we are saying that our fellow doctors in that operating room, look, we have got to get that cancer. Everybody agrees, right? Right. We have got to do it now. Yeah, we need to do it. We need to do it now. Somebody in that operating room has to take charge. And the United States of America is willing to lead.

In fact, as Vice President CHENEY has said, the United States of America today in the world is the only one who has the capabilities from all angles in a broad statement to take on this terrorism. We want our allies with us. We want to protect our allies. That is a natural. Of course you want to protect your friends.

So I would have expected when I went to Europe to find many of my friends from Germany or find many of my friends from France, although the French are tough to bring along in most cases, find our friends from Luxembourg, find our friends from some of these other countries jumping up and saying, hey, we are ready to get out of the foxhole. We are firmly committed behind your Nation.

I happen to believe that most of the people in Europe agree with the United States of America in that the number one issue out there is security and that we have got to somehow repeal this horrible cancer that has stricken the world.

□ 1945

Granted, on September 11, it hit the United States of America, but I am telling my colleagues it is not long before it hits somewhere else in the world. That is why it is our obligation, all of us, all of us, to get out of that foxhole, under the leadership of the United States of America, and take it on.

I saw an excellent editorial in today's Wall Street Journal. I do not like to read into the RECORD, but this is an important editorial, and so I want to read. It is not a long editorial, but I ask my colleagues to listen very carefully to the words, because the Wall Street Journal editorial I think covers very precisely the type of feeling that I had at the NATO meetings that I was in attendance.

Again, dated February 26, title of the editorial is Axis of Allies.

To read the papers these days, you'd think Europe and the United States were headed for a giant fall over President Bush's ''axis of evil'' policy. Certainly European critics have earned all of the headlines. But there's another side to this story, which is that much of Europe actually supports Mr. Bush.

We certainly would not call it a silent majority. But it includes some very big names, starting, for example, with the Spanish Prime Minister. Since you won't read about it anywhere else, we thought we'd tell you what he said.

''I think that the position Bush has taken is of historic dimensions,'' the Prime Minister said last week in an interview with European journalists. ''It is comparable to the choice made by Truman, who in the postwar took a strong position against the Russians, and to the declaration that Reagan made at the beginning of the 1980s which defined the Soviet Union as the evil empire.''

The Spanish Prime Minister added that, ''I believe that today it is more important than ever that Europe strengthen its ties with the United States: Alone we Europeans will be able to do nothing, not only on the international scene but also even inside our own continent, as the crisis in the Balkans demonstrated. There are those who want to make an impression by lining up against the U.S., but I do not agree with this attitude.'

''Also largely unreported was the comment last week of'' the European Union ''foreign policy chief, who spoke of 'overstatements of differences' with Washington.'' The policy chief's ''remarks were widely taken as a slap in the face of Chris Patten, the EU external affairs commissioner who warned, in widely quoted comments, that Mr. Bush was in 'unilateralist overdrive.'

''Something is clearly getting lost in translation of how Europeans view America right now. When a French Foreign Minister calls U.S. foreign policy 'simplistic' or the German Foreign Minister Fischer accuses the United States of treating European nations as 'satellites,' their remarks make news on both sides of the Atlantic. But when a European leader speaks pointedly in support of America, he is shouting into the wind.

''The real story is the battle in Europe between the new politics and the old. It is no accident that those dowagers of the old socialism, France and Germany, tend to produce the U.S. critics, while exponents of a new centrist or center-right politics, primarily British Prime Minister Tony Blair, Italian Prime Minister Silvio Berlusconi and Mr. Aznar, support Mr. Bush.

''The internal debate in Europe is about its role in the world and the future shape of the European Union. Specifically, it focuses on the politics of European integration in which a French-led bloc wants to create a more integrated (and socialist) Europe. The issues will come up in elections in France and Germany this year.

''Both France and Germany also had business ties with Iraq that they are eager to resume; that won't be politically correct as long as Iraq is part of the 'axis of evil.' A campaign (with tacit or explicit government support) to indict Western sanctions as the cause of Iraqi misery has also succeeded with the European public, making it that much harder for Paris or Berlin to support military action against Iraq.

''France and Germany are important countries, but they aren't all of Europe any more than America is Washington and New York. And even they may ultimately find a way to support American action in Iraq and elsewhere. In the meantime, President Bush can count on backing'' of Aznar, the Prime Minister of Great Britain and the Prime Minister of Italy, ''though they too will face political hurdles at home.

''A part of Europe sees eye to eye with the U.S. on economic liberalization and a foreign policy that attempts to rid the world of threats to peace and stability. Another part of Europe disagrees. Why do only the grumblers make news?''

I think it is an important piece, and I would urge my colleagues, if they have an opportunity, clip it out of the Wall Street Journal. Europe is very important for the future of our country. We need a strong relationship with the European countries, and we have a strong relationship.

Twice in the last century, the United States of America took its boys, young men and women, overseas to fight for the Europeans, to fight on the European continent, and we would be willing to do it again tomorrow. But let me tell my colleagues, within the family, the criticism, while any good family allows for constructive criticism, it should always be somewhat justified criticism, and I think Germany or France or some of the leaders of these various countries of the European Union, some of those leaders that criticize the United States of America as acting in a unilateral fashion, have got it all wrong.

The United States of America wants to act in a partnership. The United States of America wants Germany and France acting as strongly with us as Great Britain has. This problem of terrorism is not unique to the United States of America. They know that. The people and the officials of the European Union know that. The citizens of Europe know that.

Let us form a team, as Powell said, our Secretary of State Colin Powell last week, that the Europeans, every time they pound on the United States, they ought to do a little pounding on Iraq.

This is exactly what the terrorists want to occur. They want some kind of division to begin to pop up between the Europeans and America. Why? Because they know it is a lot tougher to take on two people coming out of that foxhole than it is to take on one coming out of that foxhole.

So the United States of America wants our European allies with us as we come out of the foxhole. We are not asking our allies in Europe to be the first ones out of the foxhole. We are willing to do it. This Nation has the capability. It has the commitment. It has got the military strength and technology to be the first one out of that foxhole, but if you ain't going to fight, do not complain, and if you are going to fight, get out of the foxhole.

This moves me on to the issue that I wanted to focus a little more on tonight, and that is the necessity for a missile defense in this country. I think the biggest weakness that the entire world faces are missiles, not just nuclear missiles. Obviously, we all fear the utilization of nuclear missiles, but ballistic missiles carrying conventional missile heads.

Can my colleagues imagine what North Korea, the kinds of havoc that North Korea could wreak on South Korea, on Seoul, South Korea? Seoul, the Nation's capital of South Korea, is only 38 miles away from North Korean missiles. Can my colleagues imagine the protection and the leverage that we would be able to take away from North Korea if we could provide our ally, South Korea, with the missile defense?

A missile defense is absolutely essential for the United States, for the security of our citizens and for the world, for the security of its citizens, any of our allies throughout the world.

I had the opportunity several years ago, I think to the best of my recollection about 3 years ago, to be in Vail at the AEI's world forum that was hosted by a former President, Gerald Ford, and Margaret Thatcher was there. I cannot quote from memory exactly what the former Prime Minister of Britain said, but I can give it pretty darn close.

I remember very distinctly that there was the current Secretary of Defense, Bill Cohen, and Margaret Thatcher stood and addressed Bill Cohen. As my colleagues know, the Clinton administration was very reluctant to commit, they certainly did not give any kind of commitment the likes of which we have seen from the Bush administration, in regards to a defensive missile system for this Nation. They kind of halfway, lukewarm supported it.

Margaret Thatcher stood up, took a look at the Secretary of Defense in the United States and her words were similar to this. Mr. Secretary, she says, you have an inherent responsibility to provide the citizens of your Nation with a missile defense. Any failure to do so would be nothing short of gross neglect.

Now, again, those words are very close to what she said. My colleagues could have heard a pin drop in that room. Why? Because Margaret Thatcher was right. We need a missile defense in this country; and, fortunately, we have a President who is absolutely committed and moving forward at full speed at providing a missile defense for our Nation.

Remember, there are lots of threats out there, and the threats are not necessarily an intentional missile launch against the United States. In fact, we could very easily have an accidental missile launch against the United States, and do not think accidental missile launches are something that just are nightmares of the future. It has already happened.

Not long after September 11, about 6 months ago, a Russian airliner was flying I think over the Black Sea, and the Ukrainian military was doing military exercises with their navy, and they fired a missile by accident at a commercial airliner, a Russian airliner, and they blew the Russian airliner out of the sky. They killed 70 or 80 people. They blew it to smithereens.

Accidents can happen. An accidental launch against the United States of America could happen, and it could lead to consequences much, much more serious than just one missile being launched across the ocean. If that missile was launched and, one, we did not know it was accidental; two, we did not have the capability to stop it, the United States may end up in a response of a retaliatory fashion. So missile defense is important not only against an intentional launch against our country but the possibility of an accidental launch.

As my colleagues know, years ago, back in about 1972, the United States entered into an agreement with Russia called the anti-ballistic missile treaty. To the President's credit, President Bush has abrogated that treaty pursuant to the terms of the treaty. The treaty itself, the basics of the treaty or the philosophy behind the treaty was that one nation would not defend itself against the missile attack, nor would the other nation. In other words, the United States of America would agree not to defend itself against Russian missiles if Russia agreed not to defend itself against United States missiles, the theory being that the United States would not dare attack Russia because they could not defend themselves against a retaliatory attack and vice versa.

I think it is crazy, but that was the thinking and the philosophy in 1972 when this agreement was signed. In 1972, when this agreement was signed, keep in mind that only two nations in the world had the capability of delivering intercontinental ballistic missiles into the territory of the other, Russia and the United States.

Clearly, since then, many, many other countries throughout the world have developed that technology, and that technology is much more readily available than it was 30 years ago. We have had dramatic changes in the world scene today in regards to missiles, missile technology and the capability to launch a missile into the territory of another country.

That 30-year-old treaty was outdated within a few short years after it was signed, and today, with all of the countries in the world that have the capability of striking the United States, and we discovered unfortunately on September 11 that we can be hit within our borders, of all of the countries that have that capability, why were we reluctant the last 8 years under the Clinton administration, for example, to go full speed ahead on building a defensive mechanism? These are not offensive missiles. This is a defensive missile system for our Nation to protect the people of this Nation.

□ 2000

As Margaret Thatcher said, anything short of a full missile defense system is gross neglect, gross neglect of our fiduciary duties to our citizens.

Take a look at the treaty. Now, by the way, as many of my colleagues know, the President has given notice, under the four corners of the treaty, that the United States is withdrawing from the treaty and that the United States of America intends to proceed full speed ahead to provide a missile defense for its citizens.

Let us look at the agreement that allows us to withdraw from the treaty. The treaty is obviously of unlimited duration; but as I mentioned earlier, it is now about 30 years old. At the time the treaty was signed, again just so we have a little historical basis here, there were only two nations in the world, Russia, the U.S.S.R., and the United States that were capable of delivering missiles to the other country. That changed within a very few short years after this treaty was signed.

In my opinion, the minute a third country entered the picture, they should have either been brought into the agreement or this agreement should have been abrogated. President Bush is the first one, though it took 30 years, but President Bush had the gumption to step up and exercise section two. Section two, it has been highlighted for my colleagues' benefit, states that each party shall, in exercising its national sovereignty, have the right to withdraw from this treaty. A right. It is a right within this treaty, if it decides that extraordinary events related to the subject matter of this treaty have jeopardized the supreme interests.

It goes on to talk about the 6-month notice in this paragraph. That notice has already been given. And it says that the notice shall contain within it the extraordinary events, notifying the party regarding which jeopardizes our supreme interest.

Now, have extraordinary events occurred which jeopardize the national sovereign interests of the United States of America? Of course they have. I cannot understand how anybody in these Chambers, any of my colleagues, would do anything but acknowledge the necessity for a military missile defense system in this country. And I do not know any of my colleagues that could stand up and tell me that extraordinary events have not occurred over the last 30 years. Obviously, they have occurred.

Let us start with the first one, and I am just going to go through a few ''extraordinary events'' that have occurred that, in my opinion, giving us justification to go full speed ahead. The first one, again being repetitive, is that we are no longer talking about two countries. This treaty was between the U.S.S.R., which technically does not even exist any more, and the United States of America. Since then, let us take a look at what has happened.

Number one, we have multiple countries that have missile technology and the capability to deliver those missiles into the territory of other countries. Number two, take a look in the last 30 years at what has happened with nuclear proliferation. These are countries. Now, the red countries have nuclear weapons. The green countries are countries that we are confident have or are concerned enough that we think they have the capability. We believe North Korea could easily have a nuclear missile or some nuclear missiles, Iran, Libya and Iraq.

Now, looking at my pointer here, in 1970, it used to be just the United States and Russia. Here is what leads to those extraordinary events. Watch my left hand. First, we pick up India, Israel, Pakistan, Britain, China, France. Look at that list. That is an extraordinary event, not of a positive sense but of a realistic sense. There are multiple nations in the world that have nuclear missiles, and they are capable of launching those missiles. Our Nation must defend itself and its allies against that type of an attack.

Let us go a little further. In the last 30 years, since the time this treaty was signed, look at what has happened with ballistic missile proliferation and countries that possess ballistic missiles. Look at them. One, two, three, four, five, six. Go across here. One, two, three, four, five, six. Roughly 36. Not exactly, but roughly 36 additional countries since 1972 have developed or now have missile technology capable of firing a missile against the United States of America or against another country within their territory.

Now, what can we do with missile defense? Is the threat real? Here is the threat that we face today. Look at this chart. Weapons of mass destruction among 20 Third World countries that have or are in the process of developing weapons of mass destruction. Nuclear weapons. Iran, we think has them, Iraq, Libya, North Korea, and Syria. Chemical weapons. Again, Iran, Iraq, Libya, North Korea and Syria. Biological weapons, Iran, Iraq, North Korea. Advanced technology for missiles. All of the countries.

I believe there are serious threats outside the borders of the United States of America, and we have an opportunity to lead the world once again in a way to neutralize that threat. And the best way to neutralize that threat is to obtain the technology, and we are very close. The United States is very close to achieving the technological breakthroughs that are necessary to destroy a missile on its launching pad, to take a missile that has been fired against the United States and, somewhere along its route, destroy that missile, to minimize the casualties that that missile would create if it successfully landed on its target area.

So the key here is this: the United States and our President, under our current leadership, is moving forward, and so is the United States Congress with financial commitments and financial backing for our President to build for the citizens of this Nation a security blanket, a capability to stop somebody from a ruthless attack or even an accidental mistake against this country.

The United States is also going to be the first country to step forward with this technology and to hand it over to its friends. We will offer protection for South Korea. What is North Korea going to do when the leverage of their missiles is taken away? Maybe we will get a unified Korea, as we all hope in the future will occur. What will happen with some of these terrorist organizations or countries like Libya or Iran or Iraq when the missiles they have would not be capable of destroying or bestowing horrible destruction upon allies or the United States of America itself?

My colleagues, we have an incumbent fiduciary obligation to our citizens to provide a security blanket for the protection of this Nation, and that obligation exists not only for the current generation, for the current people, but for future generations of this country. Today, we must develop that technology. We must put into position a missile defensive system.

In my opinion, and I know sometimes I stand here and preach until I am blue in the face about the threat of a missile attack against this country, but all of a sudden on September 11 we all became a little more awake as to the fact that the United States of America could be a target too. We did not think on September 10 that action against this Nation was coming as quickly as it did. And who knows what the future

holds? But I think we would be safe in assuming that the future holds further attacks against our country. I think we would be safe to assume that there are terrorist pockets out there that will do whatever it takes. They will destroy our children. Remember, in New York City, when they hit those World Trade Center towers, they killed the citizens of 80 separate countries. What we want to do is give those different countries the capability to defend themselves against these terrorists.

Now, some might say, well, the United States of America should not have a missile defensive system. The United States should somehow feel guilty because of their military strength. The United States should become apologetic because they are so powerful. The United States should feel badly about leading the world in military technology. What a bunch of rubbish. The United States of America has the capability to lead the world in missile defense.

And I could not more strongly compliment George W. Bush on his commitment for the security of this Nation. He understands, in his leadership team down there, whether it is the Vice President, whether it is Colin Powell, our Secretary of State, whether it is Condoleezza Rice, they have a clear understanding of their mission. And I think, colleagues, that we have an obligation to have a clear vision of our mission, and that is the security and the protection of the people of this country.

I cannot think of anything more important that the leaders of a country have as far as their responsibility to its citizens than a national defense. I cannot think of anything more important. Obviously, there are a lot of important things out there, but what good is anything if we cannot protect our citizens? If we as leaders cannot protect this Nation, at least to the utmost of our capabilities, what good are the benefits of anything else that we could give this Nation?

And protection, by the way of a nation, is not just necessarily a military missile defense, a strong military in regards to its capability to attack or in regards to its capability with technological advancement. I believe that the strength of a nation is displayed through its capabilities of negotiation, through its capabilities of helping other countries, through its capabilities of things like the Peace Corps and other efforts that we make like this, in foreign aid and foreign assistance with other countries. And the United States of America has no reason to apologize for any of this. The United States of America has led the world. There is no other country in the history of the world that has done more for other countries than the United States of America in regards to foreign assistance, in regards to educational benefits, in regards to open borders, in regards to opportunities.

Now, that is not to say that I think the United States has got it all right. Many times we find out that we have made a mistake, but we learn from them. And basically, when we take a look at it, no one could classify the United States of America as anything but good, in my opinion.

But to bring us back to this defense, we face very challenging times in the near future and in the distant future; and it is our responsibility as the leaders of this country, number one, to support our President and his team in their effort to provide the protection and the security that this country needs; and, two, to support our President and the President's team to provide the kind of security that our allies need.

We need people to know throughout this world that the United States of America will protect itself, it will eliminate to the extent it can any threats against this country, and it will reach out to its friends to assist its friends and to protect its friends from those kinds of attacks.

So as kind of a conclusion of this set of my remarks this evening, my colleagues, let me just summarize a couple of things. Number one, I say to our friends in Europe, our friends in France, our friends in Germany, our friends in the European Union, that the United States of America wants a partnership with you. We have had a partnership that has been tested through the loss of lives, hundreds of thousands of lives in the last century. Twice in the last century our partnership was threatened, and both times the United States of America contributed to the partnership and so did you. But this partnership must continue into the future.

Europe is important for the United States, and the United States is important for Europe. But this is not the time for our friends in Europe to be shy about their support for this President. This is not the time for our friends in Europe to somehow give credibility to regimes like that of Saddam Hussein and the country of Iraq. This is the time, instead, for friends and partners and allies to stand in unison against the common enemy and to do what is necessary to eliminate the threats of that common enemy.

□ 2015

Madam Speaker, we have got the United States of America willing to be the first one out of the foxhole. We can lead. We are willing to put the money, the defensive resources. We are willing to do what it takes, but we want the European alliance to be right there with us. There is no other way that we want it to happen.

Again, I summarize, the United States is prepared to come out of that foxhole by itself. The United States of America is prepared to go it on its own, but that is not our preference. This Nation has built its greatness through partnerships, partnerships of our citizens. And as we reach around the world to our allies and we once again are reaching out for this partnership and our friends in Europe, for example, Tony Blair in Great Britain, but some of our friends are pounding more on us than they are on the evil regimes of North Korea and Iraq.

Remember, that cancer that we find in North Korea and Iraq cannot be denied. No serious assessment of either of those countries, or Iran, frankly, could justify what those nations have done to their own citizens or could justify in any way whatsoever what those nations intend to do to the rest of the world.

There is no question in my mind or in the mind of anybody who has studied this, anybody of any consequence who has studied this at any length, that Iraq would utilize whatever weapon it had at its disposal, whether it was a chemical weapon, whether it was a nuclear warhead, whether it was the arm of terrorism, they will use whatever is necessary for an attack upon the free world. We must go against that.

Let me also say that the United States of America feels very strongly about the religion of Islam, very strongly about the Muslims who are United States citizens and the Muslims throughout the world who are not United States citizens. The evilness of the terrorist acts of September 11 do not represent that religion. Even in that religion where there is an exception for violence in a jihad, the definitions of a jihad do not fit the acts of September 11.

This Nation reaches out to all people of all colors, and we say we want individual rights, and we can come together as a team. There is a cancer that we have discovered. We must destroy that cancer, and we as a team can do it.

Finally, let me say that again, I cannot stress it strong enough, and I am saying this from the center of my heart, our President has made absolutely the right decision to go full speed ahead, to provide the citizens of this country with a defense against missiles of other countries, with a missile defensive system.

Right now many of our citizens believe that if a missile was fired against the United States of America that somehow we could defend against it. Our only defense at this point is a retaliatory strike. Is a retaliatory strike the best response? In my opinion, most of the time a retaliatory strike is not the best response. The best response is to neutralize the weapons being utilized against our citizens. We have an opportunity to neutralize one of the horrible weapons that could be used against the citizens of the United States and our friends.

Madam Speaker, I commend the President and my colleagues who are supportive of the missile defensive system, and I beg those few Members who oppose the missile defensive system to reconsider. We need your support. We need to give this President the budgetary support that is necessary; and,

frankly, I am confident that we will from both sides of the aisle. We will give this President the financial tools that are necessary to defend the interests of the United States

AMERICA NEEDS A WARTIME BUDGET

The SPEAKER pro tempore (Mrs. CAPITO). Under the Speaker's announced policy of January 3, 2001, the gentleman from California (Mr. SCHIFF) is recognized for 60 minutes as the designee of the minority leader.

Mr. SCHIFF. Madam Speaker, this evening the Blue Dog Democratic Coalition in the House will discuss the administration's request that Congress raise the Federal debt limit, an issue that we must address tonight in light of our current fiscal situation.

Simply put, America needs a wartime budget. We need a budget that will provide the resources necessary to win the war on terrorism, but not a dollar of wasted spending, that will stimulate our economy without aggravating our long-term deficits and that will protect and reform Social Security and Medicare but not finance the war out of its trust funds.

In sum, our country needs a budget that will call on the American people to make sacrifices to win, sacrifices they are willing to make if only their leaders will have the courage to ask and speak plainly.

The President's budget is not there yet. The budget calls for the most significant increase in military spending in more than 2 decades, and most of that increase will enjoy broad bipartisan support. We will do everything necessary to protect this country and our armed forces.

The budget also proposes more than $500 billion in additional tax cuts, and it also proposes some additional domestic spending.

And the budget requires sacrifice. There is only one problem. It is not we who are being asked to sacrifice, it is our children. America will win the war on terrorism whether we have a wartime budget or not. Such is the resolve of the American people. But if we do not manage our Federal budget properly during this time of war, we will have precious little for anything less, schools, roads, health care, our future, our kids. In our victory, it will be our children who have borne the full cost of the battle. Not only are they the ones who will do most of the fighting, but the war will have been financed from their retirement, from their Social Security, out of their Medicare, and from their GI bill.

Because we are in a two-front war, after all. We are in a war around the world in more than 60 countries that harbor terrorists like al Qaeda, nontraditional foes that do not wear army uniforms, do not carry a national flag and do not have any qualms about the deliberate killing of innocent civilians.

And we are in a second war on another very large front called the United States where we must guard our civilian aircraft, our water supply, nuclear power plants, and a thousand other possible targets, and winning this war will be costly under the best of circumstances.

Every generation of Americans can be the greatest generation. Courage, patriotism, love of freedom and love of country course through American veins. That spirit did not die out among the generations of World War II, Korea, or Vietnam. We saw that clearly after September 11. But there is one virtue we have yet to demonstrate before we can take our rightful place among the greatest generations: the willingness to sacrifice.

The price of freedom is high, and Americans have always paid it, President Kennedy said. We must pay it still. We should not, we must not, make our children pay it for us.

America has always been willing to sacrifice. She still is. But she must be asked by leaders who are willing to speak candidly about what is at stake and what it will take to win. She must be asked by leaders with faith in the essential generosity of the American people and who will not tell us that we can have our cake and eat it, too.

Members of the Blue Dog Coalition have always believed in crafting a budget in a balanced and thoughtful way that maintains our fiscal discipline, continues to pay down our national debt and does not rely on rosy or unrealistic long-term projections. That has been a hallmark of this group's legacy in Congress. A central component to fiscal discipline is putting forth a budget that is responsible and honest.

The administration has come to Congress and has asked this body to approve raising the debt limit so our country can continue to operate. We agree that this action is necessary, but we urge the administration to work with us to establish a long-term plan that is based on a realistic budget proposal. Only with an honest account of our economic outlook can we responsibly plan for the future of this Nation.

As we craft a budget for fiscal year 2003, we need to understand fully what our Nation requires and we need to use real numbers. We must accurately account for every tax reduction, and we need to include government expenditures that are virtually certain to occur.

Unfortunately, many costs have been left out of the administration's budget calculations. The budget is not balanced, and I would encourage my colleagues to take a closer look at some of the calculations used in this year's budget proposal. Here are a few examples:

First, the budget makes recently proposed and enacted tax cuts permanent. However, it does not include the cost of extending the individual Alternative Minimum Tax beyond 2004, which is almost certain to occur. The budget assumes that there will be 39 million taxpayers subject to the AMT by 2012, but there is almost no possibility that that will be allowed to take place. In fact, the Joint Committee on Taxation estimates that the cost of addressing this problem alone amounts to several hundred billion dollars over the next 10 years, a cost which the administration budget leaves out.

Second, the administration's budget extends certain popular tax credits for only 2 years, while it is almost certain that they will be extended for the full 10 years. Research and development tax credits, for example, have been in place since 1981 and have been instrumental in our Nation's ability to develop technology, biomedical research, and scientific breakthroughs. We cannot realistically expect that these tax credits will be phased out in 2 years. But the administration's budget proposal only includes them for 2 years instead of 10.

Finally, the budget proposal also underestimates the costs of all the new proposed tax cuts by phasing them in very slowly so that their full cost will not appear until late in the decade. For example, the proposed deduction for charitable contributions would not become fully effective until the year 2012.

The budget that came from the White House estimates its tax cut proposals as costing $665 billion between 2003 and 2012. In reality, the cost would be much higher. The Center for Budget and Policy Priorities estimates the true cost is closer to $1 trillion over the next 10-year period, and that is not all.

Under the House-passed economic stimulus bill, huge retroactive tax relief would be provided to some of America's largest corporations. Enron itself would have been the beneficiary of more than $250 million in tax benefits, all at a time when we are spending the Social Security surplus.

The President, as well as the House leadership, must rethink the magnitude of these new tax cuts which have been proposed. Some tax cuts are desirable. They have a stimulative impact on the economy if they are designed to affect current spending, and they empower the taxpayer to control more of his or her own financial choices and destiny.

When we had a $5.6 trillion surplus and no war, we could afford a substantial tax cut, and I supported the President. But now we are at war. We have no surplus, and we are spending the Social Security trust fund.

While I would not blame the President for the recession and none can fault him for the war that has been thrust upon us, the fact remains that we now have both and we cannot shrink from the consequences. We need a plan for the long-term budget that brings us back to a time of fiscal responsibility. We are spending money faster than it is coming in and, in doing so, we are risking the long-term solvency of our Federal budget and, worse, we are mortgaging our children's future. We must come together to offer an honest budget for the American people, one without gimmicks

that disguise short-term costs and inhibit long-term stability.

We must work together in Congress and with the administration to resurrect a balanced budget, applying accurate economic and fiscal assumptions and without using the Social Security surplus.

□ 2030

Madam Speaker, we have several members of the Blue Dog Coalition here this evening to address these issues, and the first Member I would like to introduce is from the State of Indiana (Mr. HILL). The gentleman from Indiana (Mr. HILL) has used his experience and financial background to make great contributions to the budget debate in Congress and has been a leader on the issue of fiscal responsibility.

Mr. HILL. Madam Speaker, I thank the gentleman from California for yielding.

Madam Speaker, the Federal Government is up to its eyeballs in debt once again. Now the administration is asking Congress to throw it a life preserver so it can, in the words of the Treasury Secretary, ''restore the American economy to the path of long-term growth and ensure the premier status of the Federal Government's debt obligations.''

Now, what is the price tag for accomplishing these aims? Three-quarters of a trillion dollars; three-quarters of a trillion dollars in additional debt, three-quarters of a trillion dollars more debt for our kids and our grandchildren.

Now, let me be clear: I am committed to making sure the United States Government can meet all of its fiscal obligations. We Blue Dogs are not down here this evening to propose that Congress should let the Federal Government drown in its own debt. But let me also be clear that it makes no sense for Congress to toss Treasury a 24-karat-gold life preserver, when the administration has not explained how it will put us back on the path of fiscal responsibility.

Being back home in southern Indiana the last 11 days gave me the opportunity to listen to Hoosiers and their concerns. Without exception, the people I heard from know what it means to be fiscally responsible. They understand you cannot spend more than you take in. They understand that if for some reason you are in debt, you need to plan to get out of debt. They understand planning from week to week and month to month will require them to make some tough choices.

Our constituents deserve nothing less from us. I am prepared, my Blue Dog colleagues are prepared, and we all must be prepared to make the tough choices here in Congress.

Tonight we are asking the President to take the lead and show us the way back to a balanced budget that does not use the Social Security surplus. The President's proposed budget makes clear that there is much work to be done in order to achieve this goal. In fact, it projects deficits financed by borrowing the Social Security surplus through the year 2009.

Times have certainly changed. In 1999 and 2000, the entire Social Security surplus was available to pay down the national debt. By contrast, this year and next the Federal Government will spend every single dime of the Social Security surplus on everything but Social Security and paying down the debt. As a consequence, the national debt is now expected to be roughly $2.75 trillion larger than was estimated just a year ago.

It should come as no surprise, Madam Speaker, that Hoosiers also understand how this increased debt burden can make their already-tough choices even tougher. With the Federal Government again borrowing from the public, long-term interest rates almost certainly will not come down. In fact, they probably will rise. As long as these rates are static, or, worse, on the rise, small business people, credit card users and home buyers will get pinched.

Plain and simple: the size of the national debt matters, not only to those who make their living crunching numbers and working in think-tanks.

The President has performed admirably while prosecuting the war on terrorism. Tonight, Madam Speaker, we are asking that he exhibit the same leadership by proposing a way to get the country's budget back on track, and that means balanced budgets and hands-off on Social Security surpluses.

Mr. SCHIFF. Madam Speaker, I thank the gentleman for his comments this evening and his leadership on this issue.

The gentleman talked about the impact of a deficit-spending pattern on long-term interest rates, and when we talk about a mortgage on our children's future, this is not simply rhetorical; it really is literally a mortgage. As we have seen over the last several months, as the Federal has lowered short-term interest rates it has had very little effect on long-term interest rates. Why is that? Because, over the long term, given the budget that we have, there is the expectation that the government will continue to borrow and borrow more and borrow more, and those long-term rates are remaining stubbornly where they are.

What does that mean for our children and for ourselves? It means that many people will be priced out of a home and that others that have a home will have that home with a mortgage that is far higher and they will be paying more for it.

There is no free lunch here with deficit spending. We pay for it, and we pay for it in the form of higher interest rates and sacrifices we make to our children's future.

The gentleman from Indiana (Mr. HILL) talked about the reason why we are here tonight, the Secretary's request for $750 billion in new authorization for new debt. Where does that come from? Why does the administration come to Congress to ask for the authorization of new debt?

Congress has always played a vital role in managing the national debt. Prior to 1917, Congress approved each issuance of debt, including determining its interest rate and term. Then Congress passed the second Liberty Bond Act of 1917, which allows the Treasury to borrow as necessary to finance Federal activities up to a specified legislatively adopted limit.

That law was initially adopted to facilitate wartime planning during World War I and to accommodate the Treasury's need for flexibility in financing growing government activities. It also freed Congress from having to legislate each issuance of government debt.

The limit persisted after World War I and has been raised periodically as government debt has increased, which leads us to where we are today. The administration has come to Congress asking us to raise the debt limit a full 7 years earlier than it predicted when the budget was submitted only last year.

Of course, we all recognize much has changed in the past year. We acknowledge the needs of our Nation during a time of war and recession, and we agree that the debt limit should be raised in order to avoid a financial crisis. However, we cannot simply write a blank check to increase borrowing authority without safeguarding the American taxpayers from even further increases in the national debt.

The request to raise the debt presents us with an imperative that we examine our long-term budget policies. We must first understand how we got to this point. The national debt is an accumulated IOU that the government owes the people and institutions that have been lending it money for decades. Our current debt stands at nearly $5.95 trillion. This debt represents the amount borrowed by the public to cover the Federal Government's budget deficits, and the debt held by the government accounts represents the amount of Federal debt issued to specialized Federal accounts, primarily trust funds like Social Security.

Now the administration estimates it will hit this current $5.95 trillion ceiling by late March, jeopardizing the timely payment of government bills. The Secretary has asked Congress to provide $750 billion in additional borrowing authority to last until 2004.

It seems ironic that just last year the administration predicted that there would be no need to raise the debt limit until 2008. In fact, if you recall, and it seems quaint today, we were warned about the dangers of paying down the debt too fast.

Certainly it is true that unforeseen circumstances, including the devastating events of September 11, our involvement in the war on terrorism and the downturn in the economy have contributed greatly to this situation, and we all recognize the necessity of

allowing the Federal Government to continue operating by raising the debt limit. But we also recognize the responsibility of Congress to work with the administration and ensure that we have a long-term economic recovery plan.

Let me now introduce my colleague, the gentleman from Arkansas (Mr. BERRY). As a pharmacist, he has been active on prescription drug issues, and has been dedicated to paying down our national debt and saving the Social Security Trust Fund and Medicare.

Mr. BERRY. Madam Speaker, I thank the distinguished gentleman from California, and I particularly appreciate his efforts this evening to address this issue that we are going to be faced with very shortly.

The first year I served in this House, 1997, I think was the last time that we raised the debt ceiling; and I remember for as long as I can remember the talk on this floor was that we had to have a balanced budget, that we should pay off the debt, that it is our job to be fiscally responsible. We have all heard that. I would bet there is not a Member of this House or a Presidential candidate or a Member of the United States Senate that has not sworn their allegiance to that idea, that we have to live within our means.

There are certain times that one never forgets. One of mine is last year, just about this time, the new Director of the Office of Management and Budget came to the Blue Dogs and he made this statement: ''My greatest fear is that we will pay off all of the national debt and no one will be able to buy a United States Savings Bond and they won't have a safe place to invest their money.''

It is with great regret this evening that I have to tell you that those bonds are going to be available for a long, long time. The bad news is, our children and grandchildren are going to have to pay them off.

We have all heard that we should run government like a business. This is no way to operate. And yet here we are going to be forced to vote to increase the debt. We should not do that until there is a plan in place to deal with this problem.

We have spent all of the Social Security Trust Fund. It is all gone. There is no money left in it, and we are going to borrow a lot more to go with that. Then we are going to turn around and say to our children and grandchildren, we squandered it; we had the chance, and we did not do anything about it. We blew it. We spent it all, and now you deal with it. It is your problem.

That is no way for the greatest Nation in the history of the world to operate. It is irresponsible, and we should not let this happen.

Our Blue Dog Coalition has been dedicated all the time I have been around and before that to fiscal responsibility, and I am proud to be associated with all of the Members that participate in the Blue Dog Coalition because of their commitment to this one idea, that we can operate within our means, and we should operate within our means.

It is a heartbreaking thing for me to think that we will spend all of the Social Security Trust Fund, and borrow more money than that, and turn around and pass that debt to our children. What responsible person would do that to his children, to his family, and what responsible Congress would do that to their country?

I want to thank the gentleman from California again for his leadership in this matter, and thank him for yielding time.

Mr. SCHIFF. Madam Speaker, I want to thank the gentleman from Arkansas for his statement this evening. It so clearly mimics, I know, what my family taught my brother and me. It was very important to my parents that they pass on to their children more than what they inherited; that they passed on a safer community, better schools. They wanted for their children more than what they had.

I feel that same commitment. I am a relatively new dad. I have a 3-year-old, and I have a new child on the way; and when I think about what we are going to leave for my children, and I ask myself the question, will they have as good public schools as the ones I went to, will they have a decent health care system, will they live in a safe community and a safe country, what will be set aside for their future? It is times like now that we are put to the test as a generation. What will we leave our children?

Madam Speaker, I would now like to introduce another colleague from the Blue Dog Coalition, the gentleman from Utah (Mr. MATHESON).

□ 2045

The gentleman from Utah (Mr. MATHESON) is a member of the Committee on the Budget. He has been committed to working in a bipartisan fashion to ensure that the Federal budget is fiscally sound and balanced, and all I can say to the gentleman from Utah is if we could get the budget in as good of shape as the Olympics were run in Utah, we would be in very good shape.

Mr. MATHESON. Madam Speaker, I thank the gentleman for conducting this session tonight with all of the Blue Dogs to talk about what I think is such a critical issue.

Let us remember why we are here. We are talking about a request that has come in for us to raise the debt limit by $750 billion. We throw numbers around here all the time, and sometimes they lose a little of their meaning. We should really think about this. This is a lot of money, and it is going to extend the debt limit by a lot.

Think about how this relates to us in the private sector. Before I came here, I worked in the business world. There were times when I used to develop a couple of large projects and I had to go to a bank because I did have to borrow money to help pay for the project. There are times when one does need to go into debt to borrow money for a project in the business world, to take out a mortgage on a house. But what I had to do when I took that money out for that business project is I had to have a story I could tell to the lender about how I was going to pay that money back over time. When I took out a mortgage on my house, I had to explain to the lender how I was employed, how I had a salary, and how I was going to be able to pay back that mortgage over time.

The problem we have here now as Members of Congress is that we are being asked to take on this new mortgage, $750 billion, in fact, a pretty big mortgage. The story has not been told about how we are going to get out of this pattern, about how we are going to get out of going back to borrow and borrow, about how we are going to pay this mortgage off. I think that is a relevant question to be asking.

I do not want to force the government into some financial catastrophe by having to be put into a situation where Congress is not willing to ever raise the debt limit, because there are circumstances where sometimes the government is going to have deficit spending: times of war, times of economic recession. We may have some difficulties in certain circumstances.

But the notion, the notion that we should raise this limit by this huge magnitude, $750 billion, with no story, with no story about how we are going to stop the red ink and how we are going to ultimately pay this off, that is fiscal irresponsibility.

So I call on the President, I call on my fellow Members of Congress. We need to work to articulate a story for how we are going to get out of this mess, get out of the deficit spending pattern; and if we are going to raise the debt limit, $750 billion is not necessarily what we need to do. Maybe we should look at a lot lower number while we work on a plan to get away from this deficit spending habit.

That is the way it works out in the real world, in the business world when we need to borrow money to finance a business, in one's personal life to borrow money to purchase a car or a home, and Congress should act in much the same way.

So that is the thought that I want to pass on tonight.

Mr. SCHIFF. Madam Speaker, I thank the gentleman from Utah for his leadership on this issue and for the bipartisan way he has approached it. In fact, as a member of the freshman class that we share, the gentleman from Utah is the liaison to the Republican freshman class and has endeavored on many, many issues to work together and find common ground, and what more important area to find common ground than this, than the future of our country, than fiscal responsibility, which both parties espouse, but here is

the time where the rubber hits the road.

The gentleman from Utah talked about this mortgage and these interest payments, and I think it is not only a problem because of the interest that we will pay or the debt that we will accumulate but the lost opportunity that that interest represents. The Blue Dog Coalition has always been concerned about the vanishing surplus and what this represents in terms of our lost opportunities.

The new budget reports indicate that the government will return to deficit spending and raid the entire Medicare surplus and further raid Social Security by more than $1.5 trillion over the next 10 years. During the budget debate last year, Congress and the President agreed that the Social Security Trust Fund surplus would be put in a lockbox and saved to prepare for the retirement of the baby boomers. The new projections show this promise will not be kept; and, unfortunately, the new projections instead show a return of budget deficits, borrowing from Social Security, and rapidly increasing national debt.

What is so worrisome about raising the debt limit is the effect it will have on the amount of interest we will pay on that national debt. The public debt, that is the debt that is held by public investors, is subject to rising interest costs, and the budgetary effect of that higher debt is obviously higher interest payments. This reveals a major change from last year's budget forecast.

Last year's budget forecast projected net interest payments on the debt of $1.13 trillion over 10 years, with a payment in 2011 of only $20 billion. This year's budget projects net interest payments of $1.79 trillion over the same 10-year period, with a 2011 payment at the whopping sum of $159 billion. Over $1 trillion in the next decade will be spent solely to pay interest on our debt, over $1 trillion that we cannot use productively for Social Security, for a prescription drug benefit under Medicare, to facilitate a Patients' Bill of Rights, to improve our schools, to reduce class sizes, to rebuild crumbling infrastructure. That is $1 trillion in interest payments that cannot be used for anything else.

A close look at the growing interest rates on our national debt reinforces the importance of long-term debt reduction. It is reasonable and appropriate to run temporary deficits during a recession and war, and we support the President's effort in the war on terrorism. However, under a responsible fiscal policy, the temporary deficits incurred must be offset by a return to budget surpluses when conditions improve. The most effective way to achieve economic growth and ensure our country returns to that era of budget surpluses is to increase our national savings, and the most direct way the government can increase national savings is to reduce its debt and thereby free up resources that the private sector can turn into productive investments.

The last decade has shown the undeniable connection between declining budget deficits and increasing investment. The best way to maintain business investment, productivity growth, and low interest rates is to implement fiscal policy targeted towards reducing the debt. We cannot let all that we gained during the economic boom in the 1990s to be lost in the early years of the 21st century. So while we are confronted with this need to raise the debt ceiling, we must keep in mind, as my colleagues have pointed out, the principal element we must ensure, and that is long-term fiscal discipline and economic growth.

I would now like to yield to an outstanding leader of the Blue Dog Coalition, the gentleman from Texas (Mr. STENHOLM). The gentleman from Texas is respected on both sides of the aisle. He has reached across partisan lines to promote fiscal responsibility and has been a leading advocate for years on debt reduction.

Mr. STENHOLM. Mr. Speaker, I thank the gentleman from California for yielding to me. I thank him for leading this discussion tonight.

I know that perhaps there are some that are watching tonight and are saying, what is your alternative? Let me remind everyone that just a year ago, the same Blue Dogs stood in the well, stood at this mike, stood at others, and we offered an alternative budget. We at that time pointed out that the so-called surplus of $5.6 trillion was projected. We did not believe it was the conservative thing to do, to allocate all of that $5.6 trillion. We suggested paying down the debt with half of it, and then we suggested being very fiscally responsible with the spending as well as the tax cuts.

We lost that vote. Our friends on the other side of the aisle said, thanks, but no thanks. We have the formula, we have the plan, and the surplus is real.

We also pointed out to our friends on the other side of the aisle that, yes, we had a surplus, but many of my constituents were saying, how can we talk about a surplus when we have a debt? We owed $5.6 trillion last year at this time. That is $5.6 trillion. We also were completely ignoring the $20 trillion unfunded liability of the Social Security system. We Blue Dogs said we thought it would have been the prudent thing to do last year to deal with the future of Social Security and Medicare. We said that is what we should have done first.

But no, the leadership of this House, and this is certainly within their prerogative, they said, no, the important thing for us to do is to have a tax cut; and that is what we did.

Well, here we are now, and I want to show this chart here. This was a letter dated February 13, 2002, to the gentleman from New York (Mr. RANGEL), the ranking member, from Secretary O'Neill. The interesting thing about this letter is, yes, he talks about the fact that the war has changed things, the economy has changed, and all of us agree to that. There is no question from any of us tonight that we must pay for the war, and there is no question that we are in a recession and that recession started considerably more than just a few months ago.

But the interesting thing about this letter is that in this letter he admits that we were going to have to increase our debt ceiling in 2003. Not 9 years, not 8 years, not any of the other rhetoric that we have heard.

I show this to indicate that, as we will be seeing more and more of us on the floor over the days and weeks ahead, that we really and truly, as the gentleman from Utah (Mr. MATHESON) said a moment ago, we have a credit card. Most everyone has a credit card today. I have a big mock-up here we will use a little bit later showing one from the Republican National Committee. When we have a credit card, we have a debt limit, we have a borrowing limit, we have a credit limit on what we can borrow; and when we reach that limit, then we have to go to the credit company and convince them that we are worth taking a little additional risk on. We go to the bank. That is true. When you borrow to your limit, then you have to come up with a plan of how you are in fact going to convince your banker that they ought to loan you more money.

That is the most upsetting thing to we Blue Dogs tonight. What we are going to continue to suggest is that raising the limit to $750 billion in one vote, without a plan, does not make sense, does not make sense to any small businessman or woman, does not make sense to any working man or woman, does not make sense to anyone that finds themselves in a credit difficulty to believe that you can go to your banker and convince them that they ought to loan you $750 billion until you come with a plan.

That is the problem that we face tonight, giving a blank check to the administration without having a plan. Now, here again, many of my friends on the other side of the aisle say, well, what is your plan?

We have a plan. We had a plan. We voted on it last year. We lost. We are perfectly willing, in fact, we pleaded with the other side of the aisle time and time again, where is the meaning of bipartisan? We are ready to reach out and to work with the majority party in coming up with a plan. It is their plan that we are concerned about, and for them to believe that anyone on our side of the aisle would vote for their plan that is going to use all of the Social Security surplus for the next 9 years does not make sense. It does not make sense to me, and I do not believe it makes sense to the American people.

The last two votes to raise the debt limit in this body came at a time when Congress and the President were engaged in bipartisan negotiations on a

balanced budget plan that ultimately led to the Balanced Budget Act of 1997. The current situation is very different. The President has submitted a budget which projects deficits financed by borrowing the Social Security surplus for the next decade and beyond, without first passing a plan as to how we are going to save Social Security for our children and grandchildren. That is to many a small item; and, yes, there are two small items in my case, and they are my grandsons. I resolved 6½ years ago when the first grandson was born that I did not want him to look back 67 years from that day and say, if only my granddad would have done what in his heart he knew he should have done, we would not be in the mess we are in today.

□ 2100

To raise the debt ceiling and borrow another $750 billion over the next few years, and then to increase our debt over the next 10 years under the plan that we are now under by $2.75 trillion, is something I could not do, cannot do, will not do under any circumstances.

We will stand here and we will suggest, and I think the gentleman a moment ago made a good suggestion, let us borrow the amount of money necessary to fight the war. Whatever it takes to make sure that we continue to fund the Federal Government fighting the war, let us do it. But let us continue to have a little discussion on the other aspects of the economic game plan that we are under today. Let us talk about it; let us discuss it.

If there was some reaching out to our side, we would find there would be an agreement. I conclude just as I started: I am sick and tired of hearing my friends on the other side say, ''Well, what is your plan?'' We had a plan. We put it on the floor last year. They did not like it. They passed their plan. Now they are coming back and saying, oh, by the way, we have to borrow $750 billion more to implement that plan.

That is not what they said when they stood on the floor last year. In fact, if Members remember, we were worried that we were going to pay down our national debt too quick. We actually had colleagues saying, ''Well, we cannot pay down the debt as quick as we are going to pay it down.'' Would that not have been a wonderful problem? Because last year at this time nobody foresaw 9–11–01. No one foresaw that.

We are not prophetic. All we Blue Dogs said is that there just might be something that would happen, or maybe the stock market might not go up forever, just maybe something is going to happen; and it would have been the conservative thing to do to plan for that. Nobody listened to that.

Well, we had a pretty good vote. If there had been 14 more votes, we would have been here defending our plan tonight. Instead, we are here saying, ''Let us rethink borrowing $750 billion. Let us go to the drawing board. Let us work out the future of Social Security. Let us work out the future of Medicare. Let us do it within a conservative budget and a conservative principle.''

Borrowing money to the rate that the other side is talking about doing is not conservative, in my book. I thank the gentleman for yielding, and I appreciate his leadership on this. I appreciate all of my Blue Dogs.

Members are going to see and hear a lot more of us, and I hope very soon we will be joined by some colleagues on the other side of the aisle as we try to find an answer to this question, other than just borrowing and going further into debt.

Mr. SCHIFF. Madam Speaker, I thank the gentleman from Texas. He has long been a clarion call to fiscal responsibility in this House, and I remember like it was yesterday the gentleman from Texas standing on this floor and talking about the unreliability of 10-year projections, how it was simply not prudent to anticipate that only the most rosy scenario would materialize; and indeed, even in August, before the tragic events of September, we could already see the wisdom of the words of the gentleman from Texas (Mr. STENHOLM) as we saw those projections already being radically revised downward.

Would that we had more colleagues on this floor listen to those words last year, and we might not be in the fiscal predicament we are in today.

The gentlewoman from California (Ms. SANCHEZ) has put her financial background to use in Congress and has stood out as a leader, both in education and in issues affecting our Armed Forces. The Congresswoman has worked in a bipartisan way to shape policies that benefit the people of Southern California and our country in a fiscally-responsible manner.

Madam Speaker, I yield to the gentlewoman from California (Ms. SANCHEZ).

Ms. SANCHEZ. Madam Speaker, I thank my colleague, the gentleman from California. It has been a pleasure to have him here in the Congress and to work together as Blue Dogs on issues that really affect us.

I always tell my friends who ask me, what do the Blue Dogs do, I tell them, we are sort of like the bean counters, the accountants, the people who really want to set the record straight about what is happening with the money issues of the Congress. We do not want to do a lot of smoke and mirrors; we just want to talk about what it takes to do what we want to do and have a fair vote up and down on what we want.

I was happy to hear my colleague, the gentleman from Texas (Mr. STENHOLM), talk about the fact that a year ago, as we discussed this large tax cut that was passed mostly with Republican votes and signed by the President, that many of us who have been in the financial industry, and I was an investment banker, many of us said, we need a plan. Whenever we go and look at the future of what is happening, we have to have an idea of what we are going to do with the money, and if we have overruns, where we are going to get that money. We have to have cushions to what we are doing.

Many of us said to that tax cut that the biggest problem with it was it was done on rosy projections at a time when all of us knew that the economy was stalling on us, and we just knew that those numbers were not going to work.

So here we are today. Last year, no politician, no policymaker, none of us could have imagined that we would be here talking today about raising the statutory debt ceiling. At that time, the administration and the Congressional Budget Office were predicting that no increase was going to be necessary in this until 2008, if at all.

What a difference a year makes, and it was not about 9–11. Yes, we are spending a little more on defense and on home security, but that is not what this is about. This is about raising the debt ceiling and raising it without a plan in place.

When I used to issue debt for agencies or for companies, when I would put bonds out there, one of the things that we had to do was write a prospectus and talk about what we were going to do with the money, why we were borrowing it, how we were going to make the money back, and how we were going to make the payments on that debt in order to bring the debt down. But here, this administration wants a $750 billion increase, and they do not even have a plan.

So I agree with the rest of the Blue Dogs here tonight that we need a plan, and we need to keep pushing for a plan. We do not need to increase this to $6.7 trillion, an increase of $750 billion.

Since 1940, the debt ceiling has risen by over 12,000 percent, and here we go again. The money right now, $5.95 trillion, that is the debt ceiling we have right now. It is even hard for people to imagine back home what $5.59 trillion is. I tell people, if they imagine all the people in the world, and each one of those owed $1,000, every man, every woman, every child in the world, they would get close to what that debt ceiling is.

So where does it stop, with $750 billion this day, another $750 billion the next year? What about the budget that we have from the President right now, the one that says he wants to extend these tax cuts? We are going to have to keep increasing this debt ceiling because our debt is going to keep going up.

One of the problems is, the more debt we get, the more interest we have to pay, the more we add to our debt. Think about those credit cards we have. When we make that minimum payment every month, the interest rate makes it be more the next month, so we keep making payments, but what we owe on the credit card is more and more and more as every month comes along.

That is what we are doing to ourselves when we do not make a plan, a fiscally-responsible plan about how we are going to balance our spending with the revenues that are coming in.

To my colleague, the gentleman from California, I thank him for allowing me to come down here and talk a little bit about how people back home understand how important it is to pay down this debt, not continue to increase it; and how, if they have to go to their bank to get a loan, they need to tell them how they are going to pay it back.

I think most Americans across this great country understand that sometimes, in a time of war, we need to borrow and we need to make sure that we win this war. But they also want that plan. They want us to be fiscally responsible.

Mr. SCHIFF. Madam Speaker, I thank the gentlewoman for her statement and for her leadership on this issue.

The gentlewoman from California talked about when she was issuing bonds that she required a prospectus. The gentleman from Utah talked about when he went to a banker, he was required to give the banker what he termed a story, something that would account for why he could pay back the debt.

So what is the administration's prospectus? What is the story? What is the plan to get us back to balanced budgets? As I understand it, according to the director of OMB, the plan is, well, if the economy grows at a faster than anticipated rate, maybe we will get back to a period of surplus again.

Imagine telling that to our local banker when we are going out for a small business loan: Mr. Banker, if my business grows faster than can be reasonably expected, then I will be able to pay you back. That would not fly with our local bank, it would not fly with the municipality, and it ought not to fly with the Federal Government.

Another one of my colleagues from the Blue Dog Coalition is the gentleman from Texas (Mr. TURNER). The Blue Dog Coalition policy co-chair, the gentleman from Texas (Mr. TURNER), has led our coalition on many issues and has been recognized for his stalwart commitment to fiscal responsibility.

Madam Speaker, I yield to my friend, the gentleman from Texas (Mr. TURNER).

Mr. TURNER. Madam Speaker, I thank the gentleman from California (Mr. SCHIFF) for his leadership in this hour tonight. It has been good to see so many of the Blue Dog Democrat Coalition members come to the floor and talk about this issue.

Clearly, we are advocating fiscal responsibility because we believe it is important to the future prosperity and the future economic security of our country. In many ways, we might define the debate tonight as a debate for our national security, because maintaining fiscal responsibility is a very important part of maintaining our national security.

We see examples all across the world of nations that get in trouble economically, Argentina being the most recent. We understand what debt, excessive debt, can mean to a country. Those of us here on the floor tonight want to try to start paying down that debt, rather than seeing it continuing to rise.

We believe it is very important not to raid the Social Security Trust Fund. What business in America could get by if its corporate executives raided the retirement funds of its employees? Those executives would be put behind bars. But in Congress and in Washington, it seems that we routinely go into the Social Security Trust Fund, take those hard-earned payroll tax dollars, and go out and spend them for something else, just at a time when Social Security is needing those funds with the retirement of the baby boom generation.

We can look at the facts. They speak for themselves. If we just turn back just a year ago and look at the projections, what we see is that just a year ago we had a projection over 10 years that our debt, our publicly held debt, that is, the debt that is held by those third parties, those folks who hold those savings bonds, those Treasury bonds, those Treasury notes, we saw a year ago that the projections were that that debt would be eliminated over the next decade. In fact, it would be actually completely paid off to the tune of $129 billion, so we would be back in surplus.

Yet, here we are in February of 2002, and the projections have completely changed. We find that the projection is that we will have an almost $2.8 trillion debt at the end of this decade. So what we see is a completely different picture.

What has happened? Of course, we passed a major tax cut based on those projections of economic prosperity. Now it turns out that with the tax cut, with the slowdown in the economy, and with the war, that projection of surplus is gone and our projections now show an ocean of red ink.

The impact of that on paying interest is just almost incomprehensible. We projected just a year ago that we would pay $709 billion in interest on our national debt over the next decade. We are actually paying close to $1 billion a day right now just on interest on our national debt, but that was going to go down because the projections were that we were going to pay off that publicly held national debt.

Well, what does it look like today? Here we are with projections that we will spend almost $1.8 trillion in interest, almost, over the next decade, $1 trillion more in interest. What a waste. What a waste.

We believe firmly that we must end the practice of deficit spending in Washington. Congress engaged in it for 30 years, until just 4 years ago when we passed the Balanced Budget Act, and we have seen 3 years of annual surpluses in our Federal budget. But here we are in 2002 with, once again, a projection that we will be back into deficit spending.

Some people say, ''What is the big deal? Deficit spending, it sounds kind of like Washington talk.'' It simply means that we are spending more money than we are taking in. If Members did it at their houses, they would be running up a debt on a credit card, or going down to the bank trying to figure out how to borrow enough money to pay the bills.

In our houses, if we have a credit card, it usually has a limit on how much debt we can go into before they say, no, they cannot charge anymore.

□ 2115

It is not that way in Washington. You can just keep running the debt up or at least some people seem to think that is the way this works. They act as if it does not matter how big the national debt gets. Why is deficit spending wrong? It is wrong because the debts that we incur today will have to be paid for by our children. That is wrong. It is wrong because as the demand for credit is increased by our government, it has the effect of pushing up interest rates in the economy. So we all pay, not only in higher taxes to cover this interest on this national debt; but every time we go out and borrow money to buy cars, send our children to college, buy a new home, we are going to be paying higher interest rates than we would had the government not engaged in such reckless deficit spending.

Another thing the deficit does for us is forecloses a lot of options. If we have an emergency and we need to spend more, it is harder to go into debt when you are already deep in debt. When you are trying to solve the problem of Social Security and Medicare, which is going to get critical in about 10 years with the retirement of baby boomers, and you try to figure out how to solve that problem, if you are already deeply in debt, you are going to have trouble. If you are trying to help our senior citizens, as most of us on the floor tonight have worked hard to do with prescription drugs, where are you going to pay for it if you are already deeply in debt? It is wrong to raid Social Security in order to finance the activities of government. We need to be protecting Social Security. And deficit spending is wrong because ultimately it is going to erode the confidence in the U.S. economy.

The only reason we stand on this floor tonight and have the luxury of borrowing money in order to run our government is because of the confidence people have in the American economy. In Argentina tonight you cannot borrow any money, the government cannot. But in the good old United States people still have confidence in our economy, and we can go

out and borrow money. And you know what it is backed by? It is backed by people's faith and confidence in our economy and our willingness to pay those debts by taxing the American people someday. And if we allow that debt to keep growing and growing and growing, that interest to keep growing and growing and growing, there is going to come a point when the world is going to look at our economy and says, you all look an awful like an Argentina economy, and I do not believe we want to loan you any more money to finance that $5 trillion national debt. And I believe if we do, we are going to have to get a little more interest rates because we look at the economy much like those investors did when they were borrowing money a few years ago on those junk bonds, and junks bonds of course require very high interest rates for anybody that wants to buy.

So if we undermine the economy of this country, in the long term it would destroy our economic security, our national security and our prosperity. That is what this debate tonight is all about.

I commend the gentleman from California (Mr. SCHIFF) for his leadership. I commend the Blue Dogs for their willingness to come to the floor tonight and talk about this critical national issue.

Mr. SCHIFF. Madam Speaker, I thank the gentleman tonight for his leadership on this issue. The gentleman also very successfully lead the House just a couple weeks ago successfully to gather the signatures required to discharge campaign finance reform which successfully passed the House. We thank the gentleman from Texas (Mr. TURNER) very much for his contributions both then and now.

Madam Speaker, I would like to introduce a fellow Californian, the gentleman from California (Mr. THOMPSON), who I had the privilege of serving with in the California State Senate. The gentleman has worked hard for the people of California and our Nation and is recognized for his bipartisan approach for the important issues facing our Congress, especially the debt limit. I yield to the gentleman.

Mr. THOMPSON of California. Madam Speaker, I thank the gentleman from California (Mr. SCHIFF) for his leadership tonight in this effort to bring awareness to what I believe is a very, very important issue for all of the American people.

Madam Speaker, we have come to a very critical point in our congressional work. We can create a long-term physical plan that will benefit this and future generations or we can send our government down the road of excessive borrowing and send the bill to the next generation of Americans. I believe this would be the wrong approach.

As we have heard many times tonight, just a year ago the administration predicted Congress would be able to operate under the Federal debt limit for the next 7 years. Now we are being asked for a $750 billion increase in the Federal debt limit. The Treasury Department predicts this increase will cover government needs until 2005. So we went from being able to stay under the Federal debt limit in 9 years to being forced to raise the limit by $750 billion just so government can continue to operate for another 3 years.

We are in danger of opening the flood gates of fiscal irresponsibility by increasing the Federal debt limit without having a plan in place to balance the budget and to pay our bills. Funding our national priorities such as homeland security and our efforts against terrorism must be done. However, to increase the Federal debt limit without having any mechanism of fiscal restraint will likely lead us down the path of deficits resulting from additional spending or additional tax cuts.

In the span of 1 year, the Office of Management and Budget has reduced its 10-year budget surplus projections by $5 trillion. When investors around the world look to Washington to see the creation of huge budget deficits, they will inevitably push interest rates higher. When interest rates go up, the American consumer suffers. A homeowner in our country who holds $100,000 mortgage debt would save a total of $50,000 over the life of a 30-year mortgage if the mortgage rate was just 2 percentage points lower. American consumers hold about $6.5 trillion in mortgage debt, so each percentage point of increase in their mortgage rate means an extra $250 billion in mortgage costs to Americans.

In addition, local schools and local hospitals will be forced to pay higher interest costs as they issue bonds to raise the necessary funds they need to continue to educate our kids and care for sick Americans and injured Americans.

Throughout the 1990's, the Federal Government maintained fiscal discipline; and the pay off to the American consumer was remarkable. Let us not throw these gains away. Instead, let us do what may be tough but obviously what is right. Let us put in place a mechanism for fiscal responsibility and fiscal constraint. Let us not allow this budget or this credit limit to increase and put future American generations in fiscal jeopardy.

Madam Speaker, we should fund our war on terrorism and our efforts on homeland security, and we must save Social Security and Medicare from insolvency by adopting a more fiscally-responsible approach to budget priorities. Now is the time to make the tough choices to ensure future generations are not saddled with trillions of dollars of debt and stuck with a bankrupt retirement program. I thank the Blue Dogs for their effort in this regard.

Mr. SCHIFF. Madam Speaker, I thank the gentleman from California (Mr. THOMPSON) for his leadership.

Madam Speaker, in closing I want to thank the Blue Dog Democrats who have joined me here tonight in this discussion of raising the national debt limit and its implications for our Federal fiscal policy. I look forward to the opportunity to debate this issue in the days ahead as we continue to work to balance the budget and pay down our debt and protect the Social Security Trust Fund for the future.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1542, INTERNET FREEDOM AND BROADBAND DEPLOYMENT ACT OF 2001

Mr. LINDER (during Special Order of Mr. SCHIFF), from the Committee on Rules, submitted a privileged report (Rept. No. 107–361) on the resolution (H. Res. 350) providing for consideration of the bill (H.R. 1542) to deregulate the Internet and high speed data services, and for other purposes, which was referred to the House Calendar and ordered to be printed.

IMMIGRATION INTO THE UNITED STATES

The SPEAKER pro tempore (Mrs. CAPITO). Under the Speaker's announced policy of January 3, 2001, the gentleman from Colorado (Mr. TANCREDO) is recognized for 60 minutes.

Mr. TANCREDO. Madam Speaker, I come before the body tonight to talk about an issue that has often times been in the forefront in my thinking and a concern about the direction of the Nation; and that, of course, is immigration and the effect of massive immigration on our country.

Madam Speaker, I and my wife and several other members of the Congress of the House of Representatives just returned from a trip to Turkey, and it was a very interesting, very fascinating trip. And as we got back into the United States and were coming through customs, the young lady who was the customs official that was stamping our passport and checking to see what we have and that sort of thing at JFK looked up at me and said, I think I have seen you some place before, maybe on C–SPAN. And I said, Well, perhaps because I often am doing exactly what I am doing here tonight. I have spoken often on the issue of immigration. And she just had immediately got this sort of dejected look on her face and said, What a mess. What a mess. And she said it in a way that says it all.

Here is an official charged with the responsibility of implementing part of our immigration laws; and she, as well as so many other of her colleagues working in that area, recognize that it is in fact a mess.

Now, I have often come before this body and stood at this particular microphone and talked about the implications, well, more importantly the incredible situation we face with an organization, the INS, that is dysfunctional, to say the least. We have a situation where we have literally millions

of people coming across our borders every single year that cannot be accounted for, millions of people who actually end up staying here beyond the time that they were allowed to come in under visas. And many people, of course, coming across the border every single year without any sort of visa or permission from this government to do.

There are many implications as a result of having this kind of situation, a country that is completely unable to defend its own borders. That is the situation that we face tonight. And I have talked on many occasions about the implications of that situation, the economic implications in this country, the incredible costs that we incur.

In a recent article in the Denver Post, a columnist by the name of Al Knight identified the costs to just the city and county of Denver for the purpose of providing services for immigrants, both legal and illegal, who come into the city in order to have their children, have a baby. And then Medicaid picks up the cost of it for the most part, in fact, 100 percent of it. And how much then it ends up costing every citizen just for that one little chunk of the action. And it goes on, of course, schools, roads, housing, welfare, enormous economic costs, infrastructural costs for a Nation that cannot defend its own borders.

There are political ramifications. There are cultural ramifications. And there are, of course, even security, national security issues that are all too evident for us here tonight as a result of the September 11 events. And we have talked about these things, and I try to bring them to the attention of my colleagues because, of course, I believe that they are worthy of that attention, those issues.

Tonight I am going to focus just on a little bit of a different side of this because as I said I just came back from a country that is a fascinating place, and it is in a part of the world that is experiencing enormous difficulties. Of course, that has probably been the case for hundreds, if not thousands, of years. And I have been, therefore, thinking about this issue that Huntington calls the ''clash of civilizations'' because we were there where we saw civilizations clashing. And Mr. Huntington in his book, ''Clash of Civilizations,'' points out that there are today no real ideologies clashing. There are really not nations fighting nations so much as there are civilizations clashing with each other. And this does have relevance to the issue of immigration and certain other aspects of our national policy.

□ 2130

So I am going to focus on that for just some time tonight because I do think again that is a side of this immigration issue that has not really been discussed to the extent that it is warranted.

Madam Speaker, I wonder whether or not we have given enough thought to some of the philosophical questions that develop as a result of massive immigration into this country and combining massive immigration with another phenomenon in America that I will call radical multiculturalism.

Another great book, while I am speaking of that, is a book called the Disuniting of America: Reflections on a Multicultural Society, by Arthur Schlesinger, Jr. He speaks to this problem, and he says what happens when people of different ethnic origins, speaking different languages and professing different religions, settle on the same geographical locality, live under the same political sovereignty, unless a common purpose binds them together, tribal antagonisms will drive them apart.

In the century darkly ahead, civilization faces a critical question, he says. What is it that holds a nation together? And that is what I am going to address here for just a little bit this evening.

He goes on to say, no one in the 19th century thought more carefully about representative government than John Stewart Mill. The two elements that defined a nation, as Mill saw it, were the desire on the part of the inhabitants to be governed together and the common sympathy instilled by shared history, values and language.

Free institutions, he wrote, are next to impossible in a country made up of different nationalities. Among the people without fellow feeling, especially if they read and speak different languages, united public opinion, necessary for the working of representative government, cannot exist.

It is in general a necessary condition of free institutions that the boundaries of government should coincide in the main with those of nationalities.

Of course, that is happening less and less in this world. It is happening less and less in the United States.

One can say and be accurate I think to suggest that America has for a long time shown itself to be something in opposition to this definition that Mr. Mill has given us of a cohesive country. After all, we are a Nation that was born out of many ethnic origins, people from a variety of different countries, of course, coming here to create what we now call the United States of America; and many of them spoke different languages and had different values and different religions and that sort of thing, but they came together in this country and created a new experiment, new experiment in the way we govern ourselves. We call it a republic.

So how could it be then that the possibility or the problem of massive immigration could possibly in the United States, which as I say has a history of immigration, of course, people coming from all over the world and having formed a very prosperous and workable country, how could it be that we then look at the possibility that that might not be the future for the United States?

Let me suggest, Madam Speaker, that there are some major and significant differences between massive immigration today in the United States and the immigration that brought this country into an existence, its existence.

For the most part, it is my belief, it is my understanding of history, of our history especially, that it indeed is a country to which many people came from different places but came with a common purpose for the most part. They came here with the idea that they were in fact joining something new, participating in a new experiment in government, seeking a new life and seeking, most importantly, to break the ties to the old, and this is a very important distinction that I think we have to address. And when they came, the way that the culture existed and, up until just recently anyway, all the forces internally in the United States, the cultural and political forces, were driving people into an amalgamation, if you will, a homogeneity, the melting pot. That is where it comes from, where people came from a lot of places but became one. E pluribus unum.

That amazing sort of phenomenon created this incredibly wonderful country, and it held us together through a revolution and civil war, World War I, World War II, Depression, all of the other things that provided a threat to the national existence. It held us together.

Something is happening that I think we have to pay attention to. Today and for the last actually I think probably almost 40 years, we have seen a difference in the kind of immigration and the kind of people who are coming to the United States, the kind of connections they have to the countries from which they came and their desire to maintain them, their desire to maintain another language, different customs, different habits and even, even a desire to maintain some sort of political affinity to the country from which they came.

This I suggest, Madam Speaker, is a new thing with which we must deal, a new phenomenon, and we could deal with it still in this country, this massive country if we were talking about immigration at the numbers that were even high at the turn of the century, couple hundred thousand people a year at the turn of the late 1800s, early 1900s. That was it. That was the highest we ever got 220 some thousand people coming to the United States. We could handle that. But we are, of course, far above that today.

When we combine the massive numbers of people coming into the United States with this different philosophical background and difference in terms of what they are looking for, what they want to be when they get here and add to the mix this multiculturalism, this concept, this idea taught in the schools, the idea promulgated by the media, the idea promulgated certainly by what some people have termed the

elite in our society, this idea being that all cultures are the same, that no nation state is really any different than any other nation state, that there is nothing unique about the United States, that we should not look to our past because they are nothing really, just a bunch of dead white males who made up our history, we should eschew that, we should move away from that, we should condemn that, we should disconnect ourselves from that history and embrace this multicultural concept.

I would suggest that these two phenomena, these two things, this massive immigration with people coming with a different purpose in mind and combined with this multiculturalism, I would say radical multiculturalism, this is concocting a deadly mixture for the United States.

This manifests itself in a variety of ways, and there are some very interesting statistics which point this out, what is happening to us. We have allowed for many, many years, we have allowed people to live in the United States while claiming citizenship in another country. Relatively few people have ever done that in our Nation's history frankly, but recently we have noticed a significant increase.

There are now estimates of six, seven or eight million people in the United States who are claiming dual citizenship, and that is really probably a very conservative estimate. Because between 1961 and 1997, 22 million legal immigrants, that is just legal, came to this country. Seventy-five percent of them came from countries that allowed dual citizenship; and many millions, as I say, now claim that.

Interestingly, a couple of years ago Mexico changed its laws and allowed its citizens immigrating from Mexico to retain their citizenship. They have even gone farther than that, and they are now encouraging Mexicans in the United States to vote in both the United States and in elections in Mexico.

We were recently in Mexico. I will never forget sitting at a luncheon and sitting next to a gentleman by the name of Eddie Levy. Eddie Levy, his name tag in front of us there. When we went around, introduced ourselves, Mr. Levy introduced himself as a member of the Mexican Congress. And indeed he was. He was a citizen of Los Angeles, but he is also a member of the Mexican Congress.

There are cities in southern Texas where the mayor of the city is a Mexican national. There is a city that has actually said that none of its documents will be written in English anymore, will all be in Spanish. It has actually said that nobody employed by the city can enforce any immigration laws, any American immigration laws. This is a city inside the United States.

The President of Mexico recently, he has something he calls the Vision 20/20 plan for homogenous Americas. He is unabashedly staking Mexico's future and fortunes on greener pastures in the north. This is from a Gwinnett News Service article, February 21. He delights in describing a borderless region, symbiotic in its relations, similar in principle to the European Economic Union where jobs and people and the Euro cross most borders as easily as the wind.

This is the President of Mexico. When we think of 2025, year 2025, there is not going to be a border, Mr. Fox has said. Soon there will be free movement of people, just like the free movement of goods.

We were in Mexico, as I say, not too long ago. We met with a representative of the Mexican government who is a newly appointed cabinet minister there for a newly created cabinet in the Mexican government. His name is Juan Hernandez, and Mr. Hernandez's title translates something like minister in charge of Mexicans living outside of Mexico.

It is a very interesting title, of course, and he was also unabashed in what he described as the future he saw. It is one in which essentially millions of Mexican citizens will be coming to the United States, legally and illegally. He sees really no difference. Because, as he told me, really there are not two countries here, he said. We are just talking a region. This is a member of the Mexican government.

So there is a blending, that is for sure, there is a blending of culture. There is a blending, and the border is in many respects almost eliminated. It is gone, for all intents and purposes.

There can be a legitimate debate, as I have said often, as to whether or not we should abolish the border between the United States and Mexico, between the United States and Canada and form this sort of European Union model that Mr. Fox wants and that many Members of this Congress want, maybe even members of our administration want. We can debate this point. A bill could arise for that purpose. We could have a national debate as to whether or not we want to eliminate the borders.

□ 2145

I would vote ''no.'' I believe that there is a purpose served by them, borders, that is; and they go beyond just the need for our own immediate security. They go into this bigger issue that I am talking about in terms of what makes a nation; what, in fact, holds a nation together. But, nonetheless, it is a legitimate topic. We can debate it, if that is where we are going.

The problem I have, Madam Speaker, is that that is where we are going; but it is without the debate. We will not hear on the floor of this House, we will not hear in any committee of this Congress a discussion as to the efficacy of doing something like eliminating our borders. We will talk about the need to revamp the INS and all that, and I am all for it; but I really do think that the whole battle over immigration is really a battle as to whether or not we should have borders.

And the people who are the ultimate sort of multiculturalists, the people who do not see a reason to attach any significance to what we describe as the United States of America, its uniqueness and the validity of our civilization, of Western Civilization, essentially, in this clash of civilizations that we now face in the world, the people who push that concept will push for the elimination of our borders. And they are aided in that if they cannot get it via a bill through this Congress, signed by the President, then they will get it as a result of changing who we are and what we are in the United States.

As I say, it is not just massive immigration that is the problem. It is massive immigration connected with this multiculturalism that infects our system, our culture. It is the kind of thing that says that schoolchildren cannot say the Pledge any more; it is the kind of thing that will not allow flags to be flown in our schools and in public institutions. Even after the outpouring of patriotic fervor after September 11, there were places throughout the United States that disallowed the flying of the flag because they said it may in fact anger people; it may be an affront to somebody; that it may make them uncomfortable. The flying of the flag may make them uncomfortable.

No, Madam Speaker, the elimination of any sort of recognition of uniqueness of America from our public schools under this cloak of multiculturalism, I guess I will call it, has resulted in a situation where we have at least a generation, maybe two, who are incredibly illiterate when it comes to American history and the American ideal.

I am a teacher by background. I taught for 8 years in Jefferson County, Colorado. I taught civics, as a matter of fact. And I can attest to something that I think is pretty much common sense, but it is a fact that children are not born with an appreciation, an innate appreciation of the Declaration of Independence or the Bill of Rights, who we are as a Nation. They do not understand that innately. They have to be taught. It has to be something that is appreciated in their homes and reinforced in the school, the same way that most children do not come to school with an appreciation of great art or great literature or great music. We have to teach them that. They do not come to it naturally.

The same thing happens with teaching them about America and about the uniqueness of this country and about what it means to be an American, how it separates us from the rest of the world. But even saying that today in a public school could get someone in trouble. Today, if a teacher in a public school in this land actually said that there is something unique about America, it separates us from the rest of the world and it is better, they would be in trouble. There are politicians that may be in trouble for saying it. There are certainly people in the media who would rail against such a concept. I see aspects of this all the time.

I think there are major implications to issues like drawing lines, congressional lines, just for certain ethnic groups, and even caucuses here in the Congress of the United States, where Black, Hispanic and others are based on ethnicity. I always wonder about how that helps us come together as a Nation; how does this help us actually define ourselves as a Nation, the common set of ideals, of values, of languages?

Now, I am Italian. I am 100 percent Italian. I am a recent arrival, as a matter of fact, by heritage. My grandparents came to the United States in the late 1800s and early 1900s, along with the wave of immigration all over the world. As I say, both sides came from Italy, so I am relatively new, if you want to think of it that way. I cannot trace my heritage back to the Mayflower. So I am a relatively new American, if you want to think of it that way. Yet I must say, Madam Speaker, that in growing up, all the textbooks I was given in school, all the things that I was told in my home, all of the influences of my life, and all of the references to my history, our history, if you want to say it that way, was all American history.

I grew up thinking of Jefferson and Madison and Adams, Patrick Henry, Benjamin Franklin. These were the heroes of my history. That is what I was taught, both at home and in school. There was never any idea that we were somehow still tied politically or linguistically to Italy. As a matter of fact, and perhaps even unfortunately, Italian was not allowed to be spoken in my grandparents' home. It was an indication of their desire to separate themselves from the nation of their birth and to come here and start anew.

That, as I say, is what I think has changed. I believe our schools do not teach that. I believe that we are witnessing this significant shift in culture, and I think it is something worthy of us to discuss. Massive immigration, combined with radical multiculturalism spells disaster, as far as I am concerned, Madam Speaker. As I say, I have often come to the floor to talk about the other implications of immigration, but tonight I just wanted to address this topic for a short period of time because I do think it is worthy of note.

Perhaps it is because I just came back from overseas where I could see the effects of this clash of civilizations; that everywhere we look around the world, as a matter of fact, we can see tribalism breaking up nation states, and that is the new world in which we live. It is happening all over. Countries are facing this kind of problem, and I worry about our own future. And I think that in order for us to sustain ourselves, in order for the United States to sustain itself and be the leader of Western Civilization, that we have to have a cohesion, we have to have a homogenous society.

Now, I am not suggesting for a moment that anybody has to ignore their background. Certainly I do not. Certainly I appreciate my own, and I appreciate anybody else's desire to revel in their own cultural background and heritage. That is not the issue at all. It is the issue of whether or not we disconnect, though, politically, from what we were to who we are today. And I worry that that is not happening.

There are certainly indications that something very, very different is occurring in America today as a result of massive immigration into the United States. Uncontrolled immigration. We can, in fact, still have immigration. We do not have to slam any doors shut. We simply have to reduce the number; and we have to, on the other side of the coin, begin to once again focus on what it means to be an American in our public schools, in our institutions, in our leaders.

I think the President of the United States and all people entrusted with the responsibility of leadership in America should focus on that and talk about it. It is imperative now, I think, as we enter into this new world, this clash of civilizations that I mentioned. It is imperative that we identify for the world at large and for our own citizens exactly who we are and why there is the struggle against the evil that we have identified as the terrorists in the world. It is in a way a clash of civilizations, certainly; and it is important for Americans to understand who we are, where we came from, and where we are going.

We need a cohesive society. We need a language in which we can all communicate. Even that, of course, as you know, is being challenged continually. Bilingual education, as an example, is where children are placed in classes and taught in a language other than English for the purpose, they say, of increasing their educational attainment levels. But even when it is shown over and over again that there is no actual increase in educational attainment levels, people still push bilingual education. So you have to ask yourself why. What is the purpose? If it is not to actually help a child accomplish something, accomplish a better education, obtain a better education, then why are we doing it? It is, I suggest, Madam Speaker, as a result of this radical multiculturalism; the idea that we do not want people to disconnect from that other culture, wherever they came from and what they were, and connect to a new one. We want to foster this Balkanizing sort of phenomenon that we are experiencing in the United States. All very dangerous stuff.

POVERTY IN AMERICA

The SPEAKER pro tempore (Mrs. CAPITO). Under the Speaker's announced policy of January 3, 2001, the gentleman from Illinois (Mr. DAVIS) is recognized for 60 minutes.

Mr. DAVIS of Illinois. Madam Speaker, I have listened to much of the discussion this evening, and I have decided that I am going to talk about something that I do not think we talk about nearly enough, and I am sure that we do not do nearly enough about it, and that is the whole issue of poverty and what it does to millions of people in our Nation and what it does to millions of people throughout the world.

Madam Speaker, the stubborn persistence of poverty in America is one of the most inexplicable features of our national life. America, that is our country, in the 21st century is the wealthiest Nation in the history of the world. We have the resources to provide for all of our citizens, and certainly we have the resources to end hunger, homelessness, and to offer quality health care and education to all of our people. Yet, in our great national paradox, we have not chosen to do so.

The gap between the few ultra-wealthy and the overwhelming majority of working people, that gap, which was once quite small, has grown and is now wider than at any time since the Great Depression.

□ 2200

It has, in the judgment of many, become so large that it undermines our sense of a Nation of equals. Poverty and income inequality present a real challenge to our notion of America as a Nation that promotes equality and that is seriously moving in that direction.

In 1997, the top 1 percent of the U.S. population, that is, 2.6 million people, had as much after-tax income as the 100 million Americans with the lowest income.

At the same time, household debt reached historic highs. The total value of all forms of outstanding household debt was greater than the total disposable income of all households.

The wealthiest 1 percent reduced their share of the debt by 27 percent, while the middle 20 percent of households increased their share of the debt by 38.8 percent.

There was no progress in reducing poverty between 1995 and 1999 despite an increasing economy. More than 1.4 million Americans are classified as food insecure, including the cruelest feature of poverty, the concentration of children among the poor.

Madam Speaker, 45 percent of children in poor families are considered food insecure.

Reductions in poverty as a result of economic growth were entirely offset by increased poverty due to cuts in government safety net programs. The poor in the United States are less likely than the poor in other countries to leave poverty. On average, 28.6 percent of the United States poor are able to escape their economic situation, while in Sweden the rate is 36 percent. In Germany, the rate is 37 percent; in Canada, the rate is 42 percent; and in the Netherlands the rate is 44 percent.

Counting the poor has become a cynical art. Measures of poverty have

come and gone, many of them arbitrary from their inception. The current poverty level has never been permitted to adjust to cost of living increases and other impacts. The debate over defining poverty and who is poor has been used to limit the ability of public policy to address poverty in a meaningful way.

As William Greider has pointed out, ''The effect of the poverty line is to obscure the existence of a vast pool of struggling families who are above the poverty line, who are not officially poor, and to exclude them from the political equation.''

Further quoting, ''Helping the poor is considered virtuous even among conservatives. Helping the nonpoor is considered wasteful or even fraudulent. The problem of poverty is presumed to reside in the poor people themselves, not in the structure of wages available in the private economy.''

According to a recent study by the Economic Policy Institute, 29 percent of working families in the United States with one to three children under age 12 do not earn enough to afford basic necessities such as food, housing, health care, and child care, even during a period of national prosperity. Nearly one-third of families with incomes below twice the poverty threshold faced at least one critical hardship, like going without food, getting evicted, having to double up in housing with another family or not having access to medical care during an acute illness.

The report calculated a basic budget level for each State, the budget a family would need to afford food, housing, child care, health insurance, transportation, and utilities. Even for families that include a full-time worker, nearly one-quarter of the families below twice the poverty line face these problems.

Of families with incomes below the basic income line, half include a parent who worked full time, and nearly 60 percent are two-parent families. More than 75 percent are headed by a worker with a high school degree or more. About one-third live in the suburbs, one-third in the cities, and one-third in rural areas.

Just over half of all families living below the basic budget level are white families. However, about half of all black and Hispanic families fall below the basic budget levels.

No one argues for income equality in the sense we demand equality in polling places. Nevertheless, there is, somewhere, a line where economic inequality becomes incompatible with democracy. The marketplace makes no allowance for democracy, and there is no greater challenge to our democracy than economic injustice and poverty in the first place.

So out of concern for basic economic justice, out of the fundamental need for capitalism to balance production and consumption and a profound need to preserve our sense of Nation, we face no more critical task than shaping a national economic policy which addresses the issue of poverty.

The question of poverty and economic income inequality has moved center stage as, for the first time in a decade, America is mired in recession. And of course we know that when we talk recession overall we are talking serious depression for those at the lowest levels of our economic stratum.

More than 8 million Americans are now out of work. More than 1 million workers have lost their jobs since September 11. Our economy has been shedding 100,000 jobs a week. Two million workers will likely lose their unemployment insurance benefits in the first 6 months of this year. Ninety-four percent of those who lose benefits will not receive additional assistance.

It is extremely unfortunate that the President's budget slashes job training in 336 cities from $225 million to $45 million.

We have now experienced more than 13 consecutive months of industrial decline, the longest such period since the Great Depression. American consumers, which have accounted for two-thirds of our economic engine in recent years, have been staggered by the current crisis, and both the November and December retail sales have been characterized as dismal.

As usual, the most vulnerable are the hardest hit. Unemployment of African Americans and Hispanics have increased at least 50 percent faster than the national average. For African American teens, the increase is 400 percent faster. While the number of African Americans in poverty began to decrease in the last years of the period of economic expansion in the 1990s and the wage gap decreased during those recent years, the income gap has remained substantial.

The persistent racial inequalities and inequities are underlined by a recent study by Edward N. Wolff. Wolff points to the persistence of these inequalities and notes that even if we could immediately eliminate the racial income gap, it could take another two generations for the wealth gap to close.

Unemployment rates for women who are heads of household have soared. 200,000 single moms are scheduled to be dropped from Federal assistance in 2003.

Also soaring is the homeless rates. According to the Coalition for the Homeless, a record number of people, more than 29,000, were spending nights in shelters in New York during November, up from 8,000 in October.

Meanwhile, the so-called safety net, gutted by welfare reform, has begun to reveal fearsome gaps. Even before the downturn began, more than 100,000 families lost their income support because of time limits. In the first 3 years of TANF, 540,000 families had benefits terminated for not complying with program rules.

State reserves for income support programs are drying up rapidly. Illinois and Michigan are among states most at risk.

Food stamps have traditionally been one of the basic protections of the safety net. However, over the past few years participation rates have fallen sharply because of barriers to access.

One of the other basic fixtures of the safety net has been unemployment insurance. Benefit levels now replace only 33 percent of the coverage that average workers lost, down from 36 percent in 1990. The percentage of unemployed workers who actually get unemployment benefits has also declined over the past 40 years, peaking at 49 percent in 1975 and declining to a mere 37 percent in 2001.

We know that recessions are particularly cruel to State budgets. Those who have been following events in Illinois know that Medicaid is high on the endangered list. We need an economic stimulus to jump-start our economy, and we need it immediately.

While some talk about tax cuts which will primarily benefit the wealthiest 1 percent of taxpayers, and do nothing for the bottom 75 percent, let me suggest that any serious economic stimulus package must consider and be focused on the needs of the poor and the most vulnerable among us.

The President's fiscal year 2003 budget calls for cutting job training and employment funding by almost $700 million while unemployment is increasing.

The President's budget calls for reducing community development support by 28 percent while poor communities and programs for child care and social services are in crisis.

The President's budget proposes to cut home energy assistance by $300 million compared to fiscal year 2002.

The President's budget cuts funding for JAIBG, which helps States improve facilities and services to incarcerated youth by 13.8 percent.

The President's budget makes the first of 10 annual $780 million cuts to our teaching hospitals; and, to add insult to injury, then adds a 30 percent cut to a program which funds medical training at hospitals that specialize in the care of children.

The President's budget request reduces his own plan for prescription drug benefits from the $48 billion he proposed last year to $13.2 billion this year.

The National Institute for Occupational Safety and Health would take a $29 million hit, while the Occupational Safety and Health Administration will take a $9 million hit.

Public housing will face a $382 million cut along with the $417 million cut for public housing repairs and $268 million from the Community Development Block Grants.

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Now is the time for some hard thinking about priorities and about cutting waste in government.

Here is what Vice Admiral Jack Shanahan, United States Navy, retired, former commander of the United States Second Fleet and head of the Military Advisory Committee of Business Leaders for Sensible Priorities

wrote about the President's budget on February 13. He said: ''The decision to ask Congress to increase the Pentagon budget by $48 billion or more may sound reasonable in light of America's ongoing war on terrorism, but the reality is that the Pentagon budget should actually be trimmed by 15 percent.''

Further quoting: ''To be sure, our military will require new tools to fight modern adversaries. The Pentagon needs more unmanned aircraft, better communications and reconnaissance technology, as well as more mobile weaponry.

''We need to spend more money on military personnel and ideas, as we create a force that is capable of a seamless transition from humanitarian activities to peacekeeping to actual combat and back again. This places a premium on the individual soldier who gets the job done with minimum loss of life on both sides, with minimum property damage and in the shortest possible time.

''But these new military expenditures can easily be paid for with money saved from eliminating outdated weapons from the Pentagon budget, wasteful expenditures that President Bush himself pledged to cut.

''None of the weapons that the administration reportedly wanted to eliminate prior to September 11, like the F–22 fighter jet, the Crusader artillery system, and the Comanche helicopter, would have been of any significant benefit to our troops in Afghanistan. Likewise, they will not be needed by our military personnel in any foreseeable conflict with our most likely adversaries.

''But the money that could be saved by cutting these Cold War weapons could definitely be put to good use. The administration is correct that America needs to spend more on shoring up national security. But rather than add to the Pentagon budget, President Bush should trim it of Cold War fat and apply the savings to our more expansive and pressing security needs.''

Madam Speaker, we must provide protection for those at greatest risk of economic hardship: low wage, entry level and part-time workers, women, minorities, the underprivileged, small businesses, marginal communities and those who have lost their jobs.

Specifically, what does this mean? I believe it means raising the minimum wage to a livable wage. Obviously, there is never enough time to really talk totally about the minimum wage or the living wage movement. But suffice it to say that the living-wage movement has become one of the most potent and effective tools for attacking poverty.

Chicago and Cook County are just two of the more than 70 local units of government which have passed living-wage ordinances. We now have extensive research which shows that when the lowest-paid workers receive additional income, they spend those dollars to meet their family's needs. This provides a boost to the local economy which more than offsets the increased salary costs.

Further research demonstrates that businesses do not flee these communities because of modest increases in wage costs, but are actually attracted to communities with healthy economies. Extending unemployment and medical benefits both with regards to time and eligibility has become a central feature of the current legislative initiative in the Congress and offers one of the fastest and most efficient means of stimulating the economy.

Providing direct loans and grants to small businesses affected by the September 11 terrorist attacks has become a hot topic of discussion, especially since the Congress passed the airline bailout.

I believe that it makes a lot of sense to look towards assisting small businesses which today generate the majority of jobs in our Nation. Reauthorizing a TANF program, which not only takes people off welfare, but takes people out of poverty, is one of the largest issues facing us this year.

The unfortunate fact is that welfare reform has been successful. Unfortunately, the problem is that it was never intended to meet the needs of the poor, but to shed public responsibility for addressing poverty.

Welfare rolls have declined, but many of those who have left TANF are in worse economic condition than they were before they left. The U.S. Conference of Mayors reports that emergency shelter requests in 27 cities have increased 13 percent over the last year, but the President's budget cuts public housing repairs $417 million. That is 14.7 percent.

Real welfare reform must address, at a minimum, improving the safety net for children while helping parents meet work-related goals; empowering families to find resources and tools and make decisions needed to meet their needs and goals as a family; ensuring families with multiple barriers to employment and economic independence receive necessary services, including mental health and substance abuse treatment; revising the time limits on eligibility, as was emphasized by the just-completed National Governors Conference; redefining the goal of reform to reduce poverty, especially child poverty, not just caseloads.

We will never eliminate poverty until we recognize the need for a federally funded daycare program for children of all ages. Forty-nine States have child care costs greater than tuition to public colleges; yet quality day care is not only a critical prerequisite for parental employment, it is critical for healthy child development.

Finally, and critical for our growth as a Nation, is a system of national health care, including prescription drug coverage and the treatment of mental illness on par with all other illness. America is abuzz these days with response to the new Denzel Washington movie ''John Q'' and how it relates to people's own experiences with paying for health care in America.

No nation in the world has the health care resources, the technology, the trained health care professionals of America. But our health care delivery system is broken and our priorities, especially our lack of focus on prevention, are sadly misplaced.

I hope that the result of the November election in Portland, Maine, will be a bellwether of things to come in health care. Portland voters passed a referendum on universal health care, despite the fact that opponents spent hundreds of thousands of dollars more than congressional candidates usually spend in Maine trying to defeat the measure. A single-payer, universal health care system would be more efficient, would cost less as a result of eliminating mountains of paperwork, would offer more choice and would provide coverage to every one of our people.

Integral to my dream, my vision for America, is an America where poverty and all of the social, moral, mental and physical ills associated with poverty are eradicated forever.

Of course, a part of that poverty syndrome is the fact that our prisons are filled to the hilt with individuals, 2 million of them. While we are only 5 percent of the world's population, we have 25 percent of the world's prison population.

The Justice Department has predicted that 630,000 of these individuals are going to be released from prison this year. About 30,000 of them will be in my State, the State of Illinois. Unfortunately, we have not prepared for them as they come back to neighborhoods and communities. So a good part of our attack on poverty has to be a serious look at our correctional system and a serious look at what it takes to reform, to rehabilitate and to prepare people for reentry into normal society once they are released from correctional facilities and institutions.

I introduced the week before last a bill, the Public Safety Ex-Offender Self-Sufficiency Act, that is designed to provide structured living arrangements for ex-offenders as they return home, an arrangement that is not designed to cost taxpayers a great deal of money. We use a creative approach to financing by creating a model like the low-income-housing tax credit program, where instead of credits on the basis of population, that we provide credits on the basis of the number of ex-offenders in a State.

Private developers are encouraged to develop housing. This bill calls for the development of 100,000 units over the next 5 years, the idea being that corporations who do this will get the benefit of their resource back within a 10-year period. They must hold the facilities at least for 15 years. Individuals will then have a place to live, a place to go, where they can also receive education, job training, skill development,

counseling for whatever their social or physical-medical problems may be, as well as health care and assistance with job placement.

I believe, Madam Speaker, that if America is to become the Nation that it has the potential of being, then we must seriously address the problems, needs, hopes, and aspirations of all our citizens, and even those who are mired down at the bottom.

I believe in the theory and the concept that a rising tide should lift all boats; and I am confident that as we lift and improve the lives of those at the bottom, as we help the American dream become more of a reality for all of our citizens, then America becomes that Nation that Langston Hughes talked about when he suggested that we ought to let America be America again, the land that it has never been, but yet must be.

In all of our greatness, we have not realized the fulfillment of our potential. It is my hope that as we deal with the issues of poverty and the issues of those who are the most needy among us, we will lift America to heights that it has never seen.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BALDACCI (at the request of Mr. GEPHARDT) for today and the balance of the week on account of a death in the family.

Mr. REYES (at the request of Mr. GEPHARDT) for today on account of personal business.

Mr. RUSH (at the request of Mr. GEPHARDT) for today on account of personal reasons.

Ms. WATERS (at the request of Mr. GEPHARDT) for today on account of official business in the district.

SPECIAL ORDERS GRANTED

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

(The following Members (at the request of Mr. MCNULTY) to revise and extend their remarks and include extraneous material:)

Mr. MILLER of California, for 5 minutes, today.

Ms. NORTON, for 5 minutes, today.

Mr. LIPINSKI, for 5 minutes, today.

Mr. FILNER, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

(The following Members (at the request of Mr. MCINNIS) to revise and extend their remarks and include extraneous material:)

Mr. GANSKE, for 5 minutes, February 27 and March 1.

Mr. PAUL, for 5 minutes, today.

Mr. JONES of North Carolina, for 5 minutes, February 27.

Mr. WELDON of Pennsylvania, for 5 minutes, today.

SENATE BILL AND JOINT RESOLUTION REFERRED

A bill and a joint resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 980. An act to provide for the improvement of the safety of child restraints in passenger motor vehicles, and for other purposes; to the Committee on Energy and Commerce; in addition to the Committee on Transportation and Infrastructure for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

S.J. Res. 32. Joint resolution congratulating the United States Military Academy at West Point on its bicentennial anniversary, and commending its outstanding contributions to the Nation; to the Committee on Armed Services.

ADJOURNMENT

Mr. DAVIS of Illinois. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 28 minutes p.m.), the House adjourned until tomorrow, Wednesday, February 27, 2002, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

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

5547. A letter from the Acting Executive Director, Commodity Futures Trading Commission, transmitting the Commission's final rule—Rules Relating to Intermediaries of Commodity Interest Transactions (RIN: 3038–AB56) received February 12, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5548. A letter from the Acting Executive Director, Commodity Futures Trading Commission, transmitting the Commission's final rule—Listing Standards and Conditions for Trading Security Futures Products (RIN: 3038–AB87) received February 12, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5549. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Sulfuryl Floride; Temporary Pesticide Tolerances [OPP–301166A; FRL–6823–4] (RIN: 2070–AC18) received February 5, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5550. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Bentazon; Pesticide Tolerance [OPP–301215; FRL–6820–9] (RIN: 2070–AB78) received February 05, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5551. A letter from the Under Secretary, Comptroller, Department of Defense, transmitting a report of a violation of the Antideficiency Act which occurred in the Department of the Air Force, pursuant to 31 U.S.C. 1351; to the Committee on Appropriations.

5552. A letter from the Deputy Secretary, Department of Defense, transmitting notification of the transport of a chemical warfare agent, pursuant to 50 U.S.C. 1512(4); to the Committee on Armed Services.

5553. A letter from the Secretary of the Air Force, Department of Defense, transmitting notification that certain major defense acquisition programs have breached the unit cost by more than 15 percent, pursuant to 10 U.S.C. 2433(e)(1); to the Committee on Armed Services.

5554. A letter from the Secretary of the Navy, Department of Defense, transmitting notification of the decision to convert to contractor performance by the private sector the Transportation function at NADEP Cherry Point, NC, which was found to be the most cost-effective, pursuant to 10 U.S.C. 2461; to the Committee on Armed Services.

5555. A letter from the Secretary of the Army, Department of Defense, transmitting a report on assistance provided by the Department of Defense (DoD) to civilian sporting events in support of essential security and safety; to the Committee on Armed Services.

5556. A letter from the Chairman, National Credit Union Administration, transmitting the Administration's report of activities for calendar year 2001; to the Committee on Financial Services.

5557. A letter from the Assistant to the Board, Federal Reserve Board, transmitting the Board's final rule—Home Mortgage Disclosure [Regulation C; Docket No. R–1001] received February 19, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5558. A communication from the President of the United States, transmitting notification that the Yucca Mountain site has met recommended approval for the development of a repository for the geological disposal of spent nuclear fuel and high level nuclear waste from the Nation's defense activities, pursuant to 42 U.S.C. 10134 nt.; to the Committee on Energy and Commerce.

5559. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's Report to Congress Regarding Number of Chimpanzees and Funding for Care of Chimpanzees, as required by Public Law 106–551; to the Committee on Energy and Commerce.

5560. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Revisions to the California State Implementation Plan, Imperial County Air Pollution Control District [CA 242–0316; FRL–7134–1] received January 31, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5561. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Clean Air Act Full Approval of Operating Permit Program; State of New York [NY002; FRL–7137–7] received January 31, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5562. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Clean Air Act Approval and Promulgation of State Implementation Plan; Wyoming; Revisions to Air Pollution Regulations [WY001–0007a, WY–001–0008a, WY–001–0009a; FRL–7130–3] received January 31, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5563. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Protection of Stratospheric Ozone: Allocation of Essential-use Allowances for Calendar Year 2002; and Extension of the De Minimis Exemption for Essential Laboratory and Analytical Uses through Calendar Year 2005 [FRL–7140–5] (RIN: 2060–AJ81) received February 5, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5564. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Kentucky; Revisions to the 1-Hour Ozone Maintenance State Implementation Plan for the Paducah Area, Kentucky; Correction [KY–200214; FRL–7138–5] received February 5, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5565. A letter from the Director, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Navy's proposed Letter(s) of Offer and Acceptance (LOA) to the United Kingdom for defense articles and services (Transmittal No. 02–12), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

5566. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to India [Transmittal No. DTC 167–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

5567. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to India [Transmittal No. DTC 162–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

5568. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to India [Transmittal No. DTC 164–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

5569. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to India [Transmittal No. DTC 161–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

5570. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed Manufacturing License Agreement with the United Kingdom [Transmittal No. DTC 123–01], pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

5571. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to the United Kingdom [Transmittal No. DTC 128–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

5572. A letter from the Director, Office of Personnel Policy, Department of the Interior, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

5573. A letter from the Director, Office of Personnel Policy, Department of the Interior, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

5574. A letter from the Director, Office of Personnel Policy, Department of the Interior, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

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5578. A letter from the Director, Office of Personnel Policy, Department of the Interior, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

5579. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

5580. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

5581. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

5582. A letter from the Acting Assistant Administrator, Environmental Protection Agency, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

5583. A letter from the Comptroller General, General Accounting Office, transmitting the report on General Accounting Office employees detailed to congressional committees as of January 25, 2002; to the Committee on Government Reform.

5584. A letter from the Acting General Counsel and Designated Reporting Official, Office of National Drug Control Policy, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

5585. A letter from the Secretary, Federal Trade Commission, transmitting the Commission's final rule—Revised Jurisdiction Thresholds for Section 8 of the Clayton Act—received February 5, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

5586. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Security Zone; San Diego Bay [CGD11–01–010] (RIN: 2115–AA97) received February 11, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5587. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Security Zone; Naval Supply Center Pier, San Diego Bay, CA [CGD11–01–008] (RIN 2115–AA97) received February 11, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5588. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Security Zone; Naval Amphibious Base, San Diego Bay, CA [CGD11–01–011] (RIN 2115–AA97) received February 11, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5589. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Security Zones; Ports of Charleston and Georgetown, SC [COTP Charleston-01–128] (RIN 2115–AA97) received February 11, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5590. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Security Zones; St. Thomas, U.S. Virgin Islands [CGD07–01–136] (RIN 2115–AA97) received February 11, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5591. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Security Zones; St Croix, U.S. Virgin Islands [CGD07–02–002] (RIN 2115–AA97) received February 11, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5592. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Security Zones; Oahu, Maui, Hawaii, and Kauai, HI [COTP Honolulu 01–008] (RIN 2115–AA97 and 2115–AA98) received February 11, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5593. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 747–100, 747–200, 747–300, and 747SR Series Airplanes Powered by General Electric CF6–45/50 or Pratt & Whitney JT9D–70 Series Engines [Docket No. 2001–NM–124–AD; Amendment 39–12578; AD 2001–26–12] (RIN 2120–AA64) received February 11, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5594. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model DC–9–10, –20, –30, –40, and –50 Series Airplanes; and C–9 Airplanes [Docket No. 99–NM–290–AD; Amendment 39–12590; AD 2001–26–24] (RIN 2120–AA64) received February 11, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5595. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bombardier Model DHC–8–100, –200, and –300 Series Airplanes [Docket No. 2001–NM–241–AD; Amendment 39–12589; AD 2001–26–23] (RIN 2120–AA64) received February 11, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5596. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; BAE Systems (Operations) Limited Model Avro 146–RJ Series Airplanes [Docket No. 2001–NM–90–AD; Amendment 39–12588; AD 2001–26–22] (RIN 2120–AA64) received February 11, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5597. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A319, A320, and A321 Series Airplanes [Docket No. 2001–NM–255–AD; Amendment 39–12587; AD 2001–26–21] (RIN 2120–AA64) received February 11, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5598. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A319, A320, and A321 Series Airplanes [Docket No. 2001–NM–132–AD; Amendment 39–12586; AD 2001–26–20] (RIN 2120–AA64) received February 11, 2002, pursuant to 5 U.S.C.

801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5599. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Israel Aircraft Industries, Ltd., Model Galaxy Airplanes [Docket No. 2001–NM–388–AD; Amendment 39–12599; AD 2002–01–08] (RIN 2120–AA64) received February 11, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5600. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Alternate Compliance Program; Incorporation of Offshore Supply Vessels [USCG–2001–10164] (RIN: 2115–AG17) received February 5, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5601. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Grob-Werke Gmbh & Co KG Models G102 Club Astir III, G102 Club Astir IIIb, and G102 Standard Astir III Sailplanes [Docket No. 2001–CE–48–AD; Amendment 39–12591; AD 2001–26–25] (RIN: 2120–AA64) received February 11, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5602. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Dornier Model 328–300 Series Airplanes [Docket No. 2001–NM–174–AD; Amendment 39–12584; AD 2001–26–18] (RIN 2120–AA64) received February 11, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5603. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A330 Series Airplanes [Docket No. 2001–NM–28–AD; Amendment 39–12583; AD 2001–26–17] (RIN: 2120–AA64) received February 11, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5604. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Eurocopter France Model AS332L2 Helicopters [Docket No. 2001–SW–11–AD; Amendment 39–12597; AD 2002–01–06] (RIN: 2120–AA64) received February 11, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5605. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Dornier Model 328 Series Airplanes Equipped with Honeywell GP–300 Guidance and Display Controller [Docket No. 97–NM–187–AD; Amendment 39–12580; AD 2001–26–14] (RIN: 2120–AA64) received February 11, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5606. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Eurocopter France Model AS350B, B1, B2, B3, BA, D, and AS355E Helicopters [Docket No. 2001–SW–70–AD; Amendment 39–12605; AD 2001–26–53] (RIN: 2120–AA64) received February 11, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5607. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Eurocopter Deutschland GmbH Model EC135 Helicopters [Docket No. 2001–SW–64–AD; Amendment 39–12604; AD 2001–26–52] (RIN: 2120–AA64) received February 11, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5608. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace, Springhill, LA [Airspace Docket No. 2001–ASW–14] received February 8, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5609. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 757 Series Airplanes [Docket No. 2000–NM–405–AD; Amendment 39–12513; AD 2001–23–14] (RIN: 2120–AA64) received February 11, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5610. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model DC–9–81, –82, –83, and –87 Series Airplanes, and Model MD–88 Airplanes [Docket No. 2000–NM–161–AD; Amendment 39–12581; AD 2001–26–15] (RIN: 2120–AA64) received February 8, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5611. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas DC–9–81, –82, –83, and –87 Series Airplanes, and Model MD–88 Airplanes [Docket No. 2000–NM–162–AD; Amendment 39–12582; AD 2001–26–16] (RIN: 2120–AA64) received February 8, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5612. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Rolls-Royce Corporation (formerly Allison Engine Company) AE 3007 Series Turbofan Engines [Docket No. 99–NE–46–AD; Amendment 39–12558; AD 2001–25–05] (RIN: 2120–AA64) received February 8, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5613. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Sikorsky Aircraft Corporation Model S–76B and S–76C Helicopters [Docket No. 2001–SW–51–AD; Amendment 39–12559; AD 2001–25–06] (RIN: 2120–AA64) received February 8, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5614. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model DC–8–70 Series Airplanes [Docket No. 2001–NM–222–AD; Amendment 39–12551; AD 2001–24–34] (RIN: 2120–AA64) received February 8, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5615. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 737–100, –200, and –200C Series Airplanes [Docket No. 2001–NM–221–AD; Amendment 39–12550; AD 2001–24–33] (RIN: 2120–AA64) received February 8, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5616. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 747–100, 747–200B, 747–200C, 747–200F, 747SP, and 747SR Series Airplanes [Docket No. 2001–NM–220–AD; Amendment 39–12549; AD 2001–24–32] (RIN: 2120–AA64) received February 8, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5617. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives: Boeing Model 747 Series Airplanes [Docket No. 2001–NM–219–AD; Amendment 39–12548; AD 2001–24–31] (RIN: 2120–AA64) received February 8, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5618. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 747–200C and –200F Series Airplanes [Docket No. 2001–NM–218–AD; Amendment 39–12547; AD 2001–24–30] (RIN: 2120–AA64) received February 8, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5619. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 747 Series Airplanes [Docket No. 2001–NM–217–AD; Amendment 39–12546; AD 2001–24–29] (RIN: 2120–AA64) received February 8, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5620. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model DC–10–10, –10F, –15, –30, –30F (KC–10A and KDC–10), –40, and –40F Series Airplanes [Docket No. 2001–NM–98–AD; Amendment 39–12540; AD 2001–24–23] (RIN: 2120–AA64) received February 8,2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5621. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; GE Aircraft Engines CT7 Series Turboprop Engines [Docket No. 2000–NE–61–AD; Amendment 39–12594; AD 2002–01–03] (RIN: 2120–AA64) received February 19, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5622. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Pilatus Aircraft Ltd. Model PC–7 Airplanes [Docket No. 2001–CE–30–AD; Amendment 39–12579; AD 2001–26–13] (RIN: 2120–AA64) received February 19, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5623. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30291; Amdt. No. 2089] received February 19, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5624. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—IFR Altitudes; Miscellaneous Amendments [Docket No. 30289; Amdt. No. 433] received February 19, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5625. A letter from the ProgramAnalyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; British Aerospace Model HP.137 Jetstream Mk.1, Jetstream Series 200, Jetstream Series 3101, and Jetstream Model 3201 Airplanes [Docket No.

2001–CE–34–AD; Amendment 39–12596; AD 2002–01–05] (RIN: 2120–AA64) received February 19, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5626. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Honeywell International Inc. (formerly AlliedSignal Inc. and Garrett Turbine Engine Company) TPE331–8, –10N, and –12B Turboprop Engines [Docket No. 2000–NE–39–AD; Amendment 39–12472; AD 2001–21–02] (RIN: 2120–AA64) received February 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5627. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Sikorsky Model S–70A and S–70C Helicopters [Docket No. 2001–SW–18–AD; Amendment 39–12561; AD 2001–25–08] (RIN: 2120–AA64) received February 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5628. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Dornier Luftfahrt GMbH Models 228–100, 228–101, 228–200, 228–201, 228–202, and 228–212 Airplanes [Docket No. 2001–CE–19–AD; Amendment 39–12471; AD 2001–21–01] (RIN: 2120–AA64) received February 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5629. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Reims Aviation S.A. Model F406 Airplanes; Correction [Docket No. 99–CE–28–AD; Amendment 39–12504; AD 2001–23–07] (RIN: 2120–AA64) received February 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5630. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Honeywell International Inc. Models LTS101–600A–2 and LTS–600A–3 Turboshaft Engines; and LTP101–600A–1A and LTP101–700A–1A Turboprop Engines [Docket No. 99–NE–17–AD; Amendment 39–12557; AD 2001–25–04] (RIN: 2120–AA64) received February 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5631. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model DC–9–10, –20, –30, –40, and –50 Series Airplanes; C–9 Airplanes; and Model DC–9–81, –82, –83, and –87 Series Airplanes [Docket No. 99–NM–291–AD; Amendment 39–12531; AD 2001–24–14] (RIN: 2120–AA64) received February 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5632. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model DC–9–10, –20, –30, –40, and –50 Series Airplanes and C–9 Airplanes [Docket No. 99–NM–294–AD; Amendment 39–12533; AD 2001–24–16] (RIN: 2120–AA64) received February 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5633. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model DC–9–10, –20, –30, –40, and –50 Series Airplanes; Model DC–9–81, –82, –83, and –87 Series Airplanes; Model MD–88 Airplanes; and C–9 Airplanes [Docket No. 2001–NM–206–AD; Amendment 39–12544; AD 2001–24–27] (RIN: 2120–AA64) received February 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5634. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model DC–9–10, –20, –30, –40, and –50 Series Airplanes; C–9 Airplanes; Model DC–9–81, –82, –83, and –87 Series Airplanes; and Model MD–88 Airplanes [Docket No. 99–NM–297–AD; Amendment 39–12536; AD 2001–24–19] (RIN: 2120–AA64) received February 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5635. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model DC–9–10, –20, –30, and –40 Series Airplanes [Docket No. 99–NM–288–AD; Amendment 39–12530; AD 2001–24–13] (RIN: 2120–AA64) received February 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5636. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model DC–9–10, –30, and –40 Series Airplanes and C–9 Airplanes [Docket No. 99–NM–292–AD; Amendment 39–12532; AD 2001–24–15] (RIN: 2120–AA64) received February 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5637. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model DC–9–10, –30, and –40, Series Airplanes and C–9 Airplanes [Docket No. 99–NM–296–AD; Amendment 39–12535; AD 2001–24–18] (RIN: 2120–AA64) received February 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5638. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model DC–9–10, –20, –30, and –40 Series Airplanes and C–9 Airplanes [Docket No. 2001–NM–104–AD; Amendment 39–12542; AD 2001–24–25] (RIN: 2120–AA64) received February 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5639. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model DC–10–10, –15, –30, –30F (KC–10A and KDC–10 Military), and –40 Series Airplanes; and Model MD–10–10F Series Airplanes [Docket No. 2001–NM–95–AD; Amendment 39–12537; AD 2001–24–20] (RIN: 2120–AA64) received February 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5640. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model DC–10 Series Airplanes, and Model MD–10–10F and –30F Series Airplanes [Docket No. 2001–NM–96–AD; Amendment 39–12538; AD 2001–24–21] (RIN: 2120–AA64) received February 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5641. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model DC–10–10, –10F, –30, –30F (KC–10A and KDC–10), –40, and –40F Series Airplanes; and Model MD–10–10F Series Airplanes [Docket No. 2001–NM–97–AD; Amendment 39–12539; AD 2001–24–22] (RIN: 2120–AA64) received February 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5642. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model DC–9–10 and –30 Series Airplanes [Docket No. 2001–NM–103–AD; Amendment 39–12541; AD 2001–24–24] (RIN: 2120–AA64) received February 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5643. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model DC–8 Series Airplanes [Docket No. 2001–NM–210–AD; Amendment 39–12545; AD 2001–24–28] (RIN: 2120–AA64) received February 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5644. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A300 B2 and B2 and B4, A300 B4–600 and B4–600R, and A310 Series Airplanes [Docket No. 2001–NM–204–AD; Amendment 39–12543; AD 2001–24–26] (RIN: 2120–AA64) received February 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5645. A letter from the Administrator, Department of Health and Human Services, transmitting the Department's report entitled, ''Expansion of Telehealth Services for Homebound Beneficiaries,'' pursuant to 42 U.S.C. 1395 note. Public Law 105–33 section 4206 (d)(1) (111 Stat. 378); jointly to the Committees on Energy and Commerce and Ways and Means.

5646. A letter from the Secretary, Department of Agriculture, transmitting the Department's report entitled, ''Herger-Feinstein Quincy Library Group Forest Recovery Act Pilot Project FY 2000''; jointly to the Committees on Resources and Agriculture.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

Mr. LINDER: Committee on Rules. House Resolution 350. Resolution providing for consideration of the bill (H.R. 1542) to deregulate the Internet and high speed data services, and for other purposes (Rept. 107–361). Referred to the House Calendar.

TIME LIMITATION OF REFERRED BILL

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

[The following action occurred on February 15, 2002]

H.R. 2481. Referral to the Committee on Armed Services extended for a period ending not later than March 29, 2002.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. HOEKSTRA (for himself, Mr. ROEMER, Mr. BOEHNER, Mr. PETRI, Mrs. ROUKEMA, Mr. GREENWOOD, Mr. GRAHAM, Mr. KILDEE, Mr. OWENS, Mr. ANDREWS, Mr. KUCINICH, Mr. HOLT, Mr. CUNNINGHAM, Ms. ESHOO, Ms. SLAUGHTER, Mr. TOWNS, Mr. JENKINS, Mr. HALL of Ohio, Mr. DOYLE, Mr. FRANK, Mr. SKELTON, Mr. NEAL of Massachusetts, Mr. GREEN of Wisconsin, Mr. MCGOVERN, Mr. RAHALL, and Mr. SUNUNU):

H.R. 3784. A bill to reauthorize the Museum and Library Services Act, and for other purposes; to the Committee on Education and the Workforce.

By Mr. BAKER:

H.R. 3785. A bill to establish expanded teacher loan forgiveness programs under the guaranteed and direct student loan programs for teachers of mathematics and science, and for other purposes; to the Committee on Education and the Workforce.

By Mr. CANNON:

H.R. 3786. A bill to revise the boundary of the Glen Canyon National Recreation Area in the States of Utah and Arizona; to the Committee on Resources.

By Mrs. CAPITO:

H.R. 3787. A bill to extend the duty suspension on 1N-N5297; to the Committee on Ways and Means.

By Mr. CAPUANO (for himself and Mr. FRANK):

H.R. 3788. A bill to limit liability under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 for service station dealers with respect to the release or threatened release of recycled oil; to the Committee on Energy and Commerce, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. CUBIN:

H.R. 3789. A bill to designate the facility of the United States Postal Service located at 2829 Commercial Way in Rock Springs, Wyoming, as the ''Teno Roncalio Post Office Building''; to the Committee on Government Reform.

By Mr. FALEOMAVAEGA:

H.R. 3790. A bill to amend the Internal Revenue Code of 1986 to repeal the automatic treatment of amounts paid for services performed in Federal employment by residents of American Samoa; to the Committee on Ways and Means.

By Mr. ISRAEL (for himself, Mr. HONDA, and Mr. GRUCCI):

H.R. 3791. A bill to establish a pilot program under which the Administrator of the Small Business Administration, in consultation with regional technology consultants, may make direct loans to technology-related small business concerns; to the Committee on Small Business.

By Mrs. KELLY (for herself and Mrs. TAUSCHER):

H.R. 3792. A bill to amend the Federal Water Pollution Control Act to authorize appropriations for State water pollution control revolving funds, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. KING (for himself, Mrs. MCCARTHY of New York, Mr. QUINN, Mr. BARR of Georgia, Mr. FRANK, Mr. BONIOR, Mr. MALONEY of Connecticut, Mr. ISRAEL, Ms. RIVERS, Mr. DIAZ-BALART, Mr. GREEN of Texas, Mr. PASCRELL, Mrs. CHRISTENSEN, Mr. ACKERMAN, Mr. GRUCCI, Ms. WOOLSEY, Mr. BRADY of Pennsylvania, Mr. KENNEDY of Rhode Island, Mr. MCNULTY, Mrs. ROUKEMA, Mr. CROWLEY, Mr. GILMAN, Ms. ROS-LEHTINEN, Mr. LANTOS, Ms. HOOLEY of Oregon, Mr. WEXLER, Mr. JACKSON of Illinois, Mr. FOLEY, Mr. RUSH, Mr. FILNER, and Mr. TOWNS):

H.R. 3794. A bill to amend the Federal Law Enforcement Pay Reform Act of 1990 to adjust the percentage differentials payable to Federal law enforcement officers in certain high-cost areas; to the Committee on Government Reform.

By Mr. KUCINICH (for himself, Mr. SANDERS, and Mr. FILNER):

H.R. 3795. A bill to establish a Federal Bureau of Audits within the Securities and Exchange Commission to conduct audits of all publicly registered companies; to the Committee on Financial Services.

By Mrs. MCCARTHY of New York (for herself, Mr. ISRAEL, Mr. KING, Mr. GILMAN, Mr. MENENDEZ, Mr. FOSSELLA, Mr. HINCHEY, and Mr. ROTHMAN):

H.R. 3796. A bill to amend title 38, United States Code, to require the Secretary of Veterans Affairs to provide that the Secretary of Veterans Affairs, in the management of health care services for veterans, shall place certain low-income veterans in a higher health-care priority category; to the Committee on Veterans' Affairs.

By Mr. SWEENEY:

H.R. 3797. A bill to designate the facility of the United States Postal Service located at 201 Main Street, Lake Placid, New York, as the ''John A. 'Jack' Shea Post Office Building''; to the Committee on Government Reform.

By Mr. TANCREDO (for himself and Mr. MCINNIS):

H.R. 3798. A bill to amend the Endangered Species Act of 1973 to require clear and convincing scientific data with respect to the designation of critical habitat of a species under that Act; to the Committee on Resources.

By Mr. SHIMKUS (for himself, Mr. HINCHEY, Mrs. TAUSCHER, Mrs. KELLY, Mr. KELLER, Mr. FORBES, Mr. REYES, Mr. SIMMONS, Mr. MURTHA, Mr. KING, Mr. OWENS, Mr. WHITFIELD, Mrs. WILSON of New Mexico, Mr. MCHUGH, Mr. TAYLOR of North Carolina, Mr. GRAHAM, and Mr. LANGEVIN):

H.J. Res. 83. A joint resolution congratulating the United States Military Academy at West Point on its bicentennial anniversary, and commending its outstanding contributions to the Nation; to the Committee on Armed Services.

By Mr. FILNER:

H. Con. Res. 333. Concurrent resolution expressing the sense of Congress that the Attorney General should appoint a special counsel on matters relating to Enron Corporation; to the Committee on the Judiciary.

By Ms. GRANGER (for herself, Mr. WEXLER, Mr. WHITFIELD, Mr. TANCREDO, and Mr. STEARNS):

H. Con. Res. 334. Concurrent resolution expressing the sense of Congress regarding the Republic of Turkey's cooperation in the war against terrorism, economic reforms in Turkey, and the economic partnership meetings to be held between the United States and Turkey; to the Committee on International Relations.

By Mr. DEAL of Georgia:

H. Res. 349. A resolution designating certain majority membership on certain standing committees of the House; considered and agreed to.

By Mr. SHOWS:

H. Res. 351. A resolution providing for the consideration of the bill (H.R. 3022) to provide for a program of temporary enhanced umemployment benefits; to the Committee on Rules.

MEMORIALS

Under clause 3 of rule XII,

207. The SPEAKER presented a memorial of the General Assembly of the Commonwealth of Virginia, relative to House Joint Resolution 30 memorializing the United States Congress to honor its commitment to fully fund the federal share of the special education costs required by the Individuals with Disabilities Education Act, P.L. 105–17, as amended; to the Committee on Education and the Workforce.

ADDITIONAL SPONSORS

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

H.R. 68: Mr. JENKINS.

H.R. 175: Mr. KOLBE.

H.R. 183: Mrs. JONES of Ohio, Mr. MEEKS of New York, Mr. FALEOMAVAEGA, Mr. OBERSTAR, Ms. ESHOO, Mr. WAXMAN, Mr. FORD, Ms. KAPTUR, and Mr. OWENS.

H.R. 184: Mr. BARTLETT of Maryland.

H.R. 200: Mrs. MORELLA.

H.R. 210: Mr. GEKAS.

H.R. 250: Mr. BURR of North Carolina and Ms. WATSON.

H.R. 389: Ms. NORTON.

H.R. 476: Mr. GREEN of Wisconsin.

H.R. 536: Mr. HASTINGS of Florida.

H.R. 556: Mr. WOLF and Mr. BACHUS.

H.R. 630: Mr. RODRIGUEZ.

H.R. 632: Mr. MEEKS of New York and Mr. WATT of North Carolina.

H.R. 658: Mr. POMEROY.

H.R. 704: Mr. FALEOMAVAEGA.

H.R. 709: Mr. KILDEE.

H.R. 747: Mr. TOM DAVIS of Virginia and Mrs. THURMAN.

H.R. 760: Mr. SMITH of Washington.

H.R. 786: Mr. DAVIS of Illinois.

H.R. 808: Mr. MEEKS of New York.

H.R. 1073: Mr. GEKAS.

H.R. 1081: Mr. DUNCAN, Mr. SHAYS, Mr. LATOURETTE, Mr. OTTER, Mr. CANNON, and Mr. BURTON of Indiana.

H.R. 1097: Mr. QUINN and Mr. MALONEY of Connecticut.

H.R. 1116: Mr. ANDREWS and Mr. PASCRELL.

H.R. 1184: Ms. LOFGREN, Mr. FATTAH, Mr. KIND, Mr. ENGLISH, Mr. CARSON of Oklahoma, Mr. HINCHEY, and Mr. SPRATT.

H.R. 1187: Ms. ESHOO.

H.R. 1296: Mr. LATHAM and Mr. MCKEON.

H.R. 1331: Mr. PHELPS.

H.R. 1354: Mr. REYES and Mr. LYNCH.

H.R. 1361: Mr. BENTSEN and Mr. LATOURETTE.

H.R. 1371: Mr. BERMAN.

H.R. 1391: Mr. FRANK.

H.R. 1431: Mr. NADLER.

H.R. 1434: Mr. ROGERS of Michigan, Ms. SLAUGHTER, and Mr. CARDIN.

H.R. 1520: Mr. ETHERIDGE, Mr. PASTOR, Mr. MCHUGH, Mr. KILDEE, and Mr. OWENS.

H.R. 1527: Mr. HOSTETTLER.

H.R. 1581: Mr. RAMSTAD, Mr. DUNCAN, and Mr. JEFFERSON.

H.R. 1582: Mr. SMITH of New Jersey.

H.R. 1632: Mr. CONDIT.

H.R. 1673: Mr. FOLEY.

H.R. 1841: Mr. NADLER, Mr. SIMMONS, Mr. BROWN of Ohio, Mr. KLECZKA, Mr. LYNCH, Ms. WOOLSEY, Mr. SMITH of New Jersey, Mr. LOBIONDO, Mr. FOLEY, Mr. FERGUSON, Mr. BLUMENAUER, and Mr. SPRATT.

H.R. 1873: Mr. REHBERG.
H.R. 1927: Mr. SHUSTER.
H.R. 1933: Mr. SAM JOHNSON of Texas and Mrs. WILSON of New Mexico.
H.R. 1961: Mr. NADLER.
H.R. 2014: Mr. MCINNIS.
H.R. 2074: Mr. KILDEE.
H.R. 2088: Mr. ABERCROMBIE and Mr. BLAGOJEVICH.
H.R. 2148: Mr. HINCHEY and Mr. DICKS.
H.R. 2156: Ms. CARSON of Indiana.
H.R. 2219: Mr. KING, Ms. HOOLEY of Oregon, Mr. CLYBURN, Mr. ANDREWS, and Mrs. CLAYTON.
H.R. 2220: Mr. CUMMINGS and Mr. PASTOR.
H.R. 2235: Mr. GREEN of Texas.
H.R. 2332: Mr. TRAFICANT.
H.R. 2335: Mr. WAXMAN.
H.R. 2364: Mr. UDALL of New Mexico.
H.R. 2374: Mr. MCCRERY.
H.R. 2405: Mr. KIRK and Mr. WYNN.
H.R. 2484: Mr. MEEKS of New York, Mr. PALLONE, Mrs. JONES of Ohio, Mr. SHAW, Ms. ESHOO, Mr. GORDON, and Mr. WALSH.
H.R. 2521: Ms. WOOLSEY, Mr. UNDERWOOD, Mr. RANGEL, Mr. FALEOMAVAEGA, and Mr. OWENS.
H.R. 2573: Mr. PASCRELL and Mr. HONDA.
H.R. 2610: Mr. RUSH, Mr. WYNN, and Mr. ENGEL.
H.R. 2612: Mr. UDALL of Colorado.
H.R. 2623: Mr. FOLEY.
H.R. 2629: Mr. DICKS, Mr. SOUDER, Mr. TURNER, Mr. MCDERMOTT, and Mr. ANDREWS.
H.R. 2695: Mr. GREENWOOD, Mr. BRADY of Texas, Mr. FALEOMAVAEGA, and Mr. FOLEY.
H.R. 2720: Mr. LANTOS.
H.R. 2725: Mr. BOSWELL.
H.R. 2805: Mr. NORWOOD.
H.R. 2808: Mr. REGULA.
H.R. 2820: Mr. YOUNG of Florida, Mr. SOUDER, Mr. FRANK, Mr. FALEOMAVAEGA, Ms. KAPTUR, and Mr. TRAFICANT.
H.R. 2830: Ms. CARSON of Indiana.
H.R. 2835: Mr. WILSON of South Carolina, Mr. FALEOMAVAEGA, and Mr. FOLEY.
H.R. 2836: Mr. PASCRELL.
H.R. 2863: Ms. CARSON of Indiana.
H.R. 2950: Mr. WELLER.
H.R. 3006: Mr. BARR of Georgia, Mr. KERNS, and Mr. NORWOOD.
H.R. 3013: Mr. LAMPSON, Mr. TOWNS, Ms. JACKSON-LEE of Texas, and Ms. NORTON.
H.R. 3026: Mr. ROTHMAN and Mr. CALVERT.
H.R. 3041: Mr. MCINTYRE.
H.R. 3058: Mrs. MALONEY of New York, Ms. LEE, and Ms. MCCOLLUM.
H.R. 3065: Ms. CARSON of Indiana.
H.R. 3113: Mr. GEORGE MILLER of California and Mr. GONZALEZ.
H.R. 3131: Ms. WATSON and Mr. LATHAM.
H.R. 3186: Mr. MCNULTY.
H.R. 3188: Mrs. LOWEY.
H.R. 3230: Mr. ETHERIDGE.
H.R. 3236: Ms. WOOLSEY, Ms. LEE, Mr. JACKSON of Illinois, Mr. LYNCH, and Mr. MEEKS of New York.
H.R. 3238: Mr. MEEHAN, Mrs. MALONEY of New York, and Mr. GORDON.
H.R. 3271: Mr. LANTOS and Mr. FOLEY.
H.R. 3305: Mr. POMEROY.
H.R. 3336: Mr. JACKSON of Illinois, Mr. MEEKS of New York, Mr. PAYNE, Mr. EVANS, Mr. UDALL of New Mexico, Mr. WAXMAN, Mrs. JONES of Ohio, Ms. KAPTUR, Mr. BACA, Mr. TOWNS, Mrs. MEEK of Florida, Mr. ABERCROMBIE, and Mr. DAVIS of Illinois.
H.R. 3337: Mr. FATTAH, Mr. ROTHMAN, Mr. PALLONE, Mr. TOM DAVIS of Virginia, Mr. HOLDEN, Mr. YOUNG of Alaska, Mr. COYNE, Ms. BALDWIN, and Mr. LATOURETTE.
H.R. 3347: Mr. BARR of Georgia and Mrs. MINK of Hawaii.
H.R. 3363: Mr. MARKEY and Mr. ETHERIDGE.
H.R. 3382: Ms. MCKINNEY, Mr. TIERNEY, Mr. MCGOVERN, Mr. BROWN of Ohio, Mr. ENGEL, Mr. FALEOMAVAEGA, and Mr. HINCHEY
H.R. 3414: Mr. UDALL of Colorado, Mr. BECERRA, Mr. HAYES, Ms. SOLIS, Mr. COSTELLO, and Mr. STARK.
H.R. 3424: Mr. KUCINICH, Mr. HOEKSTRA, Mr. GREEN of Wisconsin, Mr. UDALL of New Mexico, Mr. DAN MILLER of Florida, Mr. LUTHER, Mr. BAIRD, Mr. LAHOOD, Mr. GEKAS, and Mr. ALLEN.
H.R. 3430: Mr. ROHRABACHER, Mrs. THURMAN, and Mr. FOLEY.
H.R. 3431: Mr. RADANOVICH, Mr. GILLMOR, Ms. BERKLEY, Mr. RODRIGUEZ, Mr. HORN, Mr. PAYNE, Mrs. MALONEY of New York, Mr. CRAMER, and Mr. CLEMENT.
H.R. 3450: Mr. ABERCROMBIE, Ms. BROWN of Florida, Mr. TURNER, Mr. COYNE, Mr. OLVER, Mr. CLEMENT, Mrs. CLAYTON, Mr. BERRY, Mr. ROSS, Mr. LEACH, and Mr. SIMMONS.
H.R. 3462: Mr. RODRIGUEZ, Mr. CROWLEY, Mr. BECERRA, and Mr. CRAMER.
H.R. 3498: Mr. FILNER and Mr. FOLEY.
H.R. 3509: Mr. ABERCROMBIE.
H.R. 3524: Mr. SCHIFF, Mr. FARR of California, and Mr. LANTOS.
H.R. 3566: Mr. LEVIN and Mr. FARR of California.
H.R. 3569: Mr. NORWOOD, Mr. BAIRD, Mr. SWEENEY, Mr. COSTELLO, Mr. JENKINS, Mr. FALEOMAVAEGA, and Mrs. WILSON of New Mexico.
H.R. 3581: Mr. RUSH, Mr. FRANK, Mr. FORD, and Mr. OWENS.
H.R. 3609: Mr. PICKERING, Mr. CRAMER, Mrs. CAPITO, Mr. MATHESON, Mr. LATOURETTE, Mr. LUCAS of Kentucky, and Mr. SHOWS.
H.R. 3612: Ms. WOOLSEY, Mr. MCHUGH, Mr. DOGGETT, Mr. KILDEE, Mr. FALEOMAVAEGA, and Mr. OWENS.
H.R. 3615: Mr. GRUCCI.
H.R. 3617: Mr. HINCHEY, Mr. DOGGETT, Mr. STUPAK, Mr. PASCRELL, Mr. LYNCH, and Ms. KAPTUR.
H.R. 3624: Mrs. MYRICK and Mr. ADERHOLT.
H.R. 3645: Mr. FOLEY.
H.R. 3657: Mr. ABERCROMBIE, Mr. PAYNE, and Mr. FORD.
H.R. 3661: Mr. SOUDER, Mrs. CAPITO, Mr. BARR of Georgia, Mr. FALEOMAVAEGA, and Mr. CUMMINGS.
H.R. 3669: Mr. LATHAM, Mr. JONES of North Carolina, Mr. ABERCROMBIE, Ms. HART, and Mr. OXLEY.
H.R. 3670: Ms. ROYBAL-ALLARD, Mr. FALEOMAVAEGA, and Mr. LARSEN of Washington.
H.R. 3671: Mr. FALEOMAVAEGA, Mr. OWENS, and Mr. PASCRELL.
H.R. 3694: Mrs. CUBIN, Mr. BECERRA, Mr. HILLEARY, Mr. LANTOS, Mr. SAXTON, Ms. KAPTUR, Mr. GREEN of Wisconsin, Ms. DELAURO, Mr. STUMP, Mr. MALONEY OF Connecticut, Mr. VITTER, Mrs. THURMAN, Mr. SMITH of Texas, Mr. KUCINICH, Mrs. EMERSON, Mr. MCDERMOTT, Mr. REYNOLDS, Mr. BARRETT, Mr. TURNER, Mr. WAXMAN, Mrs. MINK of Hawaii, Mr. FORD, Mrs. DAVIS of California, Ms. CARSON of Indiana, Mr. FALEOMAVAEGA, Mrs. JONES of Ohio, Mrs. CAPPS, Mr. ETHERIDGE, Mr. BENTSEN, Mr. LARSON of Connecticut, Mr. DIAZ-BALART, Mrs. JO ANN DAVIS of Virginia, Mr. HEFLEY, Mr. CRANE, Mr. RADANOVICH, Mr. FLETCHER, Mr. PHELPS, Mr. BILIRAKIS, and Ms. HARMAN.
H.R. 3713: Mrs. JO ANN DAVIS of Virginia, Mr. BARRETT, Mr. FALEOMAVAEGA, Mr. FRANK, Ms. HART, and Mr. SNYDER.
H.R. 3715: Mr. GILMAN.
H.R. 3717: Mrs. KELLY, Mr. SHOWS, Mr. LUCAS of Kentucky, Mr. MORAN of Kansas, Mr. UPTON, and Mr. PICKERING.
H.R. 3733: Mr. FILNER.
H.R. 3741: Mr. PUTNAM.
H.R. 3763: Mr. PORTMAN and Mr. WELDON of Florida.
H.J. Res. 6: Mr. HINCHEY.
H.J. Res. 81: Mr. BISHOP.
H. Con. Res. 97: Mr. ROTHMAN.
H. Con. Res. 99: Mr. CUMMINGS and Mr. BERMAN.
H. Con. Res. 162: Mr. BARCIA.
H. Con. Res. 164: Mr. SCHIFF and Ms. WATSON.
H. Con. Res. 181: Mr. KIND, Mr. LEACH, and Mr. COMBEST.
H. Con. Res. 230: Mr. OLVER.
H. Con. Res. 238: Mr. FOLEY.
H. Con. Res. 260: Mr. WYNN and Mr. BLAGOJEVICH.
H. Con. Res. 265: Mr. ENGLISH, Mr. DEUTSCH, Mr. OXLEY, Mr. PAYNE, Mr. TANCREDO, Mr. DOOLEY of California, and Mr. FORD.
H. Con. Res. 284: Mr. FOLEY.
H. Con. Res. 298: Mr. ETHERIDGE.
H. Con. Res. 311: Mr. PLATTS, Mr. FALEOMAVAEGA, Mrs. MINK of Hawaii, and Mr. MCINNIS.
H. Con. Res. 316: Mr. SOUDER.
H. Con. Res. 317: Mr. BERRY, Mr. POMEROY, Mr. HERGER, Mr. HORN, Mr. TIAHRT, Ms. HOOLEY of Oregon, Ms. DUNN, and Mr. OSBORNE.
H. Con. Res. 328: Mr. FILNER and Ms. CARSON of Indiana.
H. Con. Res. 329: Ms. ESHOO and Mrs. MORELLA.
H. Res. 154: Mr. PALLONE, Mr. NEY, and Ms. CARSON of Indiana.
H. Res. 225: Mr. BOYD and Mr. CROWLEY.
H. Res. 300: Mr. FRANK.
H. Res. 339: Mr. CANTOR, Mr. SOUDER, Mr. FALEOMAVAEGA, and Mr. BONIOR.
H. Res. 346: Mr. ARMEY, Mr. BARTLETT of Maryland, Mr. SOUDER, Mr. HOEKSTRA, and Mr. GREEN of Wisconsin.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 107th CONGRESS, SECOND SESSION

Vol. 148 WASHINGTON, TUESDAY, FEBRUARY 26, 2002 No. 17

Senate

The Senate met at 9:45 a.m. and was called to order by the Honorable MARY L. LANDRIEU, a Senator from the State of Louisiana.

PRAYER

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

Almighty God, Sovereign of history and personal Lord of our lives, today we join with Jews throughout the world in the joyous celebration of Purim. We thank You for the inspiring memory of Queen Esther who, in the fifth century B.C., threw caution to the wind and interceded with her husband, the King of Persia, to save the exiled Jewish people from persecution. The words of Mordecai to her, sound in our souls: '' . . . You have come to the kingdom for such a time as this.''—Esther 4:14.

Lord of circumstances, we are moved profoundly by the way You use individuals to accomplish Your plans and arrange what seems to be a coincidence to bring about Your will for Your people. You have brought each of us to Your kingdom for such a time as this. You whisper in our souls, ''I have plans for you, plans for good and not for evil, to give you a future and a hope.''—Jeremiah 29:11.

Grant the Senators a heightened sense of the special role You have for each of them to play in Your unfolding drama of American history. Give them a sense of destiny and a deep dependence upon Your guidance and grace.

Today, during Purim, we renew our commitment to fight against sectarian intolerance in our own hearts and religious persecution in so many places in our world. This is Your world; let us not forget that ''though the wrong seems oft so strong, You are the Ruler yet.'' Amen.

PLEDGE OF ALLEGIANCE

The Honorable MARY L. LANDRIEU led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, February 26, 2002.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARY L. LANDRIEU, a Senator from the State of Louisiana, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Ms. LANDRIEU thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE ACTING MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The acting majority leader is recognized.

SCHEDULE

Mr. REID. Madam President, the time between now and 10 o'clock will be for the nomination of Robert Blackburn. The Senator from Colorado is here to speak on this issue. There may be others.

Following this rollcall vote at 10 o'clock, we expect to confirm by voice vote the nomination of Cindy Jorgenson to be a United States district judge. Then Senators DODD and MCCONNELL, as managers of the election reform bill, will begin managing that matter. We hope to complete it today.

The Senate will recess from 12:30 to 2:15 for weekly party conferences, and at 2:15 today there will be 1 hour of morning business under the control of Senator KERRY for statements regarding Senator KENNEDY's service to his country and his 70th birthday.

RESERVATION OF LEADER TIME

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

EXECUTIVE SESSION

NOMINATION OF ROBERT E. BLACKBURN TO BE UNITED STATES DISTRICT JUDGE

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will go into executive session and proceed to the consideration of Calendar No. 673, which the clerk will now report.

The legislative clerk read the nomination of Robert E. Blackburn, of Colorado, to be United States District Judge for the District of Colorado.

The ACTING PRESIDENT pro tempore. Under the previous order, the time until 10 a.m. will be equally divided.

The Senator from Colorado.

Mr. ALLARD. Madam President, I stand before the Senate today to urge my fellow Members to confirm the nomination of the Honorable Robert E. Blackburn to the United States District Court for the District of Colorado. My colleague from the State of Colorado, Senator BEN NIGHTHORSE CAMPBELL, also strongly supports Judge Blackburn's nomination to the United States District Court for the District of Colorado.

The nomination of Judge Blackburn is of particular importance to the State of Colorado because of a 50-percent vacancy rate on the district bench. In the Colorado District today, four judges struggle to do the work of

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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nine judges, nine judges being the demonstrated need for the Federal district court. I believe the Senate is going ahead and confirming Marcia Krieger who will be sworn in in March, which is a good step forward. With the confirmation and support of the nomination of Judge Blackburn, that begins to take care of some of the problems we are having in the court.

I hope my colleagues will take this opportunity to continue moving forward with judicial nominations in a timely manner—we must work to fill judicial vacancies so that the promised justice of our great constitution is not hampered by bureaucracy and politics.

Judge Blackburn knows the law, and he knows Colorado. He graduated from the University of Colorado School of Law, and received his undergraduate degree from Western State College—both excellent schools in my home state.

He was raised on a farm in the proud community of Las Animas, Colorado—a rural upbringing that helps the Judge keep one foot in the real world while serving on the bench. This strong connection to Colorado compliments his deep understanding of the law.

He has dutifully practiced law as an attorney and judge for over two decades, and comes before the Senate today from state district court, a post he has held since 1988. Previously, Mr. Blackburn served as deputy district attorney, Bent County attorney, municipal judge and City Attorney.

In addition to that, he has extensive experience as a business owner—an important experience that will serve him well while handling the multiple demands of the federal bench. As an attorney, Mr. Blackburn practiced law in his own firm. And, together with his father, he continues to raise registered Black Angus cattle.

Judge Blackburn was nominated to the bench with the help of a nominations committee. The committee is composed of well qualified, and highly respected attorneys in Colorado. His nomination has gained the respect of many people across the state and country. This nomination committee was set up by Senator CAMPBELL and myself.

An editorial in the Denver Post, upon hearing of Judge Blackburn's nomination, proclaimed, ''We are delighted by the White House decision.'' The column went on to praise the extensive experience of the Judge, as well as his solid knowledge of the law and his reputation for fairness.

The Denver Post also noted in their editorial that he is widely respected by other judges and by the many lawyers who have appeared before him. The Post urged the Senate to exercise all reasonable speed with the Blackburn nomination, saying, ''The long overworked federal court of Colorado needs qualified new judges, and it needs them now.''

Lewis T. Babcock, Chief Judge of the U.S. District Court, District of Colorado, believes Judge Blackburn is well qualified, and urges his appointment to help fill the district's half-vacant bench.

Judge Blackburn is imminently qualified for the U.S. District Court. Throughout his great service, Judge Blackburn has cultivated and kindled a great passion for our legal system and its constitution. He has represented schools, banks, and departments of social services, among a myriad of other cases, both civil and criminal.

Madam President, I thank you for allowing me the time to discuss this important matter, and the nomination of an excellent judge. I urge the Senate's favorable consideration.

Madam President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

(The remarks of Mr. THOMAS are printed in today's RECORD under ''Morning Business.'')

Mr. LEAHY. Madam President, today, the Senate is voting on two more judicial nominees. This morning Judge Robert Blackburn was confirmed to fill a judicial emergency in Colorado that has been vacant since April 1998. Cindy Jorgenson will be filling a judicial emergency in Arizona that has been vacant since 1999.

Colorado and Arizona are two of the many States with judicial emergencies that the Senate has been able to help so far this year. With the confirmation of these two nominees, the Senate will have resolved five judicial emergencies since we returned to session just a few short weeks ago and at least 10 since I became chairman this past summer. Since the beginning of 2002 alone, we have filled judicial emergency vacancies in Texas, Alabama, and Nevada.

Today, we add Colorado and Arizona to that list. Unfortunately, the President has yet to work with home state Senators to send the Senate nominees to 14 other judicial emergency vacancies around the country.

With the completion of today's votes, the Senate will have confirmed 11 judges since beginning this second session of this Congress toward the end of January and 39 judges since the change in majority last summer.

The number of judicial confirmations over these past 7 months—39—now equals the number of judicial nominees confirmed during all 12 months of 2000 and exceeds the number of judges confirmed in all of 1999, 1997 and 1996. In 7 months we have exceeded the 1-year totals for 4 of the 6 years in which a Republican majority last controlled the pace of confirmations.

There have been a number of statements from the administration critical of the pace of confirmation during the past 8 months that I have chaired the Senate Judiciary Committee. We have been working hard to consider this President's nominees during the past 8 months as compared to the pace set by the committee during its first 8 months of Republican leadership in 1995.

Under Democratic leadership, during the past 8 months we have had more hearings, for more nominees, and had more confirmations for both the circuit and the district courts than the Republican leadership did for President Clinton's nominees in 1995. In each area—hearings, number of nominees given hearings, and number of nominees confirmed—this committee has exceeded the comparable period when Republicans were in power.

Republicans continue to perpetuate the myth that we are not acting on judicial nominations when in fact we are. I would submit that we have been moving at a strong pace to consider the nominees to the district and circuit courts. In fact, in the past 2 months, more judges have been confirmed than in January and February since 1995.

With the confirmation of Judge Blackburn this morning and the expected confirmation of Judge Jorgenson today, 11 judges will have been confirmed since the beginning of this session of Congress. That number exceeds the total number of judges confirmed for the past 7 years in January and February. No judges were confirmed in the first 2 months of the year in 1995, 1996, 1997, 1999, and last year, when Republicans were in the majority.

Only five judges were confirmed in January and February in 1998 and only four were confirmed in 2000.

So I would say to my colleagues to please take a look at the record. I think the record shows that we are working hard to consider and vote on this President's nominees, and we are making more progress on confirmations than the Republicans did by this point in the year for the past 7 years.

I offer my gratitude to the many Senators who have worked hard to help us confirm these qualified men and women to the Federal bench.

Not only have we been able to confirm as many or more judges in a shorter timeframe than were confirmed in four of the past 5 years, but we have also done so at a faster pace than in any of the recent 6½ years in which Republicans were most recently in the majority.

In fact, from the time the Senate received each nominee's ABA peer review rating, we have been able to confirm judicial nominees in an average of 71 days. We have also been making a great deal of progress in terms of the average number of days between nomination and confirmation.

Some have asserted that we have been moving too slowly in considering nominees, but simply examining the dates of nomination and confirmation

shows that under Democratic leadership the Senate has substantially reduced the amount of time between nomination and confirmation as compared to the previous five years, even though the ABA evaluation is now being completed after nomination, unlike in previous years. I would add that these dates cannot be manipulated by statisticians.

This President's nominees are being confirmed months earlier, on average, than Democratic nominees under Republican leadership. And, the average number of days between nomination and confirmation for judicial nominees in the Democratic-controlled Senate has been fewer than 75 days after the receipt of ABA peer review results.

This average time is nearly one-third the time the Republicans took between the nomination and confirmation of President Clinton's nominees in his second term, for those nominees who actually received hearings on their nominations.

The 32 judges confirmed to the District Courts have averaged less than 65 days.

The seven circuit court judges confirmed so far have been confirmed more than two-thirds faster than the time it took under the previous Republican majority. These figures include recesses, time between sessions and the difficult days after September 11.

Today, the Senate took final action to fill a longstanding vacancy on the District Court in Colorado.

I recall that President Clinton's nominee for this vacancy, Patricia Coan, languished for almost 19 months. She was never accorded a hearing or a vote by the Judiciary Committee. Had she and more than 50 other nominees been acted upon promptly in years past, the emergency status of vacancies in Colorado and in other Federal courts around the country would be different today.

Unlike Patricia Coan, this President's nominee, Judge Robert Blackburn, has been considered promptly and courteously by the Senate. He was nominated in September, received his ABA peer review in November, participated in the first January judicial confirmation hearing in 7 years, was reported favorably by the committee on February 7, and today he was confirmed by the Senate.

When the Senate recently confirmed Judge Marcia Krieger to the other Colorado vacancy earlier this year, Senator ALLARD noted that Colorado had not had a Federal judge confirmed since 1984 and that four active judges were struggling to do the work of nine. The vacancy that Judge Robert Blackburn will fill has been held vacant since 1998. Despite the treatment of qualified nominees in the recent past, the Senate has now confirmed two new judges for Colorado in 2 months.

With the confirmation of Judge Blackburn there are no more vacancies in the district courts in Colorado.

Arizona Superior Court Judge Cindy Jorgenson is the second nominee to fill a district court in Arizona to be considered by the Senate since the change in majority last summer. The first was confirmed back in December.

Judge Jorgenson was nominated in September, received an ABA peer review in late November, was included in the initial hearing this year on January 24, was reported favorably by the Judiciary Committee at our February business meeting, and is being considered by the Senate today. The judicial emergency vacancy that she will fill has been vacant for over 800 days, which is long before the change in majority last summer.

A third nominee to a district court vacancy in Arizona participated in a confirmation hearing today before the Judiciary Committee. Those other two Arizona nominees are among a number of nominees who received mixed peer review ratings from the ABA. Members of the committee and the Senate are examining these nominations and have so far determined to vote in favor of confirmation.

Over the last few years we have created four additional judgeships for Arizona. Judge Jorgenson will fill the third of those new judgeships and Mr. Bury may soon fill the last. I have been happy to work with the Senators from Arizona and all Senators in helping fill these new judgeships. It is a shame that the Senate has not seen fit to create the judgeships needed so desperately in the Southern District of California, however.

Of the 39 judicial nominees who will be confirmed since the change in majority, 17, almost 44 percent, come from States with two Republican Senators. Twelve of the confirmed judges come from States with one Democratic and one Republican senator. Only 6 of the 39 nominees confirmed by the Senate come from States with 2 Democratic Senators.

These figures emphasize the Democratic majority's commitment to bipartisanship and to dealing fairly with conservative, Republican judicial nominees. It may also indicate that the White House has yet to begin working with Democratic home state Senators to identify and nominate consensus candidates.

The Judiciary Committee has continued to hold regular judicial nominations hearings throughout this session, as we have since the shift in majority last summer. We held the first January confirmation hearing in 7 years on the second day of this session. Today the Judiciary Committee holds its second judicial confirmation hearing in February. In 1997, 1999 and 2001, the Republican majority held no confirmation hearings in either January or February.

Today's hearing is the 14th hearing involving judicial nominations since the change in majority last summer. That is more hearings within the last 7 months than the Republican majority ever held in any year in which it was recently in the majority.

Today's hearing follows the pattern of including a Court of Appeals nominee as well as a number of District Court nominees.

Unfortunately, because the White House has been slow to send nominations to the many vacancies in the Federal District Courts, the Federal trial courts across the country, today's hearing includes a fewer number of District Court nominees than the committee was willing to consider. Indeed, the committee is virtually out of District Court nominees to include at such confirmation hearings.

After today, 35 of the 36 District Court nominees with ABA peer reviews will have participated in hearings and the most controversial nominee is being scheduled.

Of course, more than two-thirds of the Federal court vacancies continue to be on the District Courts and 36 are still without a nominee. The administration has been slow to make nominations to the vacancies on the Federal trial courts.

In the last 5 months of last year, the Senate confirmed a higher percentage of the President's trial court nominees, 22 out of 36, than a Republican majority had allowed the Senate to confirm in the first session of either of the last two Congresses with a Democratic President.

Last year the President did not make nominations to almost 80 percent of the trial court vacancies with which we started this year.

As we began this session, 55 out of 69 District Court vacancies were without a nominee. Finally, in late January the White House sent up names for some of those trial court vacancies. Unfortunately, none has completed the paperwork needed to be included in hearings and none has yet received an ABA peer review.

Because the White House last year unilaterally changed the practice of nine Republican and Democratic Presidents and will no longer allow the ABA to begin its peer reviews during the selection process, ABA peer reviews on these new nominations are not likely to become available for some time to come.

In the interim, we have already reached the point where the lack of available nominations for District Court vacancies is holding back the number of judicial nominees the Judiciary Committee and the Senate could be considering. We experienced the same problem when the majority shifted last summer and there were not enough District Court nominations ready for hearings in July through September last year.

After the committee receives the indication that a judicial nominee has the support of his or her home State Senators and after the committee has received ABA peer reviews, the nomination will then be eligible to be considered for inclusion in committee

hearings. Because the White House shifted the time at which the ABA does its evaluation of nominees to the post-nomination period, this year's nominees are unlikely to have completed files ready for evaluation until after the Easter recess.

Of course, even then, over 2½ dozen of the current Federal trial court vacancies, 36, may still be without nominees.

To make real progress will take the cooperation of the White House. That is what I have been urging since the shift in majority. That is what I, again, called for when I spoke to the Senate on January 25. That cooperation is still not forthcoming.

We will make the most progress, most quickly if the White House would begin working with home State Senators to identify fair-minded, nonideological, consensus nominees to fill these court vacancies. One of the reasons that the committee was able to work as quickly as it did and the Senate was able to confirm 39 judges, as it has in the last 7 months, was because those nominations were strongly supported as consensus nominees by people from across the political and legal spectrums.

I have heard of too many situations in too many States involving too many reasonable and moderate home State Senators in which the White House has demonstrated no willingness to work with home State Senators to fill judicial vacancies cooperatively. As we move forward, I have urged the White House to show greater inclusiveness and flexibility and to help make this a truly bipartisan enterprise. Logjams exist in a number of settings.

To make real progress, repair the damage that has been done over previous years, and build bridges toward a more cooperative process, there is much that the White House could do to work more cooperatively with all home State Senators, including Democratic Senators.

In addition, as I have noted, the White House could help speed the committee process if it would restore the ABA peer review participation to an earlier stage in the process. For more than 50 years the ABA was able to conduct its peer reviews simultaneously with the FBI background check procedures. This meant that when nominations were sent to the Senate, the FBI report and ABA peer review followed very quickly. Together with the endorsement of the nominee's home State Senators, the basic requirements of the nominations file were available to be reviewed by the committee much more quickly than they are now.

This process allowed hearings to be scheduled soon after nominations were received in many instances. One of the consequences of the White House's unilateral decision last year to discontinue this longstanding bipartisan practice is that nominations are now not available to be considered or scheduled for hearings until many weeks have passed and these basic background materials can be assembled and submitted to the committee. That is unfortunate and unnecessary.

There were occasions last year when we proceeded with hearings including fewer District Court nominees than I would have liked because recent nominees' files were not yet complete. I noted in my statement to begin this year that I feared that same circumstance being repeated this year. It already is. That is regrettable.

I have urged the White House to rethink its recent changes in traditional practices that were initially instituted by President Eisenhower and worked well for Presidents Kennedy, Johnson, Nixon, Ford, Carter, Reagan, Bush, and Clinton.

I suggest that the White House reconsider the delays caused by the abandonment of the traditional practice and that this administration consider returning to the tried and true practice of sharing information with the ABA earlier in the process so that it can begin and complete its peer reviews by the time the nomination is made to the Senate.

Just as no Senator is bound by the recommendations of the ABA, so, too, the White House can make clear that it is reinstituting the traditional practice not because it intends to be bound by the results of that peer review or even take it into account, but solely to remove an element of delay that it had inadvertently introduced into the confirmation process.

The White House can expressly ask the ABA not even to send the results of its peer review to the Executive Office, but only transmit them to the committee, if it chooses. Whether or not the White House considers the ABA peer reviews, they are considered by many Senators. For example, a number of Republican Senators cited favorable peer reviews for judicial nominations as an indication that they merit the Senate's support.

On the other hand, the fact that they are not binding on Senators is seen from the recent action confirming a nominee who received a ''not qualified'' rating from the ABA and the many nominees who have been confirmed with mixed ratings.

I appreciate the majority leader and the assistant majority leader moving to consider these additional judicial nominations today.

They have worked hard to return the Senate's consideration of judicial nominations to a more orderly and open process. Along with our Senate leaders, many of us have been working to help move away from the anonymous holds and inaction on judicial nominations that characterized so much of the period from 1995 through 2000. Since the change in majority last summer we have made a difference, in terms of the process and its results.

Despite the 31 additional vacancies that have arisen since the shift in majority, the Senate has not only kept up with that high rate of attrition, but has been reducing the overall number of judicial vacancies.

Mr. HATCH. Madam President, I rise to express my enthusiastic support for Robert Blackburn, who has been nominated to be a U.S. District Judge for the District of Colorado, and for Cindy Jorgenson, who has been nominated to be a U.S. District Judge for the District of Arizona. Both are extremely well-qualified nominees—who are already serving on the bench—and who have distinguished themselves with hard work and great intellect. They will both do great service for the citizens of our country.

Judge Blackburn has practiced law for 13 years in private practice and has worked as a Deputy District Attorney for 6 years, as a County Attorney for 8 years, as a Municipal Judge for 3 years, and as a State court judge since 1988. With all that experience in the law, there is no doubt that he will make a smooth transition onto the Federal bench.

Judge Jorgenson's legal experience includes serving as a deputy county attorney, an Assistant U.S. Attorney, and as a Superior Court Judge—all in the State of Arizona. She supervised the felony sex crimes and child abuse prosecution unit in Pima County for several years. Then, as an Assistant U.S. Attorney, she handled both criminal and civil cases. Since 1996, Judge Jorgenson has served with great distinction on the State trial court bench in Tucson, AZ.

I congratulate both nominees on their impressive careers and on the honor of being confirmed to the federal district court.

The ACTING PRESIDENT pro tempore. Under the previous order, the hour of 10 a.m. having arrived, the question is, Will the Senate advise and consent to the nomination of Robert E. Blackburn of Colorado to be United States District Judge for the District of Colorado? The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Nevada (Mr. ENSIGN) and the Senator from Oklahoma (Mr. INHOFE) are necessarily absent.

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

The result was announced—yeas 98, nays 0, as follows:

[Rollcall Vote No. 35 Ex.]

YEAS—98

Akaka	Byrd	Daschle
Allard	Campbell	Dayton
Allen	Cantwell	DeWine
Baucus	Carnahan	Dodd
Bayh	Carper	Domenici
Bennett	Chafee	Dorgan
Biden	Cleland	Durbin
Bingaman	Clinton	Edwards
Bond	Cochran	Enzi
Boxer	Collins	Feingold
Breaux	Conrad	Feinstein
Brownback	Corzine	Fitzgerald
Bunning	Craig	Frist
Burns	Crapo	Graham

Gramm	Levin	Sarbanes
Grassley	Lieberman	Schumer
Gregg	Lincoln	Sessions
Hagel	Lott	Shelby
Harkin	Lugar	Smith (NH)
Hatch	McCain	Smith (OR)
Helms	McConnell	Snowe
Hollings	Mikulski	Specter
Hutchinson	Miller	Stabenow
Hutchison	Murkowski	Stevens
Inouye	Murray	Thomas
Jeffords	Nelson (FL)	Thompson
Johnson	Nelson (NE)	Thurmond
Kennedy	Nickles	Torricelli
Kerry	Reed	Voinovich
Kohl	Reid	Warner
Kyl	Roberts	Wellstone
Landrieu	Rockefeller	Wyden
Leahy	Santorum	

NOT VOTING—2

Ensign	Inhofe

The nomination was confirmed.

The PRESIDING OFFICER (Mr. BAUCUS). Without objection, the President will be notified of the Senate's action.

ORDER OF PROCEDURE

Mr. DASCHLE. Mr. President, I ask unanimous consent that the previous order with respect to the Jorgenson nomination be vitiated; that immediately following the first vote today with respect to the amendment to S. 565, the Senate proceed to executive session to consider the nomination of Cindy Jorgenson; that once the nomination is reported, the Senate, without further intervening action, proceed to a vote on confirmation; that upon confirmation the motion to reconsider be laid upon the table, the President be immediately notified of the Senate's action, and the Senate return to legislative session.

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

Mr. DASCHLE. Mr. President, I ask unanimous consent that it be in order to request the yeas and nays on the nomination.

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

Mr. DASCHLE. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will return to legislative session.

CAMPAIGN FINANCE REFORM

Mr. DASCHLE. Mr. President, we have just received the Shays-Meehan campaign finance reform bill from the House. As I have said before, this bill gives us the first real chance in a generation to limit the access of special interests to the political process.

I had intended to ask consent to take up and pass this bill immediately. However, the Republican leader has indicated to me that he was making progress on reaching an agreement on how to proceed with campaign finance reform. Therefore, I am willing to withhold my unanimous consent request at this time, pending an update from the Republican leader on how discussions on this issue in his caucus are proceeding.

As my colleagues will recall, we tried to reach an agreement to take up the House-passed bill before the President's day recess. Opponents of reform objected, saying that they wanted time to look over the bill.

They have now had more than a week. What they have found, I am sure, is a bill that is very similar to the McCain-Feingold bill that the Senate passed last spring.

At the time, we spent 2 weeks on McCain-Feingold. We had a full, fair, and open debate, and we passed that bill with a strong bipartisan majority. I see no reason why we can't take this bill up and pass it quickly.

In fact, the only reason I can think that anyone would oppose consent would be to take one more shot at keeping this bill from becoming law—either by filibustering or by trying to send this bill to a conference.

And so I say to them: Look what happened in the House. Opponents of reform used every conceivable argument and excuse—every imaginable ploy to stop this. They failed.

This is going to be the year that we pass strong campaign finance reform, and put the reins of government back into the hands of all of the people. The sooner we pass this bill, the sooner we can get it to the President for his signature. I look forward to revisiting this issue in the near future.

I will not, as I say, ask consent at this time, and I appreciate very much the consultation I have had with the Republican leader in this regard.

I yield the floor.

The PRESIDING OFFICER. The Republican leader is recognized.

Mr. LOTT. Mr. President, I thank Senator DASCHLE for his comments. While there are some similarities between the two bills—McCain-Feingold, which passed the Senate, and Shays-Meehan, which has passed the House—there are some fundamental differences between the two bills. Normally, what you do under the circumstances is go to conference. But this week we have had to review what was actually in the bill that passed the House. We have now received the conference report. The Senators did just return yesterday—or even this morning. There are discussions among those who are interested in getting a result, not trying to create a problem. If we went right to it at this point, I am sure there would be Senators on both sides who would feel inclined to offer amendments, and it could take considerable time.

We had indicated we would try to wrap up election reform as soon as possible—hopefully today—and that we would get on energy and stay on energy as long as it took to get that completed. I think giving us a little time for discussions to take place between the interested Senators would be constructive and would allow us to go forward with election reform and even get started on the energy bill, recognizing that the majority leader could interject this at any point along the way. There is no need and no desire to delay this indefinitely. I think a little time—a couple days—would be constructive. Maybe we can find a way to do it in an acceptable way and quicker by doing that.

I appreciate the patience of the majority leader. I have found from past experience that sometimes patience gives great rewards; other times, it does no good at all. I hope this time it will be positive in its result.

The PRESIDING OFFICER (Mr. LEVIN). The majority leader.

Mr. DASCHLE. Mr. President, if I can respond to the Republican leader, I appreciate his report and agree there are times when patience has shown its reward. I am hopeful this is one of those times. I will work with him.

Obviously, patience at some point runs out. That will necessitate taking action as we had originally contemplated, but we certainly want to work with the Republican leader and his colleagues in an effort to see whether patience can be a productive experience in this case.

I yield to the Senator from Wisconsin.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. FEINGOLD. Mr. President, I certainly thank the majority leader for his comments, and I thank the Republican leader for his comments. It sounds as if we may be moving toward a resolution of the campaign finance issue without a filibuster in the Senate. I am actually confident we will prevail if such a tactic is actually employed against us, but I do not think the American people will be well served if we have to take a significant amount of time to further debate an issue that we dealt with and essentially resolved last year during a very good 2-week debate process.

We passed the McCain-Feingold bill by a vote of 59 to 41. The House passed the Shays-Meehan bill by a vote of 240 to 189. These are wide bipartisan margins in both Houses.

Actually, I disagree with the minority leader. The differences between the bills are actually very slight. It is not enough to justify a conference committee which very well may never report a final bill. So Senator MCCAIN and I have endorsed the House-passed bill and will ask our colleagues to vote for it, rejecting all attempts to amend it, however meritorious, so we can send this bill to the President. Should there be technical amendments necessary on which we could agree, we will be glad to consider supporting a technical corrections bill after the bill is enacted.

I hope the leader's discussion bears fruit and we can come to agreement on terms of final debate and a vote on this legislation very soon. We have waited many years for this moment, as you know well because you have been one of the key leaders on this. The time to

act is now upon us. The days of soft money are truly numbered. The American people want us to finish this job, and we are going to do it.

I again thank the majority leader for his consistent and excellent efforts to bring this bill quickly to a conclusion.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. DASCHLE. Mr. President, I again thank the Senator from Wisconsin and the Senator from Arizona for their determination and their resolute demonstration again today that we will see a successful conclusion of this legislation.

I do not want anybody to be mistaken; this will happen either through procedural motions available to us or with a unanimous consent agreement. We will certainly try to take the path of least resistance, and if there is a way to reach unanimous consent, I would like to do that. But we must do that this week, within the next day or so, or we will be forced to take the alternative approach. This will happen.

I appreciate the patience on the part of my two colleagues in particular who have been very supportive of our efforts to date, and hopefully we can see to it that patience is rewarded.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. MCCONNELL. Mr. President, I say to the majority leader, Senator MCCAIN, and Senator FEINGOLD, who have labored so long on behalf of this legislation, if there were an effort to unduly delay the bill, it would probably be led by myself. I do, however, want an opportunity to talk with some of my colleagues who have returned today.

We did have an opportunity to take a look at the House-passed bill over the past week and discover what is in it; it was a mystery to many of us. Once those discussions are complete, I believe we ought to be able to come to an agreement on how to complete the bill in an orderly fashion.

EQUAL PROTECTION OF VOTING RIGHTS ACT OF 2001—Resumed

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 565) to establish the Commission on voting Rights and Procedures to study and make recommendations regarding election technology, voting, and election administration to establish a grant program under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uniform and nondiscriminatory election technology and administration requirements for the 2004 Federal elections, and for other purposes.

Pending:

Clinton amendment No. 2906, to establish a residual ballot performance benchmark.

Dayton amendment No. 2898, to establish a pilot program for free postage for absentee ballots cast in elections for Federal office.

Dodd (for Harkin) amendment No. 2912, to provide funds for protection and advocacy systems of each State to ensure full participation in the electoral process for individuals with disabilities.

Dodd (for Schumer) modified amendment No. 2914, to permit the use of a signature or personal mark for the purpose of verifying the identify of voters who register by mail.

Dodd (for Kennedy) amendment No. 2916, to clarify the application of the safe harbor provisions.

(The text of amendment 2894, as modified and agreed to on February 25, is as follows:)

At the appropriate place, insert the following:

SEC. . ELECTION DAY HOLIDAY STUDY.

(a) IN GENERAL.—In carrying out its duty under section 303(a)(1)(G), the Commission, within 6 months after its establishment, shall provide a detailed report to the Congress on the advisability of establishing an election day holiday, including options for holding elections for Federal offices on an existing legal public holiday such as Veterans Day, as proclaimed by the President, or of establishing uniform weekend voting hours.

(b) FACTORS CONSIDERED.—In conducting that study, the Commission shall take into consideration the following factors:

(1) Only 51 percent of registered voters in the United States turned out to vote during the November 2000 Presidential election—well-below the worldwide turnout average of 72.9 percent for Presidential elections between 1999 and 2000. After the 2000 election, the Census Bureau asked thousands of nonvoters why they did not vote. The top reason for not voting, given by 22.6 percent of the respondents, was that they were too busy or had a conflicting work or school schedule.

(2) One of the recommendations of the National Commission on Election Reform led by former Presidents Carter and Ford is ''Congress should enact legislation to hold presidential and congressional elections on a national holiday''. Holding elections on the legal public holiday of Veterans Day, as proclaimed by the President and observed by the Federal government, or on the weekends, may allow election day to be a national holiday without adding the cost and administrative burden of an additional holiday.

(3) Holding elections on a holiday or weekend could allow more working people to vote more easily, potentially increasing voter turnout. It could increase the pool of available poll workers and make public buildings more available for use as polling places. Holding elections over a weekend could provide flexibility needed for uniform polling hours.

(4) Several proposals to make election day a holiday or to shift election day to a weekend have been offered in the 107th Congress. Any new voting day options should be sensitive to the religious observances of voters of all faiths and to our Nation's veterans.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. Mr. President, I will take 2 minutes to review the bidding and give our colleagues a status report on the election reform bill—where we are, what we have accomplished, and what we can look forward to during the remainder of the day.

This could be a very historic day if we can finish work on this bill today. My hope is we can. We still have a little less than two dozen amendments that I know of. A couple of them will require some debate. There are many I think can be resolved without much debate, and many of them could actually be accepted if we can work out some language.

After three full days of debate on the bill, over a week ago on Thursday and Friday and then yesterday, we have disposed of 22 amendments. To give my colleagues an idea of the bipartisan nature of this measure, we have adopted a total of 16 amendments by voice vote—8 by the majority, 8 by the minority—to indicate the balance we have been able to achieve so far.

We will be working through the remainder of these amendments today, and my hope is we can finish this bill this evening or by tomorrow—hopefully this evening. We still have a couple of very important amendments that will have to be debated and will probably require roll call votes.

It would be my expectation that most of the amendments that are either pending or filed can be agreed to perhaps with some minor modifications.

I again thank my colleague from Kentucky for his assistance and that of his staff in helping us move this product along. I know there are a number of other measures awaiting Senate action. I encourage my colleagues to complete debate on this bipartisan election reform compromise today so we can get to those other issues, including campaign finance reform and the energy bill.

In that spirit, let me, if I may, tell my colleagues what I think we will do. Senator GRAMM of Texas has an amendment to which we are going to agree. In fact, he has asked me to offer it on his behalf, and I will be happy to do that. Then Senator DAYTON has an amendment which he is modifying which will be a study amendment, for the information of my colleagues on the other side. He will be coming over with that amendment. We can adopt the Dayton amendment because I believe by making this a study, it becomes acceptable to the minority.

Senator HARKIN has an amendment—I am not sure which one of his he is bringing over. It is the pending amendment which may require very limited debate.

I know Senator CLINTON is presently meeting with the First Lady. She will be back as soon as possible. We then can debate her amendment.

My goal is to dispose of as many amendments as we can over the next hour and a half, and then if a couple of amendments require debate and votes, we will stack those votes just prior to the respective conferences for the traditional Tuesday luncheons. So we may have some votes just prior to lunch, but we will not ask people to break up the hearings they are engaged in this morning. We will not interrupt the hearing flow that is going on in a number of committees. That is the goal.

I see my colleague and friend from Kentucky wants to make some opening remarks. He can offer the Gramm amendment, or I will be happy to do it.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. MCCONNELL. Mr. President, I reiterate that it is our intention to finish the bill today, and I believe we are on a glidepath to do that. I fully support the effort of the chairman to move this along.

AMENDMENT NO. 2927

Mr. MCCONNELL. Mr. President, I send and amendment on behalf of Senators GRAMM and HUTCHISON to the desk. It has been cleared on both sides.

The PRESIDING OFFICER. Without objection, the pending amendments are set aside, and the clerk will report.

The assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL], for Mr. GRAMM, for himself, and Mrs. HUTCHISON, proposes an amendment numbered 2927.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the reading of the amendment be disposed of.

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

The amendment is as follows:

(Purpose: To guarantee the right of all active duty military personnel, merchant mariners, and their dependents to vote in Federal, State, and local elections)

On page 68, between lines 17 and 18, insert the following:

SEC. 402. STATE RESPONSIBILITY TO GUARANTEE MILITARY VOTING RIGHTS.

(a) REGISTRATION AND BALLOTING.—Section 102 of the Uniformed and Overseas Absentee Voting Act (42 U.S.C. 1973ff–1), as amended by section 1606(a)(1) of the National Defense Authorization Act for Fiscal Year 2002 (Public Law 107–107; 115 Stat. 1278), is amended—

(1) by inserting ''(a) ELECTIONS FOR FEDERAL OFFICES.—'' before ''Each State shall—''; and

(2) by adding at the end the following:

''(b) ELECTIONS FOR STATE AND LOCAL OFFICES.—Each State shall—

''(1) permit absent uniformed services voters to use absentee registration procedures and to vote by absentee ballot in general, special, primary, and runoff elections for State and local offices; and

''(2) accept and process, with respect to any election described in paragraph (1), any otherwise valid voter registration application from an absent uniformed services voter if the application is received by the appropriate State election official not less than 30 days before the election.''.

(b) CONFORMING AMENDMENT.—The heading for title I of such Act is amended by striking **''FOR FEDERAL OFFICE''**.

Mr. DODD. The majority accepts the Gramm amendment.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 2927) was agreed to.

Mr. MCCONNELL. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

Mr. DODD. Mr. President, we are waiting for Senator DAYTON to come over with his modified amendment which I hope we can accept, and Senator HARKIN is coming over with an amendment that requires some debate—not much, but some; he says he can do it in a brief amount of time—and any amendments on the minority side as well, if they have people coming over.

I urge those who have filed amendments to offer them. Some Members approached me during the vote, and I am going to sit down and see if we can agree to some of these so Members do not have to actually come over, and we can offer them on their behalf.

Pending the arrival of Senator DAYTON, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

AMENDMENT NO. 2928

Mr. DODD. Mr. President, I send an amendment from the Senator from California, Mrs. FEINSTEIN, to the desk and ask for its consideration.

The PRESIDING OFFICER. The pending amendments will be set aside. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Connecticut [Mr. DODD], for Mrs. FEINSTEIN, proposes an amendment numbered 2928.

Mr. DODD. I ask unanimous consent reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To determine whether voting systems are able to accommodate as many voters who have a limited proficiency in the English language as possible)

On page 54, between lines 23 and 24, insert the following:

''(k) the technical feasibility of providing voting materials in 8 or more languages for voters who speak those languages and who are limited English proficient; and''.

Mr. DODD. Mr. President, this amendment calls for a study of the technical ability of voting systems to accommodate multiple languages. This bill potentially expands the number of languages which a voting system must accommodate based on the number of people within a given jurisdiction who speak those languages. It does not include every language, but would recognize certain language groups that current law does not recognize. It is a slight change from existing law. Obviously, in places such as California the number of languages has been increasing. We have all experienced this in our respective States, with the number of immigrants who have come into the country.

This is a study proposal that Senator FEINSTEIN suggests. We think it is a good amendment. It is something the commission will look at anyway. We urge its adoption.

Mr. MCCONNELL. We are agreeable to this as well.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 2928.

The amendment (No. 2928) was agreed to.

Mr. DODD. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 2912

Mr. HARKIN. Mr. President, I rise to speak to amendment No. 2912.

This is a very simple amendment, a very short amendment. It is one that is needed to improve full and equal access to the polls for people with disabilities. The election reform bill sponsored by my colleagues from Connecticut and Kentucky does indeed provide a good first step to equal access. It requires every polling place to have at least one fully accessible voting machine. That is a good start. What is the benefit of these voting machines if people with disabilities—say, those who are using wheelchairs—cannot get to the machines from outside or from a parking lot?

We have an anomaly. We have a voting machine that is accessible and usable; but what about from the sidewalk to the voting machine, from the parking lot to the voting machine, if that is not accessible? The bill requires nothing to ensure this access. Now, the bill does provide $100 million in incentive grants. That is better than nothing. But I believe we need to do more.

In each State there are nonprofit agencies called protection and advocacy agencies which have been set up through the law. They work with local communities to provide equal access for people with disabilities in public places. They have been doing this for a long time. Unfortunately, they can only do so much with Federal assistance they receive. Last year, all of the P&As—as we call protection and advocacy groups—in the entire United States received $15 million. That is for all 50 States. That means they can only focus on a few access issues. They do not have the resources to work on training or educating local election officials on polling access requirements under current law.

My amendment simply authorizes $10 million a year to the protection and advocacy agencies to give additional focus to voting access for people with disabilities.

A GAO report that Senator MCCAIN and I requested found in the 2000 election more than 80 percent of the 496 polling places surveyed had 1 or more physical impediments. The GAO said 80 percent of the 496 that they surveyed had 1 or more physical impediments.

Consider this: 28 States do not even have curbside voting requirements. If you live in a State that does not have

a curbside voting requirement and you have a polling place that has several physical impediments to get to the polling machine, what good is it to have a polling machine that is accessible if you cannot get to it and you don't have curbside voting?

Even in the States where curbside voting must be an option, the rights of people with disabilities are still compromised. Curbside voting does not allow private or independent voting, as it does for the general public. For example, a poll worker meets the voter at the car or in the parking lot. The poll worker provides the ballot to the voter, or actually fills out the ballot for the voter, and the voter must trust the poll worker to submit the ballot inside. That is an unacceptable alternative to getting around current laws that require physical disability access to the polls, unless the voter requests curbside voting.

Again, we have a system we are about to vote on and pass that would deny equal access to many people in our communities to vote as we vote—in private, ensuring that your ballot is your ballot, making sure you can go in the voting booth like everyone else. We are only setting aside $10 million, a very small amount of money, to be used by the protection and advocacy groups to work with local officials to help train and educate them on how you make places accessible.

Again, one might ask, why would we need someone from protection and advocacy to meet with local election officials to make sure a place is accessible when the local elected officials know how to do that? Maybe yes, maybe no.

There is a lot of expertise within the protection and advocacy groups throughout the United States as to how to do things, how to make things accessible with the least interference with the general public and at the least cost to the taxpayer.

I myself have seen instances in my State and others, because of my work in disability rights, where local elected officials think they have to do something that is going to cost several hundred thousand dollars, to change this and do all this modification, and the protection and advocacy people come up and say: You do not have to do all that. Maybe just for a couple of thousand dollars you can change some things.

One classic case that always comes to mind, and this happened some time ago, is where a local school system decided that to be compliant with the Americans With Disabilities Act, they had to change all the drinking fountains in all the public schools, that they would have to lower all of the drinking fountains so a kid using a wheelchair could have access to them; all the other ones were too high.

This was going to cost literally hundreds of thousands of dollars in all the schools, to go in and do all the plumbing and lower all these drinking fountains. This created kind of a firestorm in the community. They said: My gosh, we are going to have to spend all this money to lower these drinking fountains for a few people using a wheelchair.

Finally, one of the P&A groups came through and said: You do not have to do that. If you would just set a paper cup dispenser by the water fountain with a wastebasket to throw it in, someone in a wheelchair could roll up, take a paper cup, fill it with water, take a drink, and throw the paper cup away, and that would not cost you very much. That is what they did. It saved them hundreds of thousands of dollars. These are the kinds of things the protection and advocacy groups can do.

A lot of local officials might think they have to do so much. Here is an example. A local elected official says: We have to make our place accessible. And they go to a local engineering group and say: What do we have to do? The local engineering group says: Hey, this is taxpayer money; we are going to knock out this wall, put in these doors, put in this ramp, do all this; we have to shift this around and maybe take this part of the lot out. All of a sudden you are into hundreds of thousands of dollars.

A protection and advocacy group, knowing the law and knowing the requirements of ADA, might come in there and say: No, you don't have to do all that. There are other ways you can meet these requirements at a much cheaper cost, and much more efficacious, not only for people with disabilities but for the general public.

This is the experience we have had in the past in many places where they have had problems of accessibility. The P&As, as we call them, have just been great, working with local officials to train and educate them about how to make places accessible. That is what this amendment does. I hope the amendment will be accepted.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. MCCONNELL. Mr. President, I regretfully rise in opposition to the Harkin amendment. This amendment proposes to add a new grant program of $40 million to the cost of the bill over 4 years. Unlike the other grant programs authorized by this bill, this amendment proposes to fund just one organization with the $40 million. That one entity is the protection and advocacy system, a federally mandated program currently in place and functioning with an office in each State.

In Kentucky this office is a division of State government, but I understand in other States the office functions as a nonprofit organization. The protection and advocacy system is a federally mandated program that receives funding from several different Federal sources as well as funding from each State. This organization has offices in each State, and they advocate on behalf of people with disabilities. The protection and advocacy system can mediate, intervene, counsel, investigate, and even sue on behalf of those it represents.

I have a couple of concerns about this amendment. First, I can appreciate the important work this group does. In fact, there are numerous groups out there that provide important and meaningful assistance to people with disabilities. I wholeheartedly support their efforts. But the group singled out by this amendment is already well funded by the Federal Government. They receive funding through Health and Human Services, the Department of Education, and even the Social Security Administration. I am not sure giving this particular group another $40 million makes sense when we can just as easily spend $40 million on numerous other causes that are actually underfunded or not funded at all.

The States are in dire financial straits. We could certainly devote this money to helping them make additional election administration improvements and upgrades.

Protection and advocacy systems do not need this amendment to broaden their mandate to encompass accessibility. That is already included in their broad statutory mandate. This amendment seeks only to increase the funding of one organization, an increase that nearly doubles the amount this group received last year. But as I said a moment ago, there are many worthwhile groups out there that provide services to help people with disabilities. They, too, would like an additional source of Federal funding. Some of these groups have contacted my office, and I am sure my colleagues have heard from them as well.

Other groups that help the disabled are calling my office and asking the question: Why does the protection and advocacy system get additional funding? We do good work, and we could use additional funds to help ensure full participation in the electoral process.

These other groups are probably right. They do good work and could use additional money. But if we proceed down that road, we will soon deplete all the funds available under this bill. If we increase the funding for every group out there that does good work and may in fact need additional money, we will soon spend the entire Social Security surplus.

If we had unlimited funds available, this amendment would be one of several good uses for that additional money. If we had unlimited funds available, I would propose additional funding for a host of organizations that do good works, some of which are in my home State and have said they could use the money. But we do not have unlimited funds available, and for that reason I do not think we should earmark additional money exclusively for this one organization, especially when that organization already received millions—millions—in Federal and State funds.

Other disability advocacy groups see this amendment as unfairly benefiting

an organization that is already well funded by the Federal Government and already effectively advocates on behalf of those with disabilities. It seems these other advocates of the disabled have a very good point.

There is one other concern with the amendment that has been expressed by my colleagues and by several election officials. Because the protection and advocacy systems are authorized by Federal statute to sue, many are concerned that this amendment would essentially fund litigation against our State and local election officials.

There are at least two provisions in the Federal laws governing protection and advocacy systems that govern suits against States. One provision says:

> Nothing in this title shall preclude a system from bringing a suit on behalf of individuals with developmental disabilities against a State, or an agency or an instrumentality of a State.

The other provision says, in part:

> . . . such system shall have the authority to pursue legal . . . remedies or approaches to ensure the protection of, and advocacy for, the rights of such individuals within the State. . . .

Now it may be that some protection and advocacy systems do not sue that often. But the fact remains that they can sue and they do sue. In fact, their broad authorization allows them to sue a State and an agency or instrumentality of a State.

Unfortunately, the election officials I have heard from are not particularly comforted by claims that these groups ''don't sue that often.'' These groups may very well need the ability to sue when they advocate on behalf of disabled people who face illegal discrimination in employment or in housing. But when it comes to elections, this bill seeks to help States improve elections systems and comply with the law. This bill makes great efforts to encourage States to upgrade their systems and work in a cooperative manner with the Federal Government.

If this amendment is agreed to, we will essentially be giving money to the States to help them upgrade their election systems with one hand and we will be giving money to an outside group to help them potentially sue the States with the other.

Of course, States will then have to devote even more resources to defend against lawsuits, and the real cost of this amendment goes even higher. Perhaps we should set up a separate stream of funding for States to use to defend themselves against frivolous lawsuits, or, if we wanted to fund litigation, I am sure my colleague, the senior Senator from Missouri, would suggest a few groups that could use some Federal money to investigate instances of voter fraud and pursue litigation.

As I said earlier, I support the important work done by the States for the disabled, as we all do. I support making voting easier for the disabled, which this bill does. And I think this bill makes great strides for the disabled, thanks largely to the Senator from Connecticut, Mr. DODD, who is very passionate about this issue. But I think this amendment would do some harm to the delicate balance we have achieved with the bill.

Folks with disabilities should be able to vote. There are numerous groups out there that provide education and assistance to help make that happen. In fact, this bill makes grant money available that States can use for outreach and education for the disabled. But I do not think it is wise to fund one group exclusively when there are so many other similar groups that could benefit from a special earmark.

Nothing in the underlying bill prevents the protection and advocacy system from consulting with election officials. They can and do already consult with State governments on these issues.

For all of those reasons, I hope this amendment will not be agreed to when we ultimately have the vote.

I yield the floor.

The PRESIDING OFFICER (Mr. CARPER). The Senator from Iowa.

Mr. HARKIN. Mr. President, I would like to respond a little to the arguments made by the Senator from Kentucky regarding my amendment.

First, the Senator from Kentucky says the P&As can already handle cases dealing with access to places that are already within their purview to do so. I would say that is true. There is one P&A for each State and they do receive some state assistance. We gave $15 million last year for 50 States. Even with some of the small amounts they get from the State or other sources, they have very little with which to operate. The average P&A's budget is $1.2 million. Yet they have to cover the entire State in terms of working with local officials on accessibility. They have very small staffs.

Their purpose is to educate, train, and advocate for compliance under the Americans with Disabilities Act. There is no extra funding to work on voting access. They are already strapped. But now we are saying with this bill that we want to have voting access. Again, we have an anomaly here. We have within the bill a requirement that there be at least one voting machine that is acceptable for voting places. But there are no minimum standards for accessibility to the machine from the parking lot to the sidewalk from the outside. The bill is silent on that. It is absolutely silent.

Rather than just setting a minimum standard, which I don't think we ought to be doing right now, the best thing is to give a small amount of funds—this is $10 million a year for all 50 States. An average of maybe $150,000 per P&A to have them train, educate, and work with local officials on how to make sure the voting place is accessible.

Again, the Senator from Kentucky said there are a lot of groups out there that would like to do this. The protection and advocacy system is set up under law—one per State. They have been there for a long time. They have the expertise and the history. They are well integrated in every State in terms of the State structure to do this.

The Senator from Kentucky went on at great length about litigation—that he didn't want to give resources to P&As to litigate because that would use money and the States would have to come up with the money to defend it. Again, we have to look at the facts. What P&As do 99 percent of the time is basically train and educate local officials on access issues. I mentioned earlier about how we have reams and reams of examples from every State on P&As, as they are called—protection and advocacy—about how they have been able to help State governments and local governments meet the requirements of the Americans with Disabilities Act at least cost and with the least interference with the general public. This is well documented.

When people call in, they provide over-the-phone advice. This is someplace where a local official can be out there, and someone could come and say: You have to do this to make something accessible. The local official does not know. They pick up the phone. They call the P&A, and they say: I have been told I have to make all of these changes to make something accessible. Do I have to do it? What do I have to do? They can get that advice. All the P&As around the country sit on local and State task forces and boards to ensure that accessibility is part of all the project planning. Remember that you have public planning for parks, recreational facilities, public buildings, courthouses, whatever. They are part of the planning process to make sure that they are accessible. They do handle individual cases. We do have data from the 50 States.

The P&As are able to take about 1 of every 10 who ask for assistance. For every 10 people who call up the P&As and ask for some kind of assistance on a personal basis, they can take only 1 of them because they typically don't have the resources. They do not have the staff, and they don't have the money.

I have a listing of all of the intervention strategies used in serving individuals by every State. Again, most of what they do is, as I said, education and technical assistance. On a lot of it, they negotiate and go to administrative hearings. But there is a column here on litigation. Here are the facts:

The Senator from Kentucky went on and on about litigation. There were 43,092 cases that came into the P&A system last year, 2001. Out of 43,092 cases, 178 wound up in litigation.

And the simple truth is, the P&As get the most bang for their buck through education and training and working with officials proactively—not through the courts.

The reason they don't litigate is that they do not have the wherewithal. I

can say without any fear of contradiction that each 1 of those 178 cases was an egregious case. This is where the P&As have gone through negotiations, they have gone through mediation, they have gone through counseling, they have gone through administrative hearings, and nothing gets done. Yet, at that point in time they litigate.

I don't think the Senator from Kentucky would like to take that right away from the P&As on the most egregious cases.

The facts belie the fear of this burgeoning litigation.

Again, just one of the things that P & A's do is handle individual cases. They only take 1 out of every 10 complaints—and then they do everything they can which is required by law—to remedy the problem. And only in those most egregious instances—3 percent of those individual cases—do they consider the courtroom as an option.

So again, what my amendment will basically do is give to a nonprofit group that has a strong record in education, training and advocacy. It is a nonprofit entity. It is recognized by the States. As I said, State governments rely on them. They sit in on State boards and local boards, work with them in the planning process, and give technical assistance to help make sure we have accessibility for people with disabilities.

Again, my amendment has been pending for over 2 weeks. It has been out there during the break and before the break. My amendment has been out there. I have not heard one complaint from any group or any election officials that this is a bad amendment. The disability community, I can tell you, is united behind this amendment.

I think it is a modest approach. As I said, the more drastic approach would be for us to demand a minimum standard on physical accessibility to the voting place. Maybe that is what we should have done. But we decided to take the perhaps more cautious approach, one that would leave the maximum amount of flexibility for States to do what they needed to do. And the P&A system can help them do that.

The funding will give the P&As the resources they need to focus on voting accessibility, which they can't do now because of their limited budgets.

That is what the P&As can do. It is not a cookie-cutter approach, but to work with local officials, find the lowest cost, least interference method of making sure we have accessibility for everyone: People with disabilities and people without disabilities.

As I said, they have great expertise. They have been doing this for a long time, going back to the 1970s, when they were created. Quite frankly, as the former chair of the Disabilities Subcommittee, and one who has been involved in this ever since, I keep close tabs on the P&A system. They are funded under the Appropriations Committee that I am privileged to chair.

So we keep pretty good tabs on the P&A groups in the United States. With a meager amount of money, they do a great job. In fact, I hear from my secretary of state in Iowa about what a great job they do in Iowa.

With that, Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. Mr. President, first of all, let me state for the uninformed—and there may not be many on this particular point—there has never been, in my view, a stronger or more articulate advocate on behalf of the disabled in this country than the Senator from Iowa, Mr. HARKIN.

He and I have known each other for a long time. We have served together for a quarter century. We arrived on the very same day in the House of Representatives, back more than 25 years ago. We served together there and now have served together here for almost two decades.

But for his advocacy, but for his determination, millions of Americans who suffer from one form of disability or another would not enjoy as many of the opportunities that they do in our country. He has made that much of a difference. When the issue is raised, Can one person make a difference? you need go no further than the name of TOM HARKIN to answer that question. Truly, for millions of people, his presence in public life has made a difference. And he is obviously living up to that reputation by suggesting the amendment he has offered to us on the election reform bill. So I commend him immensely for it. He has been a great friend, a great advocate for so many years.

I guess sometimes the personal experiences in life are what sort of galvanize one's attention. I know in both of our cases—different kinds of cases—siblings of ours have suffered from physical disabilities. We both grew up in a family knowing of the tremendous efforts our parents, respectively, made to see to it that our respective siblings would enjoy the full opportunities of life. I do not know of any more courageous a person than my sister. And I am sure the Senator from Iowa might say the same about his brother, God rest his soul, whom the Senator lost a couple years ago.

So, in fact, had the Senator not come forward and advocated this, we might wonder what was wrong here in some ways. So his standing here advocating these positions is as normal as anyone might expect. I thank him for his kind comments, and the Senator from Kentucky for his generous comments as well, on what we have tried to do in this bill.

I know there will be some efforts, to some degree, to suggest maybe we ought to make these provisions dealing with the disabled less than a requirement. But we did not do that in 1965 with the Voting Rights Act, and there are millions of Americans who do not vote because of the inaccessibility of the ballot. What we have done in this bill is to make that an accessible ballot for the blind, the manually disabled, and others with disabilities. If we did nothing else in this bill but that, I think we can call it a major achievement in providing additional resources to everyone, make polling places more accessible, given the fact, in many places, there are still polling places that are not accessible. The discretionary grant money of $100 million in this bill, which I know the Senator from Iowa appreciates immensely, is going to help.

So I commend the Senator for this proposal and thank him for his continuing efforts on behalf of millions of Americans who have no greater voice than his in the Congress of the United States, and I thank him for that.

Mr. HARKIN. If the Senator will yield, I thank him for his very kind and overly generous remarks. We have been, as he said, close friends for a quarter century now. We first came to the House together. We were sworn in on the same day. But I think the Senator is being overly kind in his comments about this Senator.

As we all learn, as we go through life, the famous saying, no man is an island, around here, no man or woman gets legislation through by himself or herself. It takes a team effort and takes people working together.

On all the legislation we have passed that has made lives better for people with disabilities, Senator DODD of Connecticut has been in the forefront of the fight every single time from day one. We have served together on the Labor, Health, and Human Resources Committee all these years. He is senior to me on that committee. I have been proud to follow his lead on so many of these issues that make life better for our citizens with disabilities.

I respond in kind by thanking the Senator from Connecticut. As he said, both of us, in our own individual families, have had personal experience with siblings who have had disabilities. We bring those personal experiences here. It gives us a better feel for what is happening to a lot of people around the country who want a full and fair life, want accessibility, want to be integrated in society, want education and travel, employment, and, yes, one of the most fundamental of all rights that make us uniquely American—the right of the secret ballot.

The bill before us that Senators DODD and MCCONNELL have put together is a great bill. But like anything else, there are little parts that may need to be tweaked. This is considered one of those little things we need to do to help ensure that access from the curbside or from that parking lot to that voting machine, which they have rightly done in this bill, so there has to be at least one in every voting place. I applaud the Senator from Connecticut for taking the lead on that. But this is just something that will help ensure that we are able to have the access at the least cost, least interference, and the best method possible.

Again, I thank the Senator from Connecticut for his leadership on this issue and for his friendship for a quarter of a century to me personally, but to all Americans with disabilities. I thank the Senator.

Mr. DODD. Mr. President, I thank our friend from Iowa.

We have a couple of amendments we can work on that may be accepted. There is a possibility that we might have a vote on the Harkin amendment before we break for lunch. What I would like to do, with my colleague's permission and agreement, is to go into a quorum call.

Mr. McCONNELL. I wanted to make a couple more observations about the amendment of Senator HARKIN.

Mr. DODD. I was trying to restrain debate a bit so we might get to a couple other matters.

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

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

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

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

AMENDMENT NO. 2869

Mr. DODD. Mr. President, I ask unanimous consent that the pending amendment be temporarily laid aside.

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

Mr. DODD. I call up amendment No. 2869. I believe that is the amendment offered by the Senator from Louisiana, Ms. LANDRIEU. I inquire of the Chair, is that the amendment that is a sense of the Senate?

The PRESIDING OFFICER. Yes, it is. The clerk will report.

The legislative clerk read as follows:

The Senator from Connecticut [Mr. DODD], for Ms. LANDRIEU, proposes an amendment numbered 2869.

Mr. DODD. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To express the sense of the Senate regarding State and local input into changes made to the electoral process)

On page 68, between lines 17 and 18, insert the following:

SEC. ____. SENSE OF THE SENATE REGARDING STATE AND LOCAL INPUT INTO CHANGES MADE TO THE ELECTORAL PROCESS.

(a) FINDINGS.—Congress finds the following:

(1) Although Congress has the responsibility to ensure that our citizens' right to vote is protected, and that votes are counted in a fair and accurate manner, States and localities have a vested interest in the electoral process.

(2) The Federal Government should ensure that States and localities have some say in any election mandates placed upon the States and localities.

(3) Congress should ensure that any election reform laws contain provisions for input by State and local election officials.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the Department of Justice and the Committee on Election Reform should take steps to ensure that States and localities are allowed some input into any changes that are made to the electoral process, preferably through some type of advisory committee or commission.

Mr. DODD. This amendment has been cleared on both sides. I commend the Senator from Louisiana for offering the amendment. I urge its adoption.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 2869.

The amendment (No. 2869) was agreed to.

Mr. DODD. I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2931

Mr. DODD. Mr. President, the second amendment cleared by both sides is the amendment offered by the Senator from California, Mrs. FEINSTEIN. I send the amendment to the desk.

The PRESIDING OFFICER. Without objection, the pending amendment is set aside. The clerk will report.

The legislative clerk read as follows:

The Senator from Connecticut [Mr. DODD], for Mrs. FEINSTEIN, proposes an amendment numbered 2931.

Mr. DODD. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To ensure the security, confidentiality, and integrity of personal information collected, stored, or otherwise used by the free access system established for the purpose of permitting individuals casting provisional ballots to determine the final disposition of their vote)

On page 14, between lines 2 and 3, insert the following:

The appropriate State or local official shall establish and maintain reasonable procedures necessary to protect the security, confidentiality, and integrity of personal information collected, stored, or otherwise used by the free access system established under paragraph (6)(B). Access to information about an individual provisional ballot shall be restricted to the individual who cast the ballot.

Mr. DODD. Mr. President, this amendment provides that the States and localities must ensure the security and confidentiality of information made available on the free access system established for the purpose of permitting individuals casting provisional ballots to determine the final disposition of their vote. It is a privacy amendment.

I thank the Senator for offering it, and I thank my colleagues on the minority side for accepting this amendment. I urge its adoption.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 2931.

The amendment (No. 2931) was agreed to.

Mr. DODD. I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. DODD. Mr. President, I suggest the absence of a quorum. I think we may take care of at least one or two more amendments.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

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

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

AMENDMENT NO. 2898, AS MODIFIED

Mr. DODD. I ask that the pending amendment be temporarily laid aside.

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

Mr. DODD. Mr. President, I ask unanimous consent to call up the modified Dayton amendment, which is at the desk.

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

The amendment will be so modified.

The amendment (No. 2898), as modified, is as follows:

On page 68, between lines 17 and 18, insert the following:

SEC. ____. STUDY AND REPORT ON FREE ABSENTEE BALLOT POSTAGE.

(a) STUDY ON THE ESTABLISHMENT OF A FREE ABSENTEE BALLOT POSTAGE PROGRAM.—

(1) IN GENERAL.—The Election Administration Commission established under section 301 shall conduct a study on the feasibility and advisability of the establishment by the Federal Election Commission and the Postal Service of a program under which the Postal Service shall waive the amount of postage applicable with respect to absentee ballots submitted by voters in general elections for Federal office (other than balloting materials mailed under section 3406 of title 39, United States Code) that does not apply with respect to the postage required to send the absentee ballots to voters.

(2) PUBLIC SURVEY.—As part of the study conducted under paragraph (1), the Election Administration Commission shall conduct a survey of potential beneficiaries under the program described in such paragraph, including the elderly and disabled, and shall take into account the results of such survey in determining the feasibility and advisability of establishing such a program.

(b) REPORT.—

(1) SUBMISSION.—Not later than the date that is 1 year after the date of enactment of this Act, the Election Administration Commission shall submit to Congress a report on the study conducted under subsection (a)(1) together with recommendations for such legislative and administrative action as the Commission determines appropriate.

(2) COSTS.—The report submitted under paragraph (1) shall contain an estimate of the costs of establishing the program described in subsection (a)(1).

(3) IMPLEMENTATION.—The report submitted under paragraph (1) shall contain an analysis of the feasibility of implementing the program described in subsection (a)(1) with respect to the absentee ballots submitted in the general election for Federal office held in 2004.

(4) RECOMMENDATIONS REGARDING THE ELDERLY AND DISABLED.—The report submitted under paragraph (1) shall—

(A) include recommendations of the Federal Election Commission on ways that program described in subsection (a)(1) would

target elderly individuals and individuals with disabilities; and

(B) identify methods to increase the number of such individuals who vote in elections for Federal office.

(c) POSTAL SERVICE DEFINED.—The term ''Postal Service'' means the United States Postal Service established under section 201 of title 39, United States Code.

Mr. DODD. Mr. President, I thank the Senator from Minnesota for this amendment. Briefly, the Dayton amendment asks for a study of eliminating the need for postage requirements on absentee ballots. The suggestion initially had been that it be a pilot program to be instituted at the 2004 elections on a Federal level, utilizing some 3 million voters to determine whether or not such a pilot would be worthwhile. There were concerns which States would be included.

The commission, if this bill becomes law, would want to look at this issue. By recrafting the amendment calling for a study, it will guarantee that will be done. Then we will try and figure out the best way to conduct that study. For those reasons, the amendment is acceptable, I am told, on both sides.

I thank the Senator from Minnesota. This is a very worthwhile suggestion. It is exactly the kind of issue at which the permanent commission on elections wants to look. Because he has proposed this amendment the way he has, it will guarantee that will be done. With this modification calling for a study, rather than a pilot program, the amendment is acceptable by both sides. I urge its adoption.

The PRESIDING OFFICER. The question is on agreeing to the amendment, as modified, of the Senator from Minnesota.

The amendment (No. 2998), as modified, was agreed to.

Mr. DODD. I move to reconsider the vote and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

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

The PRESIDING OFFICER (Mr. EDWARDS). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. CARPER. Mr. President, I am delighted we finally have the opportunity to consider election reform. I am especially glad we are doing so in a way that is probably as close to bipartisan as anything we will work on this year. I commend Senator DODD. I commend Senator MCCONNELL and a number of other colleagues from both sides of the aisle who have worked diligently for a year now to hammer out this compromise we are considering today.

As we all know, the 2002 elections brought to light a number of problems in the way we run elections. While Florida got a lot of attention, we found out the problems do not reside solely in Florida but persist in a number of other States as well. The bill that we will, hopefully, adopt this week goes a long way toward fixing not all those problems but a number of them. Let me mention a few.

This legislation sets strong standards that State voting systems must meet so that all voting technology that American voters use allows them to correct mistakes and meet set error rates, acceptable lower error rates. This ensures voting machines are accessible to handicapped voters and voters with limited English proficiency. Third, this legislation provides for provisional balloting so voters mistakenly left off official registration lists are still allowed to vote. Fourth, this legislation provides for balanced antifraud measures to ensure voters are not disenfranchised.

Fortunately, in my State of Delaware there were few problems on election day in 2002. Delaware has uniform electronic voting machines with good error rates. All of our precincts are called election districts. The machines were purchased during the time that I served as Governor of our State. Delaware also has a computerized statewide voter registration list put in place under the leadership of our former Election Commissioner, Thomas Cook.

We have some work still to do in Delaware to assure our machines allow the handicapped to vote in privacy and to put a provisional voting system into place. Some States need to do a whole lot more than that. I am happy to see the bill provides the money to enable them and Delaware to do the work that needs to be done. This bill includes no unfunded mandates. This bill provides $3 billion in grants to pay 100 percent of the costs to States for implementing the voting machines or provisional balloting and for antifraud requirements.

We must work hard to ensure, however, that the money we are promising, the money we propose to authorize, actually gets to the States and that there are enough dollars at the end for the States to meet the requirements we are placing on them, especially now that a number of States, including my own, are faced with very tight budgets.

According to the National Governors Association, combined State budget shortfalls are at $15 billion and could go higher if State unemployment, health care, and homeland security costs continue to rise.

Most States have balanced budget requirements in their constitution and face the prospect of having to raise taxes or make budget cuts to cover the budget shortfalls.

Having said that, this is a good bill. In fact, this is more than a good bill; it is a very good bill. I am pleased to urge my colleagues to join me and others to pass it overwhelmingly. I hope at the end of the day if we begin to see in the future that States continue to have problems meeting these new standards for budgetary reasons that emanate more from Washington than our State capitals, we find a way to get those States the resources they need or, if necessary, to amend the timing of requirements so that States can meet those requirements responsibly.

I yield.

The PRESIDING OFFICER. The Senator from Connecticut.

AMENDMENT NO. 2912, AS MODIFIED

Mr. DODD. Mr. President, I call up amendment No. 2912, the Harkin amendment, and I ask unanimous consent to lay the pending amendment aside.

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

Mr. DODD. I send a modification to the desk on behalf of Senator HARKIN.

The PRESIDING OFFICER. Is there objection to the modification?

Without objection, the amendment is so modified.

The amendment (No. 2912), as modified, is as follows:

(Purpose: To provide funds for protection and advocacy systems)

On page 28 of the amendment, after line 23, add the following:

(c) PROTECTION AND ADVOCACY SYSTEMS.—

(1) IN GENERAL.—In addition to any other payments made under this section, the Attorney General shall pay the protection and advocacy system (as defined in section 102 of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15002)) of each State to ensure full participation in the electoral process for individuals with disabilities, including registering to vote, casting a vote and accessing polling places. In providing such services, protection and advocacy systems shall have the same general authorities as they are afforded under part C of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15041 et seq.).

(2) MINIMUM GRANT AMOUNT.—The minimum amount of each grant to a protection and advocacy system shall be determined and allocated as set forth in subsections (c)(3), (c)(4), (c)(5), (e), and (g) of section 509 of the Rehabilitation Act of 1973 (29 U.S.C. 794e), except that the amount of the grants to systems referred to in subsections (c)(3)(B) and (c)(4)(B) of that section shall be not less than $70,000 and $35,000, respectively.

On page 30, strike lines 23 through 25, and insert the following:

(b) PROTECTION AND ADVOCACY SYSTEMS.—In addition to any other amounts authorized to be appropriated under this section, there are authorized to be appropriated $10,000,000 for each of the fiscal years 2003, 2004, 2005, and 2006, and for each subsequent fiscal year such sums as may be necessary, for the purpose of making payments under section 206(c): *Provided*, That none of the funds provided by this subsection shall be used to commence any litigation related to election-related disability access, notwithstanding the general authorities of the protection and advocacy systems as are otherwise afforded under part C of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15041 et seq.)

(c) AVAILABILITY.—Any amounts appropriated pursuant to the authority of this section shall remain available until expended.

Mr. DODD. Mr. President, I thank the Senator and our friends on the Republican side for working out this modification. Senator HARKIN raises a very good amendment. There was concern raised by Senator MCCONNELL, and

maybe others, that we would be utilizing some of these dollars to promote litigation in this bill. That has never been our intent. There is nothing in this bill that would do that.

Because it was possible that some small percentage of these dollars could be used for that purpose, there were concerns raised by the amendment. Senator HARKIN has modified his amendment with language that would explicitly prohibit any of the funds provided under this bill from being used for purposes of litigation. It does not, however, otherwise affect the use of existing funds.

That being the case, our friends on the Republican side have withdrawn their objection to this amendment. I urge its adoption as modified.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 2912), as modified, was agreed to.

Mr. DODD. I move to reconsider the vote and move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. DODD. I think we have done some good work. I thank Senator MCCONNELL and his staff. We are going to be breaking for the weekly luncheons by both caucuses. I think we have adopted some six amendments this morning, debated the Harkin amendment, and modified that. We are getting this list down. I am beginning to think we might actually be in a position to adopt this legislation by this evening.

We are going to be talking over lunch to see if we can't work out these amendments. Staffs will meet over the luncheon period to see if we can resolve some of the differences. But I thank the individual Senators for their cooperation. Senator MCCONNELL and I are grateful for their cooperation.

When we come back, there will be a special order period between 2:15 and 3:15, but after that we will be back on this bill—I believe that is the case—in which case we will try to line up some amendments to be debated at that time so we can move the product along a little further.

I see my friend and colleague from Arkansas who is here, I believe, not just to listen to the Senator from Connecticut but he may have something to say. I yield the floor.

Mr. HUTCHINSON. I ask unanimous consent to speak up to 2 minutes as in morning business.

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

(The remarks of Mr. HUTCHINSON pertaining to the introduction of legislation are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. WELLSTONE. Mr. President, I ask unanimous consent to speak as if in morning business.

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

Mr. WELLSTONE. Mr. President, I ask unanimous consent to speak for 10 minutes even though it may be a few minutes beyond 12:30.

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

Mr. WELLSTONE. I was afraid you might object, Mr. President.

THE BERMUDA TRIANGLE TAX LOOPHOLE

Mr. WELLSTONE. Mr. President, S. 565 is a very important piece of legislation. It is good work. I thank Senator DODD and others for their good work. But there are some other issues that are hanging over us like a big cloud.

In particular, I am talking about the Federal budget. On February 5, the President sent us a blueprint for this next decade. I have to say that it is a pretty bleak picture. There are cuts in job training programs during hard economic times. There is a 50-percent cut in 7(a) programs to small businesses that leveraged, for example, $1 billion in my State of Minnesota over the last 5 years, in hard economic times.

There is an inadequate education budget. I don't know whatever happened to the language ''leave no child behind,'' but I know we are now getting a tin cup budget. We don't have the money for prekindergarten. We don't have the money for afterschool programs. At the same time we have the tax cuts for the top 10 percent of families with incomes of $297,000 and over. At the same time we want to eliminate the alternative minimum tax. At the same time, in the energy bill, we want to give tax cuts maybe to the tune of $28 billion to oil companies that had $40 billion in profits last year.

We are going to have to make some choices. Do we put children and education first? Do we put these big corporations and more tax breaks and tax loopholes for these big corporations first? Do we put veterans first? Or are we going to have Robin-Hood-in-reverse tax cuts for the top 1 percent of the population? Are we going to balance the budget to be fiscally responsible, or are we going to be taking the money out of the trust funds?

I ask unanimous consent that this article from the New York Times be printed in the RECORD.

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

[From the New York Times, Feb. 18, 2002]

U.S. CORPORATIONS ARE USING BERMUDA TO SLASH TAX BILLS

(By David Cay Johnston)

A growing number of American companies, encouraged by their financial advisers, are incorporating in Bermuda to lower their taxes sharply without giving up the benefits of doing business in the United States.

Insurance companies led the way, but now manufacturers and other kinds of companies are following. Stanley Works, for 159 years a Connecticut maker of hammers and wrenches, is among the latest with plans to become a corporation in Bermuda, where there is no income tax. The company estimates that it will cut its tax bill by $30 million a year, to about $80 million.

Tyco International, a diversified manufacturer with headquarters in Exeter, N.H., says that being a Bermuda corporation saved it more than $400 million last year alone. Other companies that have incorporated in Bermuda or plan to do so include Global Crossing, a Beverly Hills, Calif., telecommunications company; Ingesoll-Rand and Foster Wheeler, both New jersey industrial manufacturers; Nabors Industries, a Texas company that is the nation's largest oil well services company; and Cooper Industries, a Houston manufacturer of industrial equipment.

Becoming a Bermuda company is a paper transaction, as easy as securing a mail drop there and paying some fees, while keeping the working headquarters back in the United States.

Bermuda is charging Ingersoll-Rand just $27,653 a year for a move that allows the company to avoid at least $40 million annually in American corporate income taxes.

The company is not required to conduct any meetings in Bermuda and will not even have an office there, said its chief financial officer, David W. Devonshire.

''We just pay a service organization'' to accept mail, he said.

Kate Barton, an Ernst & Young tax partner, said that incorporating in Bermuda ''is a megatrend we are seeing in the marketplace right now.'' Many corporations that are planning the move have not yet announced it, she said.

In a Webcast to clients, Ms. Barton cited patriotism as the only potentially troubling issue that corporations consider before moving to Bermuda, and she said that profits trumped patriotism.

''Is it the right time to be migrating a corporation's headquarters to an offshore location?'' she asked. ''And yet, that said, we are working through a lot of companies who feel that it is, that just the improvement on earnings is powerful enough that maybe the patriotism issue needs to take a back seat to that.''

The White House has said nothing about these moves and their effect on tax revenues. Mark A. Weinberger, chief of tax policy in the Treasury Department, said the moves to Bermuda and other tax havens showed that the American tax system might be driving companies to make such decisions. ''We may need to rethink some of our international tax rules that were written 30 years ago when our economy was very different and that now may be impeding the ability of U.S. companies to compete internationally.''

But others have expressed concern about the trend. Senator Charles E. Grassley of Iowa, the ranking Republican on the Senate Finance Committee, expressed alarm. ''There is no business reason for doing this, other than to escape U.S. taxation. I believe the Finance Committee needs to investigate this activity.''

There is no official estimate of how much the Bermuda moves are costing the government in tax revenues, and the Bush administration is not trying to come up with one.

A Bermuda address is being recommended by many legal, accounting and investment advisers. Stanley Works, for example, relied on Ernst & Young for accounting advice,

Skadden Arps Slate Meagher & Flom for legal advice, and Goldman, Sachs for investment advice.

Ingersoll-Rand's top tax officer, Gerald Swimmer, said all of the major investment houses and accounting firms had presented the idea to his company. Ingersoll-Rand expects its worldwide income taxes to fall to less than $115 million from about $155 million annually.

Many companies looking for tax havens abroad are choosing Bermuda because it is close, its political system is stable and it uses a legal system similar to that of the United States. But some, like Seagate Technology, the California maker of computer disk drives, have gone to the Cayman Islands and other places.

Insurers have also flocked to Bermuda to escape most insurance regulations, including how much money they must hold in reserve to pay claims.

Since companies that move to Bermuda usually keep their main offices in the United States, they continue to have all the security provided by the American government, the legal system and the courts.

But by moving to Bermuda, their income from outside the United States becomes exempt from American taxes. Also, when the American company borrows from its Bermuda parent, the interest it pays creates a deduction that reduces U.S. taxes, but there is no tax on the interest earned by the Bermuda parent.

These companies say they are moving because their worldwide tax rates are higher than those of foreign competitors. Stanley Works expects its worldwide tax rate to fall to 23 percent to 25 percent of profits, down from 32 percent now, said Gerard J. Gould, Stanley's vice president for investor relations.

Another company, Cooper Industries, expects to lower its worldwide income tax bill to $80 million from about $134 million.

Robert Willens, a tax expert at Lehman Brothers, said that ''any company with a decent amount of foreign income will see its tax rate fall dramatically'' by moving its nominal headquarters to Bermuda.

''But the political considerations sometimes prevail,'' he added, ''and companies are understandably reluctant to do something like this because it will not necessarily be properly construed in the marketplace. It may be seen as not patriotic and in the wake of Sept. 11, that is not a good posture for a company.''

Mr. Willens said that he had personally presented the Bermuda idea to some companies and that the idea had been turned down for just that reason. ''The companies most willing to do this are not household names,'' he said, ''but Stanley Works is verging on a household name.''

Mr. Gould said Stanley Works, whose products can be found in many home toolboxes, had not received a single complaint that it was being unpatriotic. Only a few shareholders complained, he said, and all were longtime shareholders who will owe taxes on their capital gains if the deal is approved by two-thirds of the Stanley Works shareholders.

The Internal Revenue Service has ruled that shareholders must pay taxes on any increase in the value of their shares between the date they bought them and the date the company incorporated in Bermuda, even if they do not sell the shares. The government designed this rule to place a price on what it calls tax-motivated expatriation.

With the stock market depressed, Mr. Willens noted, interest in moving to Bermuda is up because fewer shareholders would owe capital gains. And even when a move to a tax haven occurs, the company is not required to report to the I.R.S. on the holdings of each stock owner. Only the integrity of individual taxpayers ensures that the taxes are paid, as is the case with any tax on capital gains.

''I am sure a few get missed,'' Mr. Willens said with a chuckle.

Peter L. Baumbusch, an international tax lawyer with Gibson, Dunn & Crutcher in Washington, said current tax law discriminated against existing multinational corporations with headquarters in the United States.

David A. Weisbach, a University of Chicago professor of tax law, said the corporate moves to Bermuda should prompt Congress to review the American corporate tax regime, which was established when American companies sold primarily to the domestic market and few foreign companies had a major presence in the United States.

''Should we be taxing worldwide income or not?'' he asked. ''That is the really hard question.''

Representative Charles B. Rangel of New York, the ranking Democrat on the House Ways and Means Committee, said the patriotism question also needed to be debated.

''Some companies flying the Stars and Stripes renounce America when it comes to paying their taxes,'' he said. ''They choose profits over patriotism. So far, the Bush Treasury Department has shown no interest in stopping these corporate moves, or even drawing attention to them. Supporting America is more than about waving the flag and saluting—it's about sharing the sacrifice. That's true of soldiers, citizens, and it should be true of big companies, too.''

Mr. WELLSTONE. Mr. President, it is in this context that I read from this article of last week about a new Bermuda Triangle for big businesses where the tax bill goes in, but the check never comes out. The article is entitled, ''U.S. Corporations Are Using Bermuda To Slash Tax Bills.'' It reveals that a number of prominent U.S. corporations using creative paperwork have transformed themselves into Bermuda corporations purely to avoid paying their fair share of U.S. taxes. These new Bermuda companies are purely shell companies. They are shell corporations. They have no staff. They have no offices. They have no business activity in Bermuda. They exist for the sole purpose of shielding income from the IRS.

Let me give you a few examples.

Ingersoll-Rand is paying Bermuda approximately $28,000 in fees to save itself $40 million in taxes. Stanley Tools intends to recharter in Bermuda and save themselves $30 million a year. Tyco International saved $400 million last year in taxes. The list goes on and on.

Small businesses in Detroit Lakes, MN, or Mankato, MN, or in Minneapolis-St. Paul, MN, or in Duluth, MN, cannot avail themselves of the Bermuda Triangle. They cannot afford the big-name tax lawyers and accountants to show them how to do their books Enron style, but they probably wouldn't do it anyway, because the small businesspeople in Minnesota do not want to renounce their citizenship, they do not want to renounce their patriotism, and they want to pay their fair share of taxes as everybody else does.

So I say to Senators, as we look at these budget priorities, we are going to have to decide what we are going to be doing. Are we going to go after these tax scofflaws? Are we going to have fair tax relief? Are we going to save Social Security or let them get away with this? This is really outrageous.

I simply say that the priority for me, as a Senator, is to go after this ''Bermuda triangle'' boondoggle. The priority for me, as a Senator, is to go after these multinational corporations that will not pay their fair share of taxes. And the priority for me is to make sure that Senators vote so we can all be on record as to whether or not we want more loopholes, more tax breaks for multinational corporations so they do not have to pay their fair share of taxes, and, as a result, we do not invest in children and education.

We say we do not have money for affordable prescription drugs. We say there is no money for affordable housing. That is simply outrageous. We say we cannot help anybody with health security for themselves and their families.

There are three courses of action I will announce in the Chamber today:

No. 1, the letter to the Finance Committee, saying: I call upon you to basically do everything you can do to end this outrageous loophole of these multinational corporations setting up these sham offices in countries such as Bermuda and not paying taxes.

No. 2, I say to Senators that on the budget resolution, which will be coming up maybe this month—certainly next month—I am going to have an amendment which says: Find the savings from these big corporations that are not paying their fair share of taxes and are setting up these sham offices in countries such as Bermuda and put it into education and health care. We will have a straight up-or-down vote on that amendment to the budget resolution.

Then, No. 3, I want to send a Dear Colleague letter out to Senators, Democrats and Republicans alike. I definitely will introduce legislation. I do not have all the specifics down right now, but it seems to me, at a bare minimum, what we can say to these companies is: Look, you can set up some sham office in some other country as a tax dodge, but if you are doing most of your business in the United States of America, you are going to be taxed on the business you do here.

The second thing we can say to these companies is: You get all kinds of tax breaks, you get all kinds of Government help, the assumption being you are investing in our economy. But if you are going to set up these sham offices, if you are going to be involved in this tax avoidance, then you are not going to get any more of these breaks because, frankly, you are not being a good citizen corporation; you are acting a little bit too much like Enron. You are not being very patriotic when you are not willing to pay your fair

share of taxes. And, frankly, as Senators, we are sick of the tradeoff. We do not like going back to our States and saying to law enforcement: We are going to have to cut the COPS Program by 80 percent. We do not like to tell small businesses they are not going to have access to low-interest loans. We do not like telling our schools and our children there isn't going to be the money for education. We do not like telling elderly people: God knows for how long all of us who have run for office have promised there will be affordable prescription drugs, but, sorry, we do not have any money to do any of that for you. We do not like telling families who have no health insurance whatsoever: We cannot do anything to help you because we have some of these big corporations, these multinationals, that have done the opposite of being good corporate citizens and basically have set up these elaborate, disingenuous, dishonest, tax evasion schemes.

As a Senator from Minnesota, my priority is to make sure they pay their fair share of taxes. That is the very least we can ask of them.

Mr. President, other than that, I do not feel strongly about this issue.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

RECESS

The hour of 12:35 p.m. having arrived, under the previous order, the Senate will now stand in recess until the hour of 2:15 p.m.

Whereupon, the Senate, at 12:35 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. CLELAND).

The PRESIDING OFFICER. The majority leader.

Mr. DASCHLE. Mr. President, I ask unanimous consent that Senator DURBIN be recognized after my remarks.

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

HONORING SENATOR TED KENNEDY ON HIS 70TH BIRTHDAY

Mr. DASCHLE. Mr. President, my old friend and teacher, Mo Udall, wrote a book called ''Too Funny to be President'' and dedicated it, in his words, ''to the 3,000 Members of Congress, living and dead, with whom I served for nearly three decades.''

It is true. We are all part of a continuum. In the history of our Nation, only 1,864 Americans have ever served in the Senate. Carved or penned into the drawers in our desks are the names of some of the giants—men such as Clay, Webster, Calhoun. But we don't have to open our desks or open a book to see one of the greatest Senators ever to serve in this body. All we have to do is open our eyes. He is right here, at the same desk he has occupied now for the last 40 years.

I have been a Senator for 16 years. I count it as part of my good fortune that I have been able to call TED KENNEDY a colleague all of those years. I consider it an even greater privilege to call him my friend.

Today it gives me enormous pleasure to join the rest of my colleagues in wishing my good friend a happy 70th birthday.

In his remarkable 1999 book ''Edward M. Kennedy: A Biography,'' New York Times reporter Adam Clymer recounts a letter an 8-year-old TED KENNEDY received from his father.

It was 1940. Ambassador Kennedy was writing from war-torn London to his young son who had returned to America. He tells TED that he can hear the bombs exploding outside his residence. Then he writes:

> I hope that when you grow up, you will dedicate your life to trying to work out plans to make people happy instead of making them miserable, as war does today.

Somewhere, I feel certain Joe Kennedy is looking down on his youngest son today, as he does every day, smiling. TED KENNEDY has indeed dedicated his life to trying to make people happy.

The great Irish playwright, George Bernard Shaw, wrote that ''this is the true joy of life: to be used for a principle recognized by yourself as a mighty one . . .''

That is exactly what TED KENNEDY has done. For 40 years now he has used his great booming voice to speak for those who have none. There is no more passionate or effective advocate in this Senate for good schools for every child, decent, affordable health care for every American; there is no one in this body who has fought harder or longer to improve the living standards of working families and protect the basic civil rights of all Americans. He is a drum major for justice.

President Bush says the folks at the coffee shop down in Crawford were surprised to see him praise Senator KENNEDY for his invaluable help in passing the new education reform act. They shouldn't have been.

Since the day he arrived, TED KENNEDY has sought out those with views different from his own to see if together they could find principled compromise. He has never wavered in his principles. At the same time, he is a pragmatist who wants more than anything to get things done.

I remember 5 years ago when we created the Children's Health Insurance Program with strong bipartisan support. It was something Senator KENNEDY had worked on for years. After the vote, he came into my office, as he does sometimes with these victories, beaming. He looked so much like a proud, new father, I thought he might start handing out cigars. To everyone he passed he said, ''Isn't it wonderful.''

As he spoke about that victory, he didn't talk about how many votes his plan had received. He talked about how many children it would help. That is the kind of man he is. He doesn't care who gets the credit so long as people get the help.

Sometimes when I am in this Chamber, I look up to the gallery to see the people who have come here to see this great institution at work. I can always tell from their reactions when Senator KENNEDY has walked on the floor without even looking around. People sit up, heads turn. Almost always you see someone lean over and whisper to the person next to him or her: Look, TED KENNEDY.

He is, undoubtedly, the best known member of this body. Yet he remains a modest man—a worker among workers.

Within our caucus, he is very often the first one to work in the morning and the last person to leave at night.

No job is too small for TED KENNEDY. At the same time, no challenge is too big.

On civil rights, voting rights, education, disarmament and so many other critically important issues, Senator KENNEDY has not only picked up the fallen standard that his brothers John and Robert once carried. He has advanced that standard. He has done much of the work they hoped to do but couldn't.

There is another incident in Adam Clymer's book that may explain, in part, why TED KENNEDY has achieved so much in this Senate.

The year was 1965. TED and Robert Kennedy were serving together on the Labor and Public Welfare Committee. It was Robert Kennedy's first year in the Senate and TED's third.

One day, after they had waited hours to question a committee witness, Robert leaned over and whispered to his brother: ''Is this the way I become a good Senator—sitting here and waiting my turn?''

TED said: ''Yes.''

Robert pressed: ''How many hours do I have to sit to be a good Senator?''

TED answered: ''As long as it takes, Robbie.''

TED KENNEDY is a patient idealist. He understands that progress is a long march and he is willing to work as long and hard as it takes to move America forward.

Carved into the drawer of the desk in which he sits is the name of his other brother, John, who sat there before him and who, like Robert, was taken from him, and us, because of his commitment to public service.

Many people—perhaps most people—who had suffered such loss might withdraw from public service in fear or anger. They might conclude, rightly, that their family had given enough.

But not TED KENNEDY.

He has stayed and has done what his father hoped he would all those years ago. He has dedicated his life to trying to work out plans to make people happy.

Unlike his brothers, he has ''lived to comb his gray hair.''

He has received what they did not: ''the gift of length of years.''

As we celebrate his 70th birthday, it seems to me that America is the real beneficiary of that great gift.

And so, on this happy occasion, I say to my friend, Senator KENNEDY, Thank you. Happy Birthday. And may you have many, many more.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. DURBIN. Mr. President, I ask unanimous consent that I may yield my place in line to Senator KERRY and follow him.

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

The Senator from Massachusetts is recognized.

Mr. KERRY. Mr. President, I thank the Senator from Illinois for his enormous courtesy. I thank the majority leader for his wonderful comments about our colleague.

Mr. REID. Mr. President, doesn't Senator KERRY control the time?

MORNING BUSINESS

The PRESIDING OFFICER. The Senator is correct.

Under the previous order, there will now be a period for the transaction of morning business not to extend beyond the hour of 3:15, with the time under the control of the Senator from Massachusetts, Mr. KERRY.

Mr. KERRY. I ask unanimous consent that the remarks of Senator KENNEDY's House colleagues be printed in the RECORD following my statement.

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

(See exhibit 1.)

Mr. KERRY. Mr. President, I appreciate my colleagues' patience. I hope we will all have a chance to pay tribute.

As the majority leader has just said, and as we have learned in wonderful stories across the country over the course of the last weeks, my senior colleague and our good friend and colleague to all of us on both sides of the aisle celebrated his 70th birthday on February 22, last week, while we were out of session. But he also records a rather remarkable milestone together with a birthday. It is not only a celebration of 70 years of life, but it is also the milestone of 40 years of service to the State of Massachusetts and to his country here in the Senate.

He started his career by setting an extraordinarily high standard in the very beginning because it was when he reached the minimal constitutional age of 30 that he first came to the Senate—one of only 16 people in the history of the Senate to reach this institution at that early and tender age. What we celebrate today, Democrats and Republicans alike, is not only the awe we have for his lifetime of achievement but really the way in which literally almost every single year that Senator KENNEDY has been here there has been a milestone piece of legislation that has passed either with his significant support and input or with his outright leadership.

The Boston Globe put it best, writing not long ago that:

> In actual, measurable impact on the lives of tens of millions of working families, the elderly, and the needy, Ted Kennedy belongs in the same sentence with Franklin Roosevelt.

That sentence is not constructed lightly; it is the measure of a public servant who doesn't know the meaning of the words, ''you can't pass it,'' ''it can't happen,'' or ''impossible.''

It is the measure of a Senator who—on every issue of importance, from health care to children, education, civil rights, choice, and so on—can always be counted on to be in the lead, challenging on the issues and fighting for the principles that guide our party and lift up our country.

As every single one of my colleagues here knows, TED KENNEDY is an extraordinary public servant, not only because he knows who he is personally and sticks to his guns, never bending with the political currents, but because he has in his life and in his career proven again and again that progress doesn't happen by accident, that it doesn't happen when you simply stick to the text of the latest opinion poll or the whispers of a morning focus group, it happens when leaders define and fight the fights that need fighting and when public servants of conscience and conviction refuse to take no for an answer.

That is why, for TED KENNEDY, the ''cause'' has not just endured, it has triumphed—again and again.

Whether you agree with him or not, we know that TED KENNEDY has never been afraid to be a majority of one. We know that he has been an extraordinary leader because he has excelled while completing his work in the Senate, where sometimes others were afraid to begin.

Ironically, in being a standard-bearer for an ideal, TED has become, as Clymer wrote in his recent book:

> [N]ot just the leading Senator of his time, but one of the greats in its history, wise in the workings of this singular institution, especially its demand to be more than partisan to accomplish much.

His partnerships with his fellow Senators are well known and often recited—and sometimes lampooned—from Howard Baker, Jacob Javits, Hugh Scott, ARLEN SPECTER, Dan Quayle, ORRIN HATCH, Alan Simpson, and Nancy Kassebaum—TED has never hesitated to cross the aisle in an effort to accomplish his goals and to further a common agenda—fighting always to prove that ideologies, however incompatible according to conventional wisdom, can be put aside for the greater good when it improves the lives of our fellow Americans.

TED has always done that—put aside partisanship and reached out. On a personal note—and I think there are many Senators who would say this—TED KENNEDY is remarkable. There are so many of our colleagues who have been touched in times of loss, times of distress, times of disease or sickness, before an operation, after an operation, when a child was in trouble; it is almost always TED KENNEDY who is one of the first to pick up the phone and one of the first to offer support.

I remember 30 years ago when I came back from Vietnam and a group of us ragtag veterans assembled on The Mall here to try to get the country to listen to what we thought was the truth.

There were not many leaders in the Senate prepared to listen, but TED KENNEDY was among the first and the few who came down to that encampment, sat during the night, listened to the stories of veterans, and came back to the floor of the Senate to be an extraordinary witness to their truth. He reached out and demonstrated in actions, as well as words, the truth for which those soldiers had fought.

Now we see that in so many ways. He goes where his conscience tells him to go. He hears of children who go through their early years without health care, who come to school unable to learn, and he has made their care his crusade. So millions more children today see a doctor because of TED KENNEDY and millions more will before he is done.

He hears of workers sweating it out, punching a timeclock, doing back-breaking work over the course of a lifetime, and he has made their economic security his agenda. And so many millions of workers have seen their wages increased over the course of their lives, pensions protected where others would have left it to the marketplace, and he has created a safe workplace, and the right to organize has been put back on the Nation's agenda. These issues again and again will be advanced by TED KENNEDY.

That is the drive, the passion, and the special commitment we celebrate today. This is not a new ideology, it is not a new-age vision, but it is an age-old belief that Americans have a responsibility to each other, that America is still in the process of becoming, and that we are privileged to serve here to make that dream real for all Americans.

These are the qualities that make our colleague the lion of the Senate and make him one of the most prolific legislators in American history. They also make him what his brother Robert said was some of the most important words in the English language: A great citizen.

For that and so much more, we honor our friend and colleague TED KENNEDY today.

EXHIBIT 1

REMARKS BY REPRESENTATIVE MARKEY

This past week, the Commonwealth of Massachusetts celebrated the 70th Birthday of our senior senator, Ted Kennedy, and a legacy of public service unsurpassed in its

benefit to the people of our state, the country and the world. Of course, his legacy grows day by day, week by week, year by year, and will undoubtedly result in the greatest record of achievement that the United States Senate has ever known.

It brings to mind a recent event of importance to all New Englanders. The New England Patriots won the Super Bowl this year, one of the greatest achievements in professional sports. So great is this achievement that our regional team has accomplished this incredible feat just once in its 40 year history. When a professional football team wins more than one championship in a relatively short time frame we proclaim it a dynasty. But what if a professional football team won the Super Bowl for 40 consecutive years? How would we describe such unprecedented success?

That is the challenge we face as we celebrate the achievements of Ted Kennedy, for he manages to win the legislative Super Bowl every year. He has many teammates contributing to the success of their mutual efforts from year to year, but they come and go. The one constant is Senator Ted Kennedy, a Senate giant, the quarterback, the leader.

Senator Kennedy has provided a powerful and effective voice for those who do not have a high-priced and well-recognized lobby in Washington—the poor and the underprivileged. His legislative accomplishments have enhanced the quality of health care we provide our constituents, the quality of education we provide our children and the quality of life every American family enjoys in this nation by safeguarding our environment and providing protection and equity in the workplace. Collectively, Senator Kennedy's body of work has given every individual in this country an opportunity to reach their ''American Dream.''

When Senator Kennedy retires they will place his picture and biography in the dictionary next to the definition of Senator. It will be an abridged version, because they won't have enough room to describe his accomplishments of the next forty years. It is an honor to call Ted my colleague, it is an honor to call him my friend, but most importantly it is an honor to call him my Senator.

REMARKS BY REPRESENTATIVE MICHAEL CAPUANO

I would like to extend my congratulations and best wishes to Senator Edward Kennedy as he celebrates his 70th birthday.

Senator Kennedy's impact on Massachusetts and on our country is immeasurable. His powerful stamp can be found on national legislation and local programs ranging from health care and affordable housing to education. He is a true champion of America's working men and women and is a strong advocate for the needs of children.

In Massachusetts, Senator Kennedy's hard work is visible in so many ways. He fights to increase access to public transportation and improve and highway system. He brings federal dollars to every corner of the Commonwealth for after-school programs, teacher training, counseling and a host of important initiatives.

I am proud to serve in the Congress with Senator Kennedy and have learned a great deal from him during my short time in Washington. I look forward to serving many more years with the Senator. I know that Massachusetts and our country will continue to benefit from his years of experience.

REMARKS BY REPRESENTATIVE WILLIAM D. DELAHUNT

This month the family, friends and admirers of Senator Edward M. Kennedy celebrate two major milestones: his 70th birthday and his 40th year in the Senate. It is a fitting moment to take stock of what his leadership has meant for social policy in this country.

Senator Kennedy's legacy in the fields of health care reform, education and civil rights is a testament to his principled commitment to making America a more just society. His success in accomplishing so much of what he has set out to do—whether in the majority or the minority—is a testament to his gift for finding common ground and his mastery of the legislative art.

In no area of his work have those twin attributes of principle and pragmatism been so in evidence as in his efforts to improve the criminal justice system.

As a local prosecutor for over two decades, I watched with pride as Senator Kennedy fought for sensible crime control policies at a time when many in Congress were running in the opposite direction.

As his congressional colleague for the last five years, I have been gratified to be able to collaborate with him on legislation to give local law enforcement officers the tools they need to keep our streets and neighborhoods safe, while also providing resources to community-based prevention and early intervention programs that keep young people from turning to violence in the first place.

Ted Kennedy has always understood that government cannot respond effectively to such complex problems if politicians are merely reactive—if they cling to failed policies and discredited theories our of fear that an opponent will label them ''soft on crime''.

And no one can call Senator Kennedy soft on crime. He understands—as few people can—the terrible toll that violence has taken on our families, our communities, and our culture. His own experience has made him especially sensitive to the needs of victims of violence in all its forms.

Yet the Senator has never wavered in his insistence on due process and his deep opposition to capital punishment. His principles were sorely tested as he watched his brothers John and Bobby cut down in their prime. Few would have blamed him had he sought vengeance against the assassin who took the life of Robert Kennedy. Yet characteristically, he spoke even in his grief not of vengeance but of compassion, asking the Los Angeles district attorney to retrain from seeking the death penalty.

Some politicians have been tempted to cast aside the Constitution when expediency demanded it. Not Ted Kennedy. He fought for a balanced crime bill in 1996, yet voted against it when it failed to safeguard the Writ of Habeas Corpus. He has continued to stand up for the rights of immigrants, whom others have far too often found an easy target in times of trouble. He has struggled to pass federal hate crimes legislation that would curb violence and harassment against gays and lesbians—another frequent scapegoat for popular anxieties.

The commitment to a just society, that combination of principle and pragmatism, are among the many reasons I am proud to call Edward M. Kennedy my senator. My constituent. And my friend. Happy birthday, Ted.

REMARKS BY REPRESENTATIVE BARNEY FRANK

The senior Senator from Massachusetts, Mr. Kennedy, has done more to advance fairness in American life in the past forty years than anyone else in the country. I can think of no group of people suffering from unjustified adversity of whom he has been not simply a champion, but the most forceful, passionate, and, most importantly, the most effective champion.

In fact, his extraordinary lifetime work for social and economic justice is not only the most impressive in post-World War II America, it overshadows the work of all but a handful of American public officials who have gone before him.

At this point, I encounter a dilemma. Having said this about Senator Kennedy's career, I find myself without anything else to say on this central point—he has been for forty years the best we have at the most important task confronting public policy makers, and there is nothing to add to that in evaluating a political leader. But to end here somehow seems inadequate—if only to guard against misinterpretation of my opinion by those who measure admiration by its length. Fortunately, there is one subordinate aspect of Senator Kennedy's record that I believe calls out for comment—his shattering of a number of stereotypes.

One form of shallow analysis that plagues the study of politics in America is that which sets up a series of false choices, and insists that public figures must choose to be on one side or the other of a set of opposites. We are told that effective insiders in Congress who seek to get things done cannot simultaneously be forceful public advocates. We are told that the political world is cleanly divided between idealists, pure but impractical, and pragmatists, ever ready to trade in principle for the sake of a deal. And last in this series, Members of Congress are often divided between those who focus on broad national themes, and their opposites who spend their time and energy working on specific projects for their local constituencies.

One of the things that makes me grateful to Senator Kennedy for his unsurpassed legislative work is that he defies every one of these false dichotomies. He has been for Massachusetts an extremely effective advocate without in any way holding back from being our leading national voice for economic and social fairness.

Nor does this passionate national advocacy in any way diminish his impact in the Senate, where he is one of the most productive and successful legislators in that body's history. And his impact has come precisely because he is so strongly committed to a set of ideals that he understands that his obligation is to be successful in carrying them into fruition.

I believe it is important to admit one's mistakes, even if it isn't a lot of fun. And there is no statute of limitations on this principle. Forty years ago, I opposed Edward Kennedy's candidacy for the Democratic nomination for the U.S. Senate. While I continue to have an enormous amount of respect for the late Edward McCormack, who was then his opponent, I want to say here that I have never been happier to have proven so wrong.

REMARKS BY REPRESENTATIVE STEPHEN F. LYNCH

It is with great honor that I rise today to pay tribute to an extraordinary man and an exemplary public figure. For forty years, Senator Ted Kennedy has given a voice to those without one, and has stood up for all those who need it most. Senator Kennedy has been a leader for Massachusetts, and for our nation, and his work has touched the lives of hundreds of millions of Americans. We all recognize his remarkable efforts in protecting the civil rights of all Americans, improving the quality and accessibility of education, and his undying commitment to extend health care coverage to every American. But I want to pay special tribute to Senator Kennedy's dedication to the working men and women of Massachusetts.

As an ironworker for eighteen years, I know firsthand the pride that comes from earning a living with your hands, and the struggles a worker must face to provide for his family on a blue-collar wage. No member

of the United States Senate understands the reality of working families better, and no member respects them more than Ted Kennedy. Senator Kennedy appreciates the dignity of teachers, of mechanics, of nurses, and of ironworkers. He recognizes that working Americans aren't just looking for handouts from their government—they're looking for a leg up, to help them ensure that their children have every opportunity to succeed, and they're looking for a safety net, to help them provide for their families during the most difficult times.

Senator Kennedy's legislative record reflects those principles, and that is why he has been the single most effective advocate for working Americans in our time.

First and foremost amongst Senator Kennedy's legislative achievements is his ongoing fight for workers' rights and protections. One of the most basic principles upon which our nation was founded was fairness, and Ted Kennedy has done everything he can to promote that in the workplace.

He has fought successfully to improve workplace safety and conditions, and continues to fight for ergonomics standards today. He has fought successfully to raise the minimum wage, and lift working families above the poverty line. Additionally, he has stood on the lines with workers across the state to demand a fair wage for their work. His reputation as a trusted negotiator with both workers and management has allowed Senator Kennedy to quiet disputes and bring all sides to the table for a fair and equitable resolution during sometimes hostile labor disputes. In 1999, he intervened in the nurses strike at St. Vincent's Hospital in Worcester, and all sides came out winners when the nurses returned to work with new restrictions on mandatory overtime which improved the safety and quality of care for patients.

Senator Kennedy has fought to ensure that all workers are paid an equitable wage, regardless of sex, race, or sexual orientation. he fought successfully for passage of the Family and Medical Leave Act of 1993, which allows workers to take unpaid leave to care for members of their family when they are ill.

Senator Kennedy believes in the power of education, and knows that it is essential to providing children and adults alike with the opportunity to succeed. In today's marketplace, employers require a higher level of skill and training than ever before. That is why Senator Kennedy's efforts to expand opportunities for job training centers and career counseling services have had such an impact for workers who have been laid off, or who are looking to take the next step in their careers.

In this time of economic recession, more and more workers are laid off and need a temporary boost to help them continue to provide for their families. It is in times like these when Senator Kennedy's most significant impact becomes clear. Because of his work in championing benefits for the unemployed, and in providing transitional assistance to workers, millions of Americans have the ability to take the time to retrain themselves, and re-enter the workforce sooner. And, because of his work to extend health care coverage to those who have recently lost their jobs, the health and safety of their children need not be put at risk while they're looking for a new job.

Senator Kennedy's efforts to protect and support working Americans have been felt far and wide. As a former union president and head of a working family, I cannot express how grateful I am to him for his courage, his voice and for his support. I wish Senator Kennedy all the best on the occasion of his 70th birthday, and hope for all Americans, that he will continue to serve this nation for many decades to come.

REMARKS BY REPRESENTATIVE JAMES MC GOVERN

I rise today to pay tribute to a true champion of Massachusetts, Senator Ted Kennedy. As many Members of the House know, the Senator is celebrating his 70th birthday this year.

For most of those 70 years, Senator Kennedy has been a voice for the voiceless, a champion of working families, a force for peace and justice at home and around the world.

It is nearly impossible to find a major piece of domestic legislation over the past two generations that has not been shaped by the Senator's drive, courage, tenacity and collegiality.

From making health care more affordable to raising the minimum wage; from civil rights for all Americans to fair and compassionate treatment of immigrants; from Biafra to Bangladesh to Belfast—Senator Kennedy has led the charge.

But though he has reached the pinnacles of power, Senator Kennedy has never forgotten the people of Massachusetts who have elected him over and over again. One only needs to drive through the 3rd Congressional District to see his handiwork. Dozens of economic development projects simply would not have happened without him.

The Kennedy name, of course, is synonymous with service in Massachusetts. Senator Kennedy not only survived almost unimaginable personal tragedy, he persevered. He persevered because for him, public service is not a job—it is a calling, a mission, a vocation.

And on a more personal level, Senator Kennedy has been an amazingly generous friend to me and my family. I have learned a tremendous amount from him, and I am honored to call him a colleague.

I know that all of my colleagues in the House join me in wishing Senator Ted Kennedy a very happy 70th birthday, and many more happy birthdays to come.

REMARKS BY REPRESENTATIVE MARTY MEEHAN

I rise to honor Senator Edward M. Kennedy. Senator Kennedy celebrated his 70th birthday on Friday, February 22, 2002.

For nearly 40 years, Senator Kennedy has dedicated his energies and remarkable abilities to making our communities, our Commonwealth, and our nation a better place to live.

The fruits of his efforts are evident throughout Massachusetts' Fifth Congressional District. From the redevelopment of the former Ft. Devens military base to the preservation of the Watt Farm in Harvard, from the construction of a new bus operations and maintenance facility in Lowell to the renovation of the Marlborough Hospital's Emergency Department, from the Merrimack Valley to the Metrowest area, Senator Kennedy has delivered for the residents of the Fifth District.

Senator Kennedy's record of accomplishment doesn't end at the borders of the Fifth District or even the Commonwealth of Massachusetts. In fact, it just begins. On every important fight waged for the working families of our nation, Senator Kennedy has been our leader.

He has fought tirelessly for civil rights on the home front and human rights around the globe. He has worked to improve our public schools, to make college more affordable, and to give workers the resources they need to upgrade their skills. He has waged an endless battle to make work pay by pushing for an increase in the minimum wage. And his leadership on health care has made health insurance a reality for the poorest children of our nation and focused us all on the need for meaningful managed care reform. And I believe that when Congress passes legislation to create a Medicare prescription drug benefit for seniors, we will have Senator Kennedy to thank for that.

On July 15th, 1960, Senator John Fitzgerald Kennedy issued a challenge to a generation of young Americans. ''The New Frontier of which I speak,'' he said, ''is not a set of promises. It is a set of challenges. It sums up not what I intend to offer the American people, but what I intend to ask of them.''

On June 6, 1966, Senator Robert Francis Kennedy spoke in Capetown, South Africa about the nature of the challenge his older brother issued our nation: ''Few will have the greatness to bend history; but each of us can work to change a small portion of events, and in the total of those acts will be written the history of the generation . . . It is from numberless diverse acts of courage and belief that human history is thus shaped. Each time a man stands up for an ideal, or acts to improve the lot of others, or strikes out against injustice, he sends forth a tiny ripple of hope, and crossing each other from a million different centers of energy and daring, those ripples build a current which can sweep down the mightiest walls of oppression and resistance.''

That call to service, to courage, to secure universal justice, inspired generations of Americans to change the world around them—including the oldest son of a working-class family on 22 London Street in ''the Acre'' section of Lowell.

Along with millions of Americans, my ideals, my values, and my vision for a great and just America were inspired by Senator Kennedy's brothers. I serve in Congress today—and strive to make a difference—because of the Kennedy family.

While his brothers continue to inspire us all, it is Senator Kennedy's endless determination, boundless compassion, selfless commitment, and knowledge about how to get things done, that has made their vision a reality. When the history books are written, it is certain that the career of Senator Edward M. Kennedy will stand as one of the most productive and important of all time.

Senator, you are one of Massachusetts' greatest treasures. Happy 70th Birthday, and thank you for 40 years of service in the United States Senate.

REMARKS BY REPRESENTATIVE RICHARD E. NEAL

Twenty two years ago, at a caucus in the Springfield Civic Center, I was elected as a delegate to the Democratic National Convention in New York in support of a candidate for president who had a bold vision for our country. He stood for economic and social justice, affordable health care and improving the quality of education for all. And while that campaign in 1980 proved to be unsuccessful, his message inspired the hearts and minds of countless Americans who were dedicated to making a difference in the lives of others. That candidate's name was Edward M. Kennedy.

I share this piece of personal history because Friday was Senator Kennedy's 70th birthday. It also represented the 40th anniversary of his election to the United States Senate. It has been a career of triumph and tragedy, victory and setback. But through it all Ted Kennedy has persevered, continuing to be a strong and steady voice for working families and the less fortunate. At this point in his extraordinary life, he has become a true statesman of the Democratic Party, passionately articulating its values and beliefs to a national constituency.

He has displayed that same conviction in his tireless efforts to bring peace and reconciliation to the island of Ireland. While

many would point to the early 1990's as the beginning of America's involvement in this bitter conflict, Kennedy's interest goes back to the early 1970's. The contribution he and his family have made to the current success of the peace process simply cannot be overstated.

But there is another side to Ted Kennedy that I have always found even more appealing. It is one of the primary reasons why I have been such a steadfast and loyal supporter for so many years. And it is what the people of this state have known since his first election in 1962. If it helps people in Massachusetts, no issue is too small or insignificant for Senator Kennedy to embrace and lead the charge. Here is one example.

Soon after my election to Congress, Speaker Tom Foley appointed me to serve on the House Ways and Means Committee which has jurisdiction over health related matters. One of my first challenges was a complex Medicare reimbursement issue designed to help Mercy Hospital in Springfield. At my request, Ted Kennedy took up the fight in the Senate and made it a top priority.

As the Chairman of the Senate Health, Education and Labor Committee, he was the principal architect for health care reform in the nation. His thoughts on this critical issue lead the network news each night. But unlike most politicians, Kennedy's best work often times goes unseen. He fought long and hard behind the scenes to ensure that the concerns of Mercy Hospital were included in the overall Medicare bill. Throughout this long process, Ted Kennedy displayed his trademark human touch.

I can vividly recall him taking time to meet with Sister Mary Caritas, then President of Mercy Hospital, to hear her concerns about the economic impact of this proposal. In the middle of this important national debate, he never forgot the people back home. He took her phone calls personally, and never missed an opportunity to update her on the progress of this technical issue.

Not surprisingly, the proposed change to the Medicare program became law and Mercy Hospital was helped a great deal. Even now, many years later, he still asks me in that distinctive voice: ''Richie, how is Sister Caritas?''

And this example is not unlike the way he has worked on new projects like Springfield's Union Station, the Federal Courthouse in Springfield, the Pioneer Valley Life Sciences Initiative and countless others across the Second District and beyond.

Much has been written about the senior Senator from Massachusetts over the years. As someone who was with him as recently as last week, it is clear that he has not lost the boundless enthusiasm he brings to the job. In a meeting about airport security in my office, he was as energetic and focused as the candidate that I endorsed back in 1980.

Senator Kennedy may be known nationally as one the most effective legislators in the history of the United States Senate. He has the well deserved title of patriarch of one of America's most distinguished families. In my 25 years of public service, I think of him simply as one of the best friends the people of western Massachusetts ever had.

Happy Birthday Teddy.

REMARKS BY REPRESENTATIVE JOHN W. OLVER

I would like to salute Senator Edward M. Kennedy, on the occasion of his 70th birthday and his 40th year of service in the United States Senate.

Senator Kennedy has made it his life's mission to work on behalf of those who are too often overlooked: children, the elderly, individuals with disabilities, the poor and the workers of this nation. From the Americans with Disabilities Act to increases in the federal minimum wage to his advocacy for those infected with HIV and AIDS, Senator Kennedy has led the fight to provide equal opportunities and resources for everyone in America.

When I look at the congressional district that I represent, I see Senator Kennedy's influence everywhere. He has helped to build a thriving arts community in Berkshire County, provided critical support for biotechnology investment in the Pioneer Valley, and successfully lobbied for urban redevelopment funding in north Worcester County. Thanks to Senator Kennedy's vision, there are five community health centers serving the uninsured and the underinsured in my district.

The list of Senator Kennedy's accomplishments, both in Massachusetts and across the country, goes on and on. His effectiveness as a legislator is unparalleled, and his tireless work over the last forty years is an inspiration to all of us. I feel honored to have worked with Senator Kennedy for the last decade, and I congratulate him on all of his remarkable achievements.

REMARKS BY REPRESENTATIVE JOHN F. TIERNEY

I am proud to honor Senator Edward M. Kennedy on the occasion of his 70th birthday. I am pleased to join my colleagues in the Massachusetts delegation in paying tribute to our friend, our leader, our inspiration as he reaches this important milestone in his remarkable life.

Senatory Kennedy has accomplished so much for our state and our nation over these past forty years that it is difficult to distill all of his work on behalf of American families into just a few words. He has been, and continues to be, a champion of quality health care for all Americans, a true believer in public education and a fervent advocate of living wages for working people in this country. For all of those reasons and more he enjoys the respect and affection of millions of people all across the country.

Two of Senator Kennedy's accomplishments, however, have had particular relevance to my constituents in the Sixth District of Massachusetts: First, he was the primary sponsor of legislation that created the Essex National Heritage Commission, an extraordinary public-private partnership which continues to excel in its mission of educating schoolchildren, residents and visitors alike on the wonderful maritime, industrial and cultural history of our region in the northeastern part of Massachusetts. His continuing advocacy ensures that the rich heritage of the 34 diverse communities that comprise the Essex National Heritage Area will be preserved and passed along to future generations.

Senator Kennedy has also been a tireless advocate on behalf of the thousands of Massachusetts families for whom commercial fishing has been both a livelihood and a way of life for almost 400 years. For four decades Senator Kennedy has stood shoulder to shoulder with those families. Through good times and bad, through declining stocks and proliferating regulations, through devastating natural disasters and deep personal losses, he has been a source of strength and hope. Angela Sanfilippo, longtime president of the Gloucester Fisherman's Wives Association, said it quite simply in her birthday tribute to Senator Kennedy in the February 22 edition of the Gloucester Daily Times: ''No one has been more of a friend to us than U.S. Senator Edward Kennedy.''

Happy Birthday, Senator. I look forward to serving with you for many years to come.

Mr. KERRY. I yield such time as the Senator from Nevada might use and then the Senator from Illinois.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, the Kennedy family has a long, proud, and enduring legacy of public service. Senator KENNEDY's father, Joseph, served as Ambassador to the Court of St. James, and we all know how he encouraged his children to pursue public service, and public service they pursued.

John Kennedy, of course, became a Senator and then President. Robert Kennedy served as Attorney General and then as a Senator. Today, younger generations of the family are adding to this record by holding public office and doing noble work in their communities.

The Kennedys have made an impact on me. In my office across the hall, I have a letter I received from President John F. Kennedy—he was a Senator who had just been elected President—congratulating me for forming the first Young Democratic organization in the history of Utah State University.

I never met President Kennedy, but I can remember when I worked here as a policeman on Capitol Hill driving home by the White House, looking out on the lawn and seeing Macaroni, Caroline's horse. I can remember when I was a Capitol Policeman and President Kennedy had been assassinated. I, of course, knew all the shortcuts through this Capitol, and I took them and walked past his casket.

Now, many years later, in the same office that I talked about a minute ago, there is a plaque on the wall announcing that John Kennedy occupied the office from July 13, 1960, when he was nominated for President, until his inauguration in January of 1961. Every day I see that big bronze plaque. Every day I think of President Kennedy.

Robert Kennedy inspired me and millions of young people in my generation who admired his commitment to helping the poor and disenfranchised and believed we could make a difference. One of my favorite stories about Robert Kennedy recalls a meeting he had with a bunch of affluent people. After outlining his vision for our country, Robert Kennedy was asked: Who is going to pay for this? Senator Kennedy did not pause a second. He said: You are going to pay for it. That is integrity. That is what the Kennedys have brought to America.

As we recognize these contributions, let us also acknowledge the Kennedy family has made tremendous personal sacrifices for our country. Three brothers lost their lives serving our country. Joseph, Jr., was killed in a plane crash while on a dangerous volunteer mission over Europe during World War II. He was killed at the age of 29. President John Kennedy was assassinated at the age of 46. Robert Kennedy was assassinated at the age of 42. Of course, sister Kathleen died in a plane crash at the age of 28. The Kennedys have been beset by tragedy played out on the public stage perhaps as no other American family.

My first memory of Senator TED KENNEDY dates back to when I was on vacation years ago with my best friend

watching television and Robert Kennedy's funeral was being broadcast. I can remember clearly TED KENNEDY's eulogy. It is something I will never forget. One of my sons this past Christmas gave me a compact disc of famous speeches. There were not that many famous speeches on this CD, perhaps 20, but one on that CD was the remarks Senator KENNEDY gave at his brother Robert's funeral.

Over the years, TED KENNEDY has given many great speeches, powerful, moving speeches, but even more significant than his skills as an orator is that he has been a voice for those without power. This powerful man has been a voice for those without power and a champion of social justice for all Americans.

As the most prominent surviving member of this great family, it would have been easy, as Senator KERRY and Senator DASCHLE have both mentioned, for him to have become discouraged and to give in to fear of being a target for more violence. We all would have understood if he had decided to leave the limelight, to withdraw, but he accepted the burden and embraced the responsibilities of being a Kennedy, of being an American. He has persevered and continues to serve. His contributions are significant, and America is a better place as a result of his contributions.

Senator KENNEDY has served our Nation for almost 40 years in the Senate. He was elected in 1962 to fill the seat of his brother, John F. Kennedy, who had been elected President. During more than six terms in the Senate, he has accomplished so much. In particular, he has led the effort to bring quality health care to all Americans. He sponsored and succeeded in getting passage of the Patients' Bill of Rights that we want to finalize.

Senator KENNEDY has been involved in so many different aspects of education. He played a key role in enacting education reform legislation, as Senator DASCHLE said, to help students, to help teachers to, in effect, improve the quality of our Nation's schools and hold them accountable.

He has also taken to the barricades on labor issues, fighting on behalf of America's working men and women. There is no greater hero in the America union movement than TED KENNEDY. He has forcefully advocated for a higher minimum wage many times, and he is now a leading proponent for helping workers, especially nurses, to eliminate mandatory overtime.

We have worked together on some issues since I have been in the Senate, issues that maybe he did not have a stake in or at least people did not think so; for example, what should we do about people who have risked their health and even sacrificed their lives to win the Cold War. He became involved in this and helped pass legislation to make sure those people who were injured in the Cold War were also recognized and compensated. It could not have been done without him.

Certainly Senator KENNEDY has a distinguished record of legislative accomplishments, but he has not rested on his laurels. He continues every day to work hard to continue to have a positive impact.

I express publicly my gratitude for his help. Senator KENNEDY was a legend when I got here. I was so impressed with Senator KENNEDY always asking: Do you want to go first? Do you want your name first on the legislation? Do you want to speak first?

He is a modest man. I will always remember how good he has been to me, his continued willingness to set aside personal fame—glory, really, that he already has—and instead lead the charge for us or do whatever is necessary for the good of the team. He has been helpful and inspirational to Senator DASCHLE and HARRY REID. It is easy to say, but I can testify to this: He always cares about his Nation first.

I thank you again, TED, for your many contributions and years of service. I wish to thank you and your lovely wife Vicki. I wish you both Godspeed. May you have many more birthday parties such as this.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Mr. President, I yield such time as he will use to the Senator from Illinois. I thank him again for this courtesy. If my colleagues would allow, I would like to go to the other side of the aisle for a moment and come back to Senator SCHUMER, Senator CLINTON, and Senator STABENOW.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, about 35 years ago as a college student I was seated in this Senate gallery because there was a historic event about to take place. Senator Robert Kennedy, of New York, was to announce a very important statement about the Vietnam war. I sat there late into the evening waiting for this moment and looked down from that gallery to see Senator Robert Kennedy come to the floor with his brother, Senator TED KENNEDY. I watched this speech. I listened to every word of it. It had such an impact on me, as I am sure it did on many people across America, these two brothers continuing to serve this country after their brother, the former President, had lost his life, continuing to be in the midst of the arena for every important issue. I am sure there were many reasons for my being here today, but that experience, watching Senators Bob and TED KENNEDY, was part of that process of learning and dedicating your life.

TED KENNEDY was born to public life. He came to Washington as part of a family as storied as the John Adams family. He was elected at age 30. Many of his critics dismissed him. They believed he was only capitalizing on the most fabled democratic name in the latter half of the last century. Over his Senate career, TED KENNEDY has proven his critics wrong. He stands today as a Senator who was first among equals. Many matters come before the Senate. Many issues are debated and voted on, but you can be certain that every issue which touches the hearts of the American people will bring TEDDY KENNEDY to the floor, to his feet, and to the center of the debate.

Hubert Humphrey said: You can judge the government by the care it gives to those in the dawn of life, our children, those in the twilight of life, our elderly, and those in the shadows of life, the disabled and the dispossessed.

I might add, you can judge the heart of a Senator by his commitment to these same voices of needy citizens in America.

By that standard, TED KENNEDY's career in the Senate will be measured as one of the best. For four decades, hundreds of Senators have come and gone, thousands of matters of national importance have been considered. But there has been one constant. Whether the issue was civil rights or human rights, education, health care for children, mental health, the rights of working people, food for our poor and the poor of the world, there was one man who could always be counted on to make the fight: TED KENNEDY—on civil rights, on Medicare, on Americans with disabilities.

TED KENNEDY has been quite a spokesman and champion throughout his career for the elderly. Little did he realize that his passion for senior citizens would eventually become a conflict of interest, as he now qualifies for both Social Security and Medicare. But that has not deterred him. He takes to this floor with the charm of the Irish and the tenacity of a bulldog. He can bring us together to think, to laugh, to weep, to reflect on the meaning of public life and the meaning of life itself.

In many of my campaigns in downstate Illinois as a Congressman and as a candidate for the Senate, my opponent would go to some well-paid pollster who would say: What you want to do is say that this DURBIN votes a lot like TED KENNEDY.

Well, I have never shied away from that accusation. I welcome it because time and again he has stood for the right causes and for the right reasons. I am honored to serve with TED KENNEDY. I am honored to count him as my friend and ally in so many important fights. He has made this Senate and this Nation a better place to serve and live. TED KENNEDY is the people's Senator.

Happy birthday, TED.

Mr. KERRY. I yield 5 minutes to the Senator from Alaska.

Mr. STEVENS. Mr. President, I am reminded of a time when I was standing in the Republican cloakroom and someone announced that another Senator was having a 70th birthday. Senator STROM THURMOND said: Oh, to be 70 again. I say the same thing to my friend from Massachusetts today.

Senator KENNEDY and I have had a friendship that goes back many years,

some 34 years. In January or February of 1969, Senator KENNEDY decided to take a trip to my State to look into the plight of the Alaskan Native people, particularly with regard to education and health conditions. We traveled there to small villages from the west coast into the north country, and we had a good trip. We formed a bond then that, despite our differences in the last 34 years—and we have had differences—we have never had any disagreements. And I will tell the Senate why.

At one of these small villages we were walking around, it was really quite cold. The snow was hard packed on the ground in this small village. Suddenly, out of a door of a little cabin, a young boy, little boy, darted. He just had a top on, as a matter of fact. He somehow or other had lost his diapers or whatever he had on the bottom. Senator KENNEDY and I saw that. TED, with one hand, reached down and scooped him up and with the other hand unzipped his parka and stuffed that kid in the parka, and the three of us walked around that village until the two of us found out where he lived.

TED may not remember, but when we went into that little cabin and presented the mother with the boy, there on the wall was a picture of his brother Jack. It was a very interesting day. We went on to other places.

I am here today to wish my friend happy birthday, but also to tell him I have cherished that bond, that friendship. Any man who understands children that way is a friend of mine. We have worked for children, for preschoolers, for education, for the health and welfare reform of the Native people. They have met him, and they still have great fondness and love for the Senator from Massachusetts.

Happy birthday, TED. Best wishes to you and Vicki. I look forward to you one of these days saying: Oh, to be 70 again.

Mr. KERRY. Mr. President, the Senator from New York is recognized for 2 minutes.

Mr. SCHUMER. Mr. President, I have admired TED KENNEDY for as long as I can remember—as a citizen watching his early days in the Senate, his leadership against the Vietnam war and for civil rights, and then when I became a Congressman and served on the Judiciary Committee and we worked on different pieces of legislation together. I was utterly amazed at this man. He had the energy and enthusiasm and high spirits of a freshman, even though he had been here for 25 years, with the wisdom and experience and substantive expertise of a veteran.

But, my colleagues—and I am sure every one of you has experienced this—the closer you get, the better TED KENNEDY looks. In the Senate he is just, as my daughters would say, awesome.

His compassion drives the man—he cares. This is not just a game for him. This is not just something to go home and talk to the voters about. Every atom of his body breathes help for those who need help, and fairness, and having our country live up to its ideals.

Every one of us have seen him here in the Senate early in the morning, hard at work going over a speech he was going to give. It is no accident that he is the best speaker in the place. He has the natural talent, but then he works at it on top of that.

His dedication to the body—I cannot thank TED enough for the guidance he has given me. I need a heck of a lot of it, but we are working on it, and he has provided it better than anybody else.

The man, as one of my colleagues said—I think it was the Senator from Massachusetts—is the lion of the Senate. We admire him; we are grateful for him; we love him. TED, all of us wish you many more years to keep on doing what you have been doing, for us and for America.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. I thank the Senator from New York. In deference to the fact that she needs to preside in a few minutes, I recognize the Senator from Michigan and then the Senator from New York, the junior Senator, and then we will go to the other side of the aisle again. I yield 2 minutes.

Ms. STABENOW. Mr. President, I appreciate my friend allowing me to speak at this time because of the need for me to preside in a moment.

I could not let this time go by without joining my colleagues in saying happy birthday and how I have such respect and admiration for a gentleman who is becoming a wonderful friend. I thank him for that.

People ask me what is the biggest surprise or what I am most impressed about after a year in the Senate. I always indicate how impressed I am with my colleagues and their hard work, how much they care, and the intelligence that people bring to the job. I say the person I have been most impressed with—and, frankly, surprised about—is Senator KENNEDY. Not because of his intelligence; we know his intelligence. We know he stands up for those who need a voice and for principle. He is a strong advocate and a wonderful speaker.

But what has been a wonderful surprise to me is that this gentleman, who could, essentially, sit in the Senate and have the enjoyment of knowing that people recognize his stature, who could speak when he would like or be involved in such legislation as he would like, is a Senator who, when the door is closed, is in the room counting the votes, working hard on the nitty-gritty that has to be done beyond the glare of the cameras.

I have been so impressed with Senator KENNEDY's willingness to be in that room. I will never forget, when we were meeting with advocates about the Patients' Bill of Rights; Senator KENNEDY was there. He stays there, doing what needs to be done, calling the meeting, putting it together, talking about amendments, negotiating with people—he does the hard work of legislating. This person whom we know and respect and who comes from such a legendary family is there every minute, getting the job done.

I have learned so much in the last year and have been so impressed with the wonderful compassion and leadership this man brings to us.

I had an opportunity this weekend to see a movie a lot of people are seeing right now, ''John Q,'' a wonderful performance by Denzel Washington. I sat there being enraged and yet feeling a great sense of urgency that many of us experience about health care. But I walked away thinking: Every day, John Q has a fighter for him in the Senate named Senator TED KENNEDY. It is because of this gentleman, whom we are celebrating today and thanking today, that I know we are going to be able to finally make sure that those represented by the movie ''John Q'' will get the health care they need.

Thank you and happy birthday.

Mr. KERRY. I am grateful to the Senator for her remarks, and I recognize the Senator from New York for such time as she consumes.

Mrs. CLINTON. Mr. President, I thank the Senator from Massachusetts, not only for yielding that time but also for giving us this opportunity to come to the floor and express our appreciation and gratitude to our colleague.

There have been a lot of wonderful words already spoken. There will be many more this afternoon and included in the RECORD. I think that all goes to the point that each of us, Republican and Democrat alike, Member of the Senate or the House, citizen of Massachusetts, New York, or any State in our Union, shares a common bond of pride in the work Senator KENNEDY has done over a lifetime.

I remember the first time I saw him in action, it was 1978, it was the Democratic Party's so-called midterm convention in Memphis, TN. TED KENNEDY had come to appear on a panel about health care. The fire and the passion and the extraordinary knowledge he displayed 25 years ago on that issue is just as prominent in his public pronouncements and actions today.

Twenty-five years ago he was making the case that, in a country as rich as ours, every single citizen should as a matter of right be entitled to quality, affordable health care. He laid out ideas then which he has worked on steadily in the years since.

I appreciate the extraordinary guidance and support he gave to me when I tackled the rather awesome task of working on health care, an issue that has certainly brought a lot of humility to my life. In the work that I did, it was Senator KENNEDY who understood it intuitively, who absolutely mastered every nuance, and was ready to offer counsel and advice about how we should go forward. As everyone knows, that wasn't a successful effort. But in

such a typical fashion that really marks his Senate career, he didn't waste any time regretting what was not done. He immediately got to work about what could be done. As a result, we had the Kennedy-Kassebaum bill. We had the great partnership between Senator KENNEDY and his colleague and friend, Senator HATCH, on the Children's Health Insurance Program. Despite the fact that the overall goal could not be achieved, many people were helped because, along the way, Senator KENNEDY helped to craft legislative solutions to human problems.

You can look at the landscape of this country and realize that not just in his beloved home State of Massachusetts but in my State of New York and all the way across the country, people have been helped to get a better wage for the day's work they do, to get access to health care, and most recently, with the triumph of his leadership on the Leave No Child Behind Act, to look forward to a better public education.

There is much that can be said about Senator KENNEDY's legislative prowess and career. What I want to remark on is his personal interest in all of his colleagues, the staff who work here, the people who keep this place going. A very heartwarming and common sight is that of the Senator walking down the hallway with his faithful companion, Splash, the most intelligent, creative, energetic dog who has ever walked the halls of the Capitol or probably anywhere else in our country, and to see him waving or saying hello to people, no matter what job they are doing, no matter who they are—because he is no respecter of the boundaries that sometimes separate Senators from everyone else. He came to do a job 40 years ago. He is just as actively engaged in the pursuit of the goals that he not only holds near to his heart but which represent the best of our country.

I was honored to have the Senator campaign for me in my election to the Senate. One memorable day, he and Caroline and his redoubtable father-in-law, Judge Reggie, and I got into a small plane and made our way from New York City to Buffalo to Albany. Along the way he warmed up the crowds we brought him to meet. One particular moment that I appreciated was how he said he was proud to be in my company because now people were sending out letters against both of us—not just him. I was proud to be in his company, as I am every single day proud to serve with him.

We rise today to pay tribute to an extraordinary leader and an absolutely unparalleled Member of this body, a Senator for all time—not just this time—and a friend and colleague to all of us.

Thank you. Happy birthday, and Godspeed.

Mr. KERRY. Madam President, I thank the Senator from New York for her spirited and wonderful comments about our colleague.

I yield the Senator from Maryland 4 minutes and the Senator from Utah 6 minutes.

The PRESIDING OFFICER (Ms. STABENOW). The Senator from Maryland.

Mr. SARBANES. Madam President, I am pleased to join with my colleagues today in paying tribute to Senator KENNEDY on the occasion of his 70th birthday.

A champion of working people, Senator KENNEDY has clearly understood, from the very beginning of his tenure in the Senate, the importance of a meaningful job in the lives of our citizens. He has consistently worked for programs that promote full employment, and that enable Americans to support their families. Senator KENNEDY has championed training programs, summer job programs, and the Summer-to-Work Opportunities Act—all designed to enhance the skills of our citizens. He has been our most eloquent advocate for the collective bargaining rights of American workers, rights that ensure that our workers are among the best trained, the best paid, and the most productive in the world. And, Mr. President, I am pleased to stand with Senator KENNEDY as he continues to lead the effort for an increase in the minimum wage, which holds out the promise of a decent living to men and women who, through hard work, seek to climb the ladder of opportunity.

If there is any hallmark of Senator KENNEDY's career, I think it is his drive for the full participation in American life for all of our citizens. He has distinguished himself as a champion of civil rights and of the neediest and most vulnerable members of our society, who often are without a voice in Government. For 40 years in the U.S. Senate, he has spoken for working Americans, for the unemployed, for the sick, for the elderly, and for young people.

The Women and Infants Program, the Child Nutrition Program, Head Start, and so many education programs have TED KENNEDY's imprimatur upon them. He has led the successful drive for passage of the Family and Medical Leave Act. Today, Senator KENNEDY is fighting for a meaningful Patients' Bill of Rights and for a prescription drug benefit for our senior citizens. One could go on and on enumerating all of these programs.

I want to add one dimension to this. What distinguishes Senator KENNEDY the most in the Senate is his tireless advocacy of the causes to which he is committed. He is a tenacious fighter on the floor of the Senate, in the committee room, and behind the scenes. He tackles very difficult issues with courage and commitment. Perhaps most importantly, he has maintained a focus on using our Nation's Government as a tool for good in the lives of all Americans, and as an example for the entire world.

Senator KENNEDY has seen history made, and he has made history. It is hard to imagine a lifetime of service that has meant more to the citizens of Massachusetts and, indeed, to the people of America. In every fight he has waged to make our Nation more productive, more compassionate, more open to participation, more fair and equitable to all its citizens, he has always appealed to the best in us all.

It is an honor to be his colleague in the Senate, and to be his friend. It is with great pleasure that I join with my colleagues in extending best wishes and congratulations on his 70th birthday.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Madam President, believe it or not, one of the reasons I wanted to run for the Senate 26 years ago was to get the modern-day face of liberalism, Senator TED KENNEDY, out of office.

(Laughter).

As the past 26 years have amply indicated, I have failed. And I have come to appreciate that the country is better for it.

In many ways, Senator KENNEDY stands for all that my party and my state reject so vehemently:

An unabashed reliance on government as the problem-solver of first resort;

A belief that the Federal coffers can, and must, support those in need, regardless of private, State and local resources;

And, indeed a devotion to extending the Federal arm across this great Nation—whenever, whatever—the concept of Federalism aside.

I know full well what President Bush means when he says the fellas at the coffee shop in Crawford find it hard to believe that Senator KENNEDY has some points in his favor.

But I have grown to understand, and appreciate, my Massachusetts colleague, for the tremendous passion and dedication he brings to the job. I have come to respect his tremendous love for our great country and its people.

I have come to admire his patriotism and his devotion to national service, that great tradition which is the hallmark of the Kennedy clan.

And I have grown to recognize that despite our differences on almost every issue, working together, we could find a common ground—that space in the middle from which great legislation is born.

Some of my most revered accomplishments are Hatch-Kennedy or Kennedy-Hatch collaborations.

It is a mark of TED's greatness that he does not care who gets the credit, as long as the job gets done.

Starting with our first bill together, the Women in Science legislation in 1978, Senator KENNEDY and I have worked together to enact legislation that is helping virtually millions of people in this nation.

I am thinking also of all the critical bills we have enacted together:

The first AIDS research bill;

The first AIDS services bill, the Ryan White Care Act; and, the orphan drug

bill, and home health care. You could go on and on.

I am thinking of the Child Health Insurance Program, or ''CHIP,'' which now is providing health care to almost five million children who didn't have it just a few short years ago—children of the working poor who worked hard but didn't have enough money to pay for health insurance for their kids. It could not have happened but for TED KENNEDY.

And I am also thinking of the many bills we worked on so diligently, such as the Americans with Disabilities Act, the downwinders legislation that helps so many Utahns in the inner-mountain West, and which Senator KENNEDY helped make possible, and the Job Training Partnership Act.

Of course, I am also thinking of the religious liberties bills we have put through together, each of us motivated by our strong faith and love of the Lord.

But let me hasten to add that sometimes it is just not possible for us to find middle ground. For every bill we have promoted together, for every issue on which we have found a common ground, there is another issue on which we have fought tooth and nail.

Indeed, at times, we have both won and lost.

Many times, my side carried. I am thinking back to our earliest fight over labor law reform when I first came to the Congress.

I am thinking of the battles we had over minimum wage increases and, with due deference to the Senator from New York, over the Clintons' Health Security Act.

But to be fair, many times Senator KENNEDY's side carried the day.

There are numerous provisions in Federal employment law, in health care policy, and despite the fact that he is not on the Finance Committee, sometimes even in the Tax Code, that are directly attributable to Senator KENNEDY's skills and persistence.

It is no secret that many, if not most, of my constituents in Utah disagree with Senator KENNEDY on almost every issue.

I will never forget a letter I got from one of my constituents many, many years ago. From a senior citizen in Southern Utah, a very conservative part of the state.

She said,

> Senator Hatch, when we heard you might run for office, we supported you. When you actually ran for office, we voted for you. And when we heard you were friends with Senator Kennedy, we prayed for you!

(Laughter).

Many of my constituents question how I can be such close friends with a man whose principles vary in so many ways from those of most Utahans.

This is what I tell them. In my opinion—and I think I am an authority on this subject—TED KENNEDY is one of the most effective, if not the most effective, legislators in this country. He never quits until he gets the job done. And I, for one, admire that. When he is with you, there is no more solid ally. And when he is against you, there is no more fierce opponent.

We all have to recognize that despite Senator KENNEDY's position on any particular issue, he is a patriot in every sense of the word. TED KENNEDY, in the fine Kennedy tradition, is truly motivated by public service, and we all owe him a debt of gratitude for that.

And what I did not understand in 1976, but what I know so well now, is that TED KENNEDY is willing to come to the middle to get the job done. It is hard for him, sometimes difficult, but he is willing to do it. His spirit of bipartisanship is just what the Nation expects during this turbulent time. I just wish I could get him to do it more.

It is no secret that TED and I are close friends, even though I am a conservative, he is a liberal; I am a westerner, he is an easterner; I am a physical fitness fanatic, he is—well, never mind.

As I was saying, it is no secret that TED and I are close friends. I value the time I have spent with TED and his wonderful wife Vicki, whose birthday I understand is today. I wish her a happy birthday and the best, and all of the Kennedy family who have treated me so well over the years.

For the past 26 years, we have laughed together, we have cried together, we have sung together, and we have prayed together. We have fought and we have made up. But above all, we respect each other's abilities. In that trust and alliance, good legislation can be made, legislation that benefits our constituents today and in the future. And that is what we have been sent here to do.

Madam President, last year, Senator KENNEDY sent my polling numbers to the basement when he came over and hugged me in the Senate Chamber. Today, I am going to return the favor and offer my dear friend and colleague my best wishes on his 70th birthday. I have done the math, TED. If you can get that cloning bill through, there is a great possibility that you can still be middle aged when you reach the age of 140.

He is my dear friend. I care a great deal for him, and we will be friends for eternity.

I thank the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Madam President, I thank the Senator from Utah for his comments. Let me say, we on our side will forgive him for his complete misunderstanding and misinterpretation of our party, precisely because of his affection and respect for our good friend, Senator KENNEDY. We thank him for that.

I will recognize the Senator from New Jersey for such time as he will consume, and then the Senator from Georgia, and, finally, the Senator from Rhode Island. We will close with the Senator from Connecticut. I know we are out of time. I ask unanimous consent to proceed for such time as we need to complete these remarks.

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

Mr. KERRY. I thank the Chair.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. CORZINE. I thank the Senator from Massachusetts for the opportunity to speak.

Madam President, I, too, add my voice to the many others who have come to praise the distinguished Senator from Massachusetts, Mr. EDWARD KENNEDY.

Though the Presiding Officer and I have only been in the Senate for a very short while, in my life outside of the Senate, I have admired Senator KENNEDY for many years for all of the work and leadership he has brought to the issues that make America great. In my opinion, he is one of the greatest national leaders not only of this time but of all time. It is an extraordinary honor for me to serve with him in this body.

Senator KENNEDY is a man of principle who stands up for ordinary Americans and for the values in which I think all of us believe. Time after time, on issue after issue, he has worked to expand access to the American promise, the American dream, that drives so many of us in our pursuits in our lives for ourselves and our families and our communities, for all of those we care about, regardless of where one begins in life.

He has fought to ensure that each and every American has access to high-quality education, access to quality health care. He has done as much to help children as anyone could ever dream about. He has worked for the people in the workplace who do not have representatives with the ability to work the Halls of Congress. He has worked to help make sure every American has dignity and a minimum wage that is a living wage. He is a great voice on the issues that make a difference in people's lives—hard-working Americans.

But Senator KENNEDY is much more than a champion. He does a lot more than give speeches and issue press releases and help ''rookies'' become Senators. He does something I think America admires most, and that is to get things done. It is one thing to have great ideas, but it is another to deliver on them. I do not think there is anyone I have seen, in the short tenure I have had here, who is a stronger, more provocative, and certain legislator than TED KENNEDY.

He understands how the Senate works. I have been trying to pick his brain to understand that as my life unfolds here. He knows how to work across the party lines and with Presidents and many folks with whom he may agree or disagree. But he knows how to win on the issues he is trying to fight for; that is, to help the people of our Nation.

So in every sense he is a terrific leader because he has his values and his commitment to the people. He is a man of compassion, and he is great to those of us who are new in this body.

I thank you for your generosity and for your great leadership. I look forward to serving with you for a very long time—maybe not 40 years, but we will work as long and as hard as we can. I congratulate you on your 70th birthday. I wish you and your family the very best.

God bless you.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. CLELAND. Madam President, it is an honor to be in the presence of true greatness in the Senate, to be in the presence of one of the great Senators we have in this body, Senator TED KENNEDY. May I also say, I identify with Senator ORRIN HATCH from Utah that in terms of my service with Senator KENNEDY, a lot of my constituents pray for me, too. I might say, though, Senator KENNEDY and his family are really the reason I got involved in politics.

I came to this town as a young 21-year-old and sat in the gallery much as Senator DICK DURBIN said he sat in the gallery and watched Senator KENNEDY come to the Chamber as a freshman Member of the Senate. To me, that was the ultimate in public service and citizenship at that time. For me, to be a freshman in the Senate, and Senator KENNEDY still being here, is one of the great rewards of my life.

It is interesting that we are going to be considering an election reform bill in just a few moments. The point is, we are trying to improve the very democracy we have been given by our ancestors. But you cannot do that without leaders.

Harry Truman once said: A leader is someone who gets people to do what they ought to do anyway. People in this country ought to register, they ought to vote, they ought to turn out, they ought to be interested in politics, but many are not. So we need inspiring leaders.

TED KENNEDY, for me, is an inspiring leader. He came to this body when he was young and has stayed here dedicating his life to this body, this Senate. To me, that is the ultimate in patriotism and the ultimate in citizenship. It reminds me a lot of a person who occupied this Senate desk and was in the position that I now hold in the Senate, Senator Dick Russell.

They both came to this body at the tender age of 30. Both dedicated their lives to this body and this country. So it is just an honor to serve with Senator KENNEDY today. I bring him greetings from the great State of Georgia. And, TED, I wish you many more. Thank you.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Madam President, I rise to salute Senator TED KENNEDY on his 70th birthday and to state something that is obvious to everyone: In the course of this country and this Senate, hundreds of men and women have served, but only a handful are truly great Senators. Senator TED KENNEDY is one of those great Senators.

His greatness is measured by his vision, by his compassion, and by his effectiveness. He is the architect of so much that has improved the lives of so many Americans—health care, education, foreign policy, so many things that have made the lives of so many people better. Indeed, the measurement of his greatness is not the votes on this floor or his elections in Massachusetts, but it is in the lives of countless children throughout this country and seniors and working men and women, disadvantaged Americans, dispossessed Americans whose lives are better, indeed, who cherish hope because TED KENNEDY served in this body.

Ultimately, his great reward and tribute will not come from us but will come years from now, when a child or a senior or a working American, not knowing from whence a law evolved but knowing that it has made their life a little better and given them more opportunity, will say ''thank you,'' and that thanks will be to TED KENNEDY.

I had the privilege of serving with his son PATRICK. I know that his passion, his devotion to duty is not exclusive to him alone but is shared immensely by his son, my friend, and colleague from Rhode Island.

I say to Senator KENNEDY, thank you.

Mr. SPECTER. Madam President, I have sought recognition to commend Senator KENNEDY on his 70th birthday and his approximately 40 years in the Senate. I join my colleagues in recognizing and complimenting him on his unique achievements in the Senate.

I was an admirer of the Kennedy family from afar for many years. Then I learned a great deal about the Kennedy family under circumstances which could have been more pleasant. I was one of the young lawyers on the Warren Commission staff investigating the assassination of President John F. Kennedy.

I recall, years ago, a Democratic dinner in Philadelphia. I was a Democratic committee member in 1960 when President Kennedy ran for the White House. My wife Joan was 8 months pregnant when he came to speak at the big dinner in November. There was great enthusiasm and great excitement about Senator John Kennedy's appearance that night.

We watched him at the White House in Camelot with great respect, and then the terrible events of November 22, 1963 occurred. Thereafter, I gained some greater familiarity with the Kennedy family as assistant counsel to the Warren Commission.

Coming to the Senate after the 1980 election, I had an opportunity to work with Senator TED KENNEDY on the Judiciary Committee. His passion and his exuberance for the underdog were unmistakable on civil rights and voting rights. He is a real leader.

I recall one hearing that he wanted to schedule on an occasion when I could be present. It was a voting rights matter where I had participated, and the hearing was set for 2:30 PM on July 1, 1987. That was the day on which Circuit Court Judge Robert H. Bork was nominated for the Supreme Court. Suddenly, at 2:30 PM, Senator KENNEDY was absent. I saw him on the Senate floor, at 2:38 PM, making a carefully prepared speech. He was well attuned to the nomination and was talking about the back of the bus. It is all in the CONGRESSIONAL RECORD. Since I have only a few minutes, I will not go into this matter further. However, that was Senator KENNEDY on civil rights.

In this Chamber, he is bombastic in his declamations on the subjects which are near and dear to his heart. He does wear a microphone, but he hardly needs one when he speaks in this body. He fills the Chamber with his enthusiasm and his passion.

When I chaired the subcommittee appropriating for education, there was no appropriation adequate for Senator KENNEDY. However much money we put in, he wanted more. Very often—not always—but very often he was right, and the same was true with health care. On a number of occasions when he sought to cross the aisle to seek cosponsors on the Republican side of the aisle, I was about the last person standing on many of those occasions.

I was glad to join him as a cosponsor on the hunger legislation, where it made no sense that people could not get food stamps if they had a car worth, say, $3,500. We fought hard and got the law changed.

Then on hate crimes, his was a lonely voice in this Chamber for a long time. I joined him in that endeavor and signed on to an op-ed piece he had written, but I had agreed with, that was published in the Washington Post. Then, in the year 2000, we carried that Federal hate crime expansion amendment to the National Defense Authorization Act for Fiscal Year 2001 in the Senate 57 to 42, with 13 Republican Senators. It was an election year.

He has been a great leader in the Senate. He carries on a great family tradition. He has been a stalwart on some of the most important issues confronting America in civil rights, in voting rights, in health care, and in education. So I am glad to lend my voice of recognition and commendation of his great service to the Senate.

Mr. LEAHY. Madam President, I am pleased to join with my colleagues this afternoon to pay tribute to Senator EDWARD KENNEDY on his birthday.

I am proud to call TED KENNEDY a colleague, a friend, a mentor and a neighbor. I arrived in the Senate as the most junior member in 1974. TED KENNEDY, only a few years my senior, had already been in the Senate for 12 years. He generously provided me with guidance on everything from policy matters to committee selections.

Over the course of his career TED KENNEDY has championed the cause of those Americans living on the margins; those individuals in our society who for whatever reasons are denied basic human necessities like safe housing, nourishing food, a steady income, or access to health care.

His dedication over the past decades has been unwavering, and as we see every day here in the Senate, continues to be unwavering.

TED and I have worked together on many issues over the years. In fact we still serve together on the Judiciary Committee, which he preceded me in chairing at one time.

Whether it is in supporting heating assistance for low-income people, so essential to surviving the cold winters that we experience in New England, or in championing nutrition programs, I have always admired TED's knowledge of the issues, and his tenacity in pursuing that which he believes is right.

Through his service on the Health, Education and Labor Committee, whether as ranking member, or chairman, TED KENNEDY has continually strived to improve Americans' access to health care with the hope that one day no American will be without the basic services that so many of us take for granted.

He has fought to improve the education of our children, with the knowledge that a good education is the basic building block to their future success, reducing the chances of living in poverty by ensuring access to quality employment.

And he has consistently advocated on behalf of the worker, with the understanding that no person should have to work 40 hours a week and still live in poverty.

I have valued the time that I have served with TED KENNEDY in the Senate. Over this period, hundreds of Senators have had the privilege of serving their Nation and the people of their state, but few members have achieved the distinction of truly making an impact on the lives of millions of Americans.

TED KENNEDY has done that and oftentimes for those Americans who do not have a powerful voice in Washington.

Several years ago, the Washington Post Magazine had a story about TED KENNEDY that entitled him the ''King of the Senate.'' Our Founding Fathers tossed off the shackles of the monarchy over 200 years ago but it was an appropriate acknowledgement that TED KENNEDY is a lion at the gate protecting the interests of working class Americans.

Mr. MCCAIN. Madam President, I extend my very best birthday wishes to the very senior Senator from the great Commonwealth of Massachusetts. Of course, he has become even more senior now that he is entering his eighth decade. I am certain, however, that he will find that life has become even more enjoyable as it is leavened with wisdom.

Senator KENNEDY is also entering his fifth decade in the U.S. Senate. Through dogged work and passionate beliefs, he has truly become one of the giants in this great institution. Agree or disagree with Senator KENNEDY, but appreciate his effectiveness. I am a Republican and he is a liberal Democrat. But I can attest to his dogged determination to achieve results across the barriers of ideology and party. Whether he's fighting for the rights of patients or to make our schools better, Senator KENNEDY never gives up on issues he deeply cares about.

I am pleased to have the opportunity to wish TED KENNEDY a hearty happy birthday and thank him on behalf of a grateful Nation for his lifelong service to our country. I am privileged to call him my colleague and, above all, my friend.

Mrs. FEINSTEIN. Madam President, it is with great pleasure that I send belated birthday wishes to my friend and colleague, the senior Senator from Massachusetts. At 70 years old, TED KENNEDY is one of this country's most effective lawmakers, having served 40 years in the Senate.

It is difficult for me to think of many major public policy initiatives that TED KENNEDY has not had a hand in shaping. What is most remarkable is that in many cases he has been here for both the inception and the reauthorization of some of the most important legislation of our time.

When he was elected in 1962, women and minorities did not have equal rights under the law. It is fitting that TED KENNEDY's first floor speech was given on the Civil Rights Act of 1964 because he helped to make school integration, pay equity for women, and fair housing laws a reality. While serving with him on the Judiciary Committee, I have seen first hand his ability to tap into the needs of disadvantaged communities and pass meaningful civil rights legislation.

When Senator KENNEDY was elected to this body, Americans did not have equal access to high quality healthcare. With his support, the Medicare and Medicaid program were established to enhance the welfare of millions of elderly and disadvantaged Americans. And in his capacity as chairman of the Senate Health Subcommittee and later Full Senate Committee on Health, Education, Labor and Pensions, he has fought to pass laws allowing workers greater flexibility in keeping and choosing their healthcare coverage and making healthcare insurance more widely available to children. More recently, he fought tirelessly to enact a Patient's Bill of Rights to make HMOs more accountable to patients and less able to interfere with medical decision making. As the result of his efforts, we can now offer health care protections to all 190 million Americans in private health plans. This was no small feat.

Before TED KENNEDY, reforming our country's education systems was an issue on the forefront of our minds, but the last item on the Federal Government's agenda. Not only was he among those to support the original passage of the Elementary and Secondary Education Act in 1965, but TED KENNEDY spearheaded the fight to pass the reauthorization of this sweeping federal school bill. Senator KENNEDY's efforts have been particularly important to the 5.6 million economically disadvantaged students in my State.

In the Senate, TED KENNEDY has been a champion for a society that is just, fair, and humane. He has fought tirelessly for working families and underserved communities. With passion and pragmatism, he has served this nation and his beloved Massachusetts—breaking down gender, racial, class, and religious barriers.

On your 70th birthday, I salute you, Senator KENNEDY, for your distinguished years of service and wish you continued success in the future.

Ms. MIKULSKI. Madam President, I rise to pay tribute to my dear friend and colleague on the occasion of his 70th birthday.

Because of Senator KENNEDY, our Nation is stronger, fairer, healthier and better educated. Because of Senator KENNEDY, our Nation's opportunity structure continues to be one of our nation's greatest strengths.

Senator KENNEDY's achievements are remarkable. Increasing the minimum wage. Expanding health care. Improving our nation's schools. Creating a national service program. Strengthening our civil rights laws. Safeguarding a woman's right to choose. Enabling more people to attend college, to get job training, and to build better lives for themselves and their children.

Senator KENNEDY is a champion of working Americans, senior citizens, children—the list goes on and on. This list is of ordinary Americans, not special interests.

For 40 years, Senator KENNEDY has served in the Senate. Yet he retains his passion, his high energy and his enthusiasm for meeting the day to day needs of his constituents and the long term needs of the nation. He knows that so much remains to be done.

The entire Kennedy family has given so much to our nation. With their wealth, they could have done anything—or nothing at all. They could have led lives of the idle rich. Instead, they are a family of war heroes, Senators, Congressmen—and a President of the United States. They are also defenders of the poor, environmentalists, educators and artists. They fight to give every American the opportunity to build better lives and stronger communities. This commitment to service comes from their deep faith, their strong family and their patriotism.

Many of us in the Senate were inspired to lead lives of public service because of John F. Kennedy. As a young social worker, I felt he was talking to me when he called our generation to

service. He practiced a passionate, active idealism—that was different from anything we've seen before in politics.

Senator KENNEDY has continued this legacy. He is one of the great Senators in our nation's history. I feel grateful to be his colleague, and his friend. I look forward to the battles ahead.

Mrs. BOXER. Madam President, I join my colleagues in paying tribute to a man who is in many ways larger than life. Today we celebrate the 70th birthday of Senator EDWARD KENNEDY, someone who personifies public service in our country.

Senator KENNEDY is a member of a family that has dedicated itself to public service. His entire family has followed the credo that ''One person can make a difference and every one should try.'' Senator KENNEDY truly has made a difference, and he has so often made a difference for the people who work hard day in and day out.

Senator KENNEDY has been a champion of working Americans since he became involved in public service. He is today our most outspoken and eloquent advocate for their causes. He has worked tirelessly for increasing the minimum wage, for quality health care for all Americans, and for education reform. He is a leader for civil rights in our country and for strengthening Medicare and Social Security. Senator KENNEDY has had tremendous accomplishments during his nearly four decades in the U.S. Senate, many more than I can articulate in this short amount of time.

Suffice to say, Senator KENNEDY has been an inspiration to generations of Americans. He has been a friend and colleague to all of us serving in this body. I am so very proud and honored to serve with him.

Mrs. LINCOLN. Mr. President, I rise today to add my voice to those in honor of our good friend and colleague Senator TED KENNEDY, who last week celebrated his 70th birthday.

Since I arrived in the U.S. Senate in 1999, I have had several opportunities to turn to Senator KENNEDY and his staff for advice and assistance on a range of issues that are crucial to Arkansas, including health care and help for the uninsured.

For example, I was honored to work closely with Senator KENNEDY last year on the education reform bill. When I offered an amendment to improve educational services to language-minority students, Senator KENNEDY offered his assistance by cosponsoring my amendment. It was the first floor amendment I offered in the Senate that required extensive debate and a rollcall vote. We passed that amendment as a key part of the most sweeping overhaul of American public education in a generation. The support and assistance I received from Senator KENNEDY and his outstanding staff is something I will always remember and deeply appreciate.

In my time here, I have found Senator KENNEDY to be an invaluable resource on policy and legislative matters. For nearly four decades, he has exemplified how a Senator can best serve the interests of his own constituents, as well as those of the American people. Through his wisdom, experience, and encyclopedic grasp of Senate history and procedure, he has served as an example to us all. It may be that the greatest tribute we can pay Senator KENNEDY is to follow that example.

Finally, I would like to offer my thanks to Senator KENNEDY for the friendship that he and his wife Vicki have extended to me and my family. I am deeply grateful for their warmth and kindness.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Madam President, I thank the Senator from Rhode Island and recognize the Senator from Connecticut for such time as he may use. I understand Senator BIDEN may be on his way.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. Madam President, I thank the junior Senator from Massachusetts for orchestrating this event this afternoon on behalf of our fellow New Englander and friend and colleague.

I can't help but think of that wonderful story written by Mark Twain about Tom Sawyer who, on the reports of his demise, crawled up into the choir loft and listened to the eulogies being given to him. I can't help but think my friend from Massachusetts may think he is participating. He is alive and well, let me report to those tuning in. There is a lot of kick left in the senior Senator from Massachusetts. I fully expect there will be many more years of his contribution to this body.

Our friendship goes back a long way. I don't want to remind him of this, but I was dressed in a white shirt and blue pants sitting on the steps of the Democratic side as a page in the Senate about the time that my friend from Massachusetts entered this body. He had years of service with my own father in the Senate, serving about 8 years with my father; he served with him on the Judiciary Committee back in those days.

He liked to tease me all the time that he deeply resented the fact that someone would get elected to public office on the basis of their last name. I return that favor to him today.

This is a wonderful relationship. We share a common heritage of deep affection for our Irish roots, our beloved New England, the coastline of that part of the country.

Today is Vicki Kennedy's birthday, as has been mentioned by Senator HATCH but deserves repeating. This has been a great source of light and joy and love in our friend's life, as have his wonderful children as well: Ted Kennedy, Jr. is my constituent living in Connecticut and has become a friend of mine outside of my friendship with his father; Kara Kennedy, their children, TED's grandchildren; PATRICK, who is a wonderful public servant, a great source of pride to his father, who follows him in public life and serves in the House and represents so ably the State of Rhode Island.

Then there are his sisters: Eunice, Pat, and Jean, each one of whom makes their own unique contribution to the well-being of this country.

On Sunday afternoon I participated in a Special Olympics event in the State of Connecticut. About 600 people gathered together to watch young children with disabilities win gold, silver, and bronze medals. I had my 5-month-old daughter Grace with me presenting little flowers to each of the winners.

I was thinking of Eunice Kennedy in the backyard of her home in Maryland years ago with four or five children beginning what was then the genesis of Special Olympics. Obviously, his brothers: Jack Kennedy, our beloved President; Robert Kennedy; Joe, his sister Kathleen, all these people, and his father and mother who have contributed.

He will be the first to say no one individual accomplishes what they do in their own right. We are a product of our family and friends, our experiences in life.

I join with so many eloquent words spoken, from the majority leader's words to my friend and colleague from Georgia, obviously the Senator from Massachusetts.

A couple last points. I identify with and certainly support all that has been said about the Senator's contributions. I bear the responsibility right now of selecting the faces of the caricatures of Senators who have been recognized for their contributions. Ironically, it was the junior Senator from Massachusetts, Jack Kennedy, who was asked a number of years ago to assume the same responsibility when the names of Calhoun, Clay, Webster, Taft, and La Follette were chosen as the pictures in the waiting room of the five great Senators of the 19th and early 20th century. We have just chosen two more: Senator Wagner and Senator Vandenberg, and have two small ovals.

It will not be our responsibility—that will come to a future generation—to choose the figures of the latter part of the 20th century that might inhabit unpainted ovals in the reception room. I hope that Senators, 50 or 75 years from now, might look back on this record today as a source of some guidance as to how contemporaries felt about one of their own. And whether you are talking to Senator BYRD who, of course, has more than 50 years of service in the Congress, or those who have arrived only a few short months ago, there is a common thread you will hear; that is, that our friend TED KENNEDY certainly deserves to be on any short list of a future generation that makes the decision on who ought to be considered the greatest of those who served in the latter part of the 20th century.

It is because he is a great legislator. We don't cherish or celebrate enough legislators. Most of us run for public office promising that we will be our own people, that we will be nobody's man but yours, that somehow we are going to come here and act as if we were an executive rather than legislator. Senator KENNEDY, regardless of party, embodies the qualities of a legislator. He fights harder than anyone I know for what he believes. But he also knows at the end of the day in a Democratic process, in the greatest deliberative body in the history of mankind, you end up having to work with people with whom you have disagreements. It is more than about giving speeches or introducing bills. It is producing at the end of the day a product that improves the quality of life. It may only be an inch. It may not be the miles you intended. But you know that if you can move it an inch forward this year and an inch maybe next year, a little bit further the following year, at the end of a career you can make a huge difference.

Because he enjoys and understands the process of legislating, not only has this body been enriched but, as others have said, the quality of life for people who may never know his name, do not know who he is today because his contribution is not confined to the boundaries of this Nation, but there are people in Latin America and Africa and Asia, people who have never heard the name KENNEDY, don't know what you are talking about, whose lives today have been enriched and improved because this one individual has been involved. He defies the notion that one person cannot make a difference.

Lastly, I have been raised to believe that character is about what people do in private, not in public. There are not Members who have served with him who have not been the beneficiary of the private moment, of that unexpected phone call, knock on the door, and you open it up and there is our friend from Massachusetts. On every single level, I have often said this is one of my best friends. I am proud to call him such and happy to celebrate with him this great birthday.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Madam President, I thank the Senator from Connecticut for very thoughtful and personal comments. It is not inappropriate that the last speaker will be one of those other Senators who was among the 16 U.S. Senators ever to join this body at the age of 30.

I yield to the Senator from Delaware.

Mr. BIDEN. Madam President, before I came into the Chamber, I said to Senator KENNEDY, ''This is discouraging. I am about to be 60 and you just turned 70 and I don't like it. I don't like anything about this. As a matter of fact, it drives me crazy.''

As a matter of fact, Senator KENNEDY, with a much more distinguished career than me, has suffered through the same illusion and delusion that I have. I got here when I was a couple days younger than he, and for the longest time I was the youngest, and all of a sudden you wake up and say, oh, my God. In my case, there are only a total of six Senators who have been here longer than me. That is equally discouraging. In his case, I think only two have been here longer than him.

This place has a way of promoting the delusion that you are still young. One thing about TED KENNEDY, having had the honor—and I mean that sincerely—of working with him for 29 years is that he is still young. He is younger, I think, than anyone in this Chamber because I have observed, as have we all, that he is still as passionate, as devoted, as committed to the notion that he can change the world as he was when he got elected at 30 years old.

My dad is in the hospital and I hope he is watching. He has an expression: ''It is a lucky man or woman who gets up in the morning, puts both feet on the floor, knows what they are about to do, and thinks it still matters.'' That said, I think TED KENNEDY may be the luckiest man I have ever known. He has no doubt. Just watch him; he knows and feels it still matters.

In his 70 years, Senator KENNEDY has enjoyed and shared with us a lifetime of public service, a tradition of excellence, a family of faith and courage in the face of extraordinary tragedy, and through it all, he has shown an unrelenting resolve to keep moving, keep working, and never stop believing in the power of ideas to change the world and change this Nation. In doing so, he has seen to it, as he once said in another context, that the dream will never die.

That is TED KENNEDY. That is who he is; it is what he believes, and, I suspect, although I have just known him for 30 years, it is what he has always believed. To him, this institution, this democracy, this Chamber is about honor and tradition. It is about a legacy of hope, of a proud family, and a grateful Nation. It is about believing in the nobility of public service and passing that belief, or, as his brother said, that ''torch,'' to the next generation of Americans, as it was passed to him.

As I said, I have had the pleasure to serve with him for 29 years, to stand with him, to learn from him, to lean on him, and to watch him in action in this Chamber. I have seen him raise his voice time after time not only for his constituency but for every single American. And for those who have no choice, I have heard him shout in this Chamber, and other places, at the top of his lungs for justice. For those who have been wronged, I have heard him demand and stand fast until fairness happened. For women, for minorities, those victims of intolerance and persecution for nothing more than the color of their skin, I have seen him fight with every fiber in his body to give them more strength and a sense of equity. I have seen him exhausted, angry—a couple times at me—but I have never seen him give up or back down from what he believes is right, fair, and just.

Everybody today says Massachusetts is an automatic liberal State. I can remember when it wasn't such an automatic liberal State. I argue—and I mean this sincerely—the reason Massachusetts, in part, is the way it is is because of TED KENNEDY, for when TED KENNEDY spoke out on the things we all take for granted today—and some may say it is easy for him to do that in Massachusetts, but when he started that, that was not the overwhelming view in Massachusetts or any other State.

I argue, and I truly believe, that if anybody listening wonders whether or not one man or one woman can change the way people think, not a single vote—not a change in outcome, but change the way people look at a subject, I respectfully suggest that you look at TED KENNEDY. TED KENNEDY hasn't changed a darn thing that he has said or believed in these issues for 30 years. But the State has changed, the Nation has changed, so I remind everybody that when people say it is OK for TED KENNEDY to get up and fight for the poor, fight for African-Americans, fight for gays, fight for minorities, he can afford it. Well, he can't afford it; he made it. He made it acceptable. He made it change more than any other man or woman in this country in the last 30 years.

Madam President, I say to the people of Massachusetts and to Americans everywhere, no matter what they believe, whether they are left or right, Democrat or Republican, liberal or conservative, know that the idea of representative democracy is the very embodiment of TED KENNEDY.

I know people think because we are all his friends we are standing up and saying these nice things. Well, I will tell you, if you doubt what I am saying, or what anybody else said, after a bitter fight on this floor, after TED KENNEDY nearly breaks his desk in anger or in frustration for what is not happening, watch how passionate he is, and then watch, whether he wins or loses, how he walks across the aisle and he is greeted on the other side of the aisle with a genuine, genuine, genuine respect and friendship.

Every time I try to tell anybody, whether I am traveling in another country, or traveling in my State, or in this country and speaking with students, or with anybody talking about representative democracy, and I give you my word to this, I want to give an example of how this place is so different—and this is one of the things that has changed, unfortunately—I tell them about TED KENNEDY. I pick out the guy who has been known as the most liberal guy in the Senate, and I have watch him go against conservatives such as ORRIN HATCH, and I say

after it is all over—it used to always be like this—whether he wins or loses, he will invite the person to whom he won or lost to go with him and have a sandwich or a cup of coffee or he will invite them back to his office because the fight is over and democracy, whether it was the right decision or the wrong decision, has prevailed. He settles it and comes back to fight again the next day.

People are always amazed. Why is it that so many conservatives who work with him love TED KENNEDY? It is because he understands the deal. He is like CHRIS DODD. He understands the deal. He understands that you give and you take when you make a commitment, and you make a commitment even after a while. I say this about my friend from Connecticut as well, who is one of the few people who does this, and the tables change and it becomes a political liability to stick with your word—he never approaches you and says: You know, JOE, I have a problem. He never says a word. He just does what he committed to do.

I can't tell you that in the 29, almost 30 years I have been here, how that one piece of courtesy is the thing I most regret having been diminished in this place. It used to be you could turn and say that about 80 people here. I should not be saying what I am saying, but it is true. And so the fact of the matter is, I have seen him move a concept, as others have spoken—a concept from inception to law with the skill of a surgeon. This guy is good. How does KENNEDY win? How does it happen? No. 1, he is smarter than most of us. No. 2, he knows the process better than anybody. No. 3, he gives and he takes and he never, never stops; and he is always, always honorable.

If you were going to point out the persons you think would get the most done—and I do not think anybody's legislative record and accomplishments match the Senator; there are great women and men who serve here and with whom I have served over the last 30 years. But think about it. The least likely guy to have that happen is the one viewed as being the furthest on the party spectrum, not the person in the middle, the so-called—I love these new guys in the parties—centrist. One would think it would be the centrist who would get the most done.

In spite of, some might suggest, his incredibly firm convictions and sometimes being at the point of the spear, TED KENNEDY gets the most done. If one would ask Republicans, some publicly and 95 percent privately would say the single best legislator in this body—and has been for some time—is TED KENNEDY.

As I said, I have seen him move a concept from an idea to a law. In my view, he is literally the best of his generation. He is the personification of what people talk about in political science classes, about the nobility of a public servant. He makes democracy work for people he represents.

One would never know that he is 70 because he has not lost an edge at all. As a matter of fact, I remember in a different context when he was consoling me about something, he said there is life after this. And obviously he embraced it fully because ironically he has been incredibly and increasingly more productive as every year goes by, even though over 50 percent of the people here probably only served with him 6 years or so.

There are two words to describe TED KENNEDY: He is the quintessential legislator, and he is the gentleman in the Senate. His may be the one most powerful voice to echo in this Chamber for those who have not been lucky enough to have drawn that long straw. When it comes to health care and workers—others have talked about it, so I will not go into it—when it comes to children, equal rights, justice, when it comes to speaking loudly and clearly for those who are weak and small and altogether too silent, he is the one legislator who always has been on their side regardless of the fashion and regardless of the polls.

The gift TED KENNEDY has given us every day is far more than we could ever give back in 70 years or 100 years or 170 years. All we are able to really say to TED KENNEDY today is happy birthday. But I want to say one more thing—as they say in this body, a point of personal privilege.

We all have had difficult times in our lives, and I have had some difficult times in my life, relating to losses in my family and other events. But from the first time TED KENNEDY came to Delaware as a 39-year-old guy campaigning for a 29-year-old guy before 3,000 people at the final dinner in my State, he stood up and said a lot of nice things about me, but he said: My only doubt is that he may be too young, making a play on the fact that he had been as young as I was when he was elected.

The next day the Wall Street Journal ran in that column they have straight deadpan: Kennedy wonders aloud: Is Biden too young for the Senate?

Maybe he has tried to make up for that ever since then; I do not know. When my wife and daughter were killed, the first guy there was TED KENNEDY. When TED KENNEDY's mother was alive, he or she called me and invited me to bring my children and go out with them. He did not know me from Adam.

Madam President, I will not take any more time to talk about those personal things, but I want you to know they make a difference in this place. They make a gigantic difference. When some doctors told me my chances of hanging around were not all that good after a couple aneurysms, he was the guy who took the time to take the train by himself to Wilmington, DE, the guy who had nothing to do or say but just came and made himself available, hung out all day and spent 15, 16 hours at my house and in the pool with my kids, in the kitchen with my wife, talking about how this was all going to work out, and then without me knowing it, got on the train late at night and headed back and never, never said a word. He was the first guy to ever come to me when I was down in this place and sat with me when I did not want to be here after 6 months—TED KENNEDY.

He is the guy who introduced me to the gym. TED may remember. He would come by two to three times a week to drag me out of my office. I want to tell my colleagues, I will never forget it.

Madam President, I say to my colleagues in the Senate, I want to make one closing remark. My political hero got me involved in politics. There are a lot of great men—and the two Kennedy brothers who are deceased were great—but my personal favorite is Robert Kennedy. I cannot believe there is nothing prophetic about what Robert Kennedy said in a speech and maybe somebody else mentioned this. But it seems he must have had his kid brother in mind when he said:

> Our answer is the world's hope. The cruelties and obstacles of a swiftly changing planet will not yield to the obsolete dogmas and outworn slogans. It cannot be moved by those who cling to a present which is already dying, who prefer the illusion of security to the excitement and danger which comes with even the most peaceful process. The world demands the quality of youth, not time of life, not but a state of mind, a temper of the will, a quality of the imagination, predominance of courage over timidity, of appetite for adventure over the love of ease.

He was talking about his brother. I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Madam President, I thank the Senator from Delaware for those special comments. I recognize the Senator from Tennessee for 3 minutes and then the Senator from Washington for 2 minutes or such time as she may use.

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

Mr. KERRY. Madam President, I should announce we have gone overtime. The Senator from Connecticut needs to move forward. That is where we will wind up.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. THOMPSON. Madam President, I thank my friend from Massachusetts. I did not realize we would have this opportunity today to express our feelings and thoughts toward Senator KENNEDY until a few minutes ago. When I heard about it, I was compelled to come over and say a few words.

I am sure for the time allotted that everyone who spoke has pointed out the brilliance of the Senator's advocacy, the fact that he is a Senator's Senator, and all of the accomplishments he has had since he has been a Member of this body.

I simply want to acknowledge the Senator's generous spirit and his kindness. I know that I speak for very many in this body and people in other places when I say that. He has demonstrated this time and time again.

His reputation for kindness, his reputation for thoughtfulness—as the Senator from Delaware has just been talking about—is legendary. I imagine part of this has to do with the tragedies and losses in his own life in terms of his own family.

I suffered a loss of my own recently, as so many of us in this body have. Senator KENNEDY went beyond all expectation in expressing his concern for me and my family and made gestures that I will never forget. I want to express my appreciation for that. Many of my colleagues have been extremely kind and thoughtful, but I have this opportunity because the Senator is having this benchmark in his life recognized—and thank goodness he is—to say that.

While the Senator is to be congratulated for his legislative achievements, he is to be congratulated for reaching this benchmark. To me, he is mostly to be congratulated for realizing that human beings and human relations and family are much more important than any of the above.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Madam President, I rise today to join my colleagues in wishing the Senator from Massachusetts, Mr. KENNEDY, a very happy birthday.

I grew up in a small town 3,000 miles away from here, a town of 1,000 people, from a family of 9. We did not have very much. Macaroni and cheese was standard fare for my family. Times were very difficult. My father was disabled. My mother had to work and raise seven kids and care for my father. We went to church every Sunday. It didn't seem as if there was a lot of hope. But there was one word of hope in my home, growing up in Bothell, WA, 3,000 miles away from here. That word for hope was ''Kennedy''—hope for all of us.

There was an individual 3,000 miles away in a town only on a map in our sixth-grade text book, Washington, DC. This man stood up and fought for the things my family needed so badly—whether welfare reform assistance for my mother when she had to go back to work, whether an education for all seven of us kids as we went through school, whether it was my ability and my six brothers' and sisters' ability to go on and get a college degree because of student loans and grants.

There was a man, an individual fighting for us, even though he never knew us, and I certainly never thought I would meet him. But his word was magic. His name was magic in my house. The name was KENNEDY. We knew there was a compassionate advocate for us, every single day, speaking out for the needs of a family many miles away.

It is an honor and a privilege for me to be in this Senate, where I never thought I would be, and to have watched him for the last 9 years fight for those same people to make sure they have a good education, that they have prescription drug coverage, that their voice is not lost, that they have employment insurance when they do not have a job, that they have a voice in a town far away from many cities in this great country. It is an honor indeed to serve here with this man and to know that he advocates for many people who can never afford to travel this far away to speak for themselves.

Senator KENNEDY, happy 70th birthday season, and many more. Thank you.

Mr. KERRY. Madam President, I thank the majority leader for setting aside this time. I am particularly grateful to all my colleagues who have taken part in this special tribute. I am quite confident that my colleague would think otherwise, but I don't think there has been a word of excess. There has been an extraordinary commonality in the comments of everybody, a sense of the Senator's instinct for this place, a sense of the Senator's obvious accomplishments through the years he has been here, his commitment, his passion, his effort to change things for the better for other people. But through everybody's comments, in the end I think what is most striking and perhaps most important, and most important for us to think about as Senators, is the humanity and the way in which he has touched the lives of citizens and the lives of his colleagues.

We are very grateful. I am confident all my colleagues will join me in saying if you think the last 40 have been pretty terrific, you probably haven't seen anything yet. As Senator DODD said, there is a lot of territory yet to be covered. We are grateful that Senator KENNEDY is going to be there to cover it.

The PRESIDING OFFICER. The distinguished Senator from Massachusetts.

Mr. KENNEDY. Madam President, the hour is late and the time allotted earlier has been exceeded. I did want to take a moment to acknowledge the overly generous comments of my colleagues and true friends.

I first of all thank my colleague and friend, JOHN KERRY, who was so instrumental in arranging these few minutes this afternoon in the Senate's business. As I have said all across Massachusetts, this is an individual who served our flag and our colors gallantly and bravely in Vietnam and then came back because of his strong commitment to the ideals which motivated him in the service of our country—not unlike our friend and colleague from Georgia and others—and now continues to fight for these matters. He is a person for whom I have enormous respect and admiration. I am enormously grateful to him for this opportunity this afternoon.

I thank our leader, Senator DASCHLE, who really is a leader for our times. I think all who get to know him better and better as the time goes on, and as the American people get to understand and know him better and better, will understand the true value of his leadership and the difference he is making for this institution and our country. I am grateful to him.

I thank my colleagues for all of their comments. I was very touched and moved by so many of the stories that were recounted. I am grateful. I love this institution. I have friends in this institution who make a great difference to my life, to me personally, but also in being allies in attempting to advance the unfinished business of this country. Many spoke today. I am extremely grateful.

I was in Massachusetts this last week and was fortunate, as a result of my wife Vicki arranging some preliminary birthday celebrations, to meet with many friends. I mentioned at the time when I was in Massachusetts that my birthday was a rather unusual birthday because my mother entered St. Margaret's Hospital in Dorchester, MA, on February 12, 1932—that is Lincoln's birthday—then she left the hospital on February 18. I had not arrived. She went back in on February 20, and I arrived on the 22nd, which is George Washington's birthday. My mother stayed there until March 16, which is the eve of St. Patrick's Day. So if you add Lincoln's, Washington's, and St. Patrick's, you get a politician, the way I look at it.

People in Massachusetts wondered how long I was going to serve in the Senate. I am asked that question frequently generally by my nephews and nieces, and by some others. I said I could run four more times and still be younger than STROM THURMOND. We joked or laughed about that.

Nonetheless, I have been enormously blessed with heroes, my heroes being the members of my family, and by the commitment to public service which was so strong in our family, and, along with a strong faith, the sense that we all should give something back to this country in return for all it has given to us.

I have seen the political process work. I believe in the political process. I have seen it work at the time of the election of a Congressman, then a Senator, and then a President, and a President making a difference in people's lives, President Kennedy. And I have seen the process work here. I still believe, as we were brought up to believe, that politics is a noble profession. It is not always recognized as such in this country, at this time, but I think for all Members in this institution and for all those outside of the institution who are attempting to gain the opportunity to serve in this extraordinary, rare opportunity and extraordinary honor, they recognize it as well. I am enormously mindful every day of my life that the greatest public honor of one's life is the service in the Senate. It is for me.

I always think the greatest contribution I will have made will have been my children, but the greatest public

honor will be the service in the Senate representing, in my case, Massachusetts, the State I love, which has played such an extraordinary role in this Nation, from the Revolution of this country, to its members being involved in the Constitutional Convention, to the strong support by the abolitionists in ending slavery, the support for the suffragettes—by great leadership by Republicans and Democrats. The people of Massachusetts have a high standard for progress to be made by their Representatives, and it is one that challenges all of us each day.

Let me just say, finally, I don't think people are asking very much in our country. They want schools that teach. They want a health care system, so they can pay into a system but also have a quality health system that is going to cover themselves and their family. They want respect for their senior citizens. They want good jobs, so they can have a future for themselves and for their families and for their children. They want to knock down the walls of discrimination. Americans are fair, and they understand that this country has to free itself from discrimination in every form and shape we face. They want decent housing, and, as a part of the American dream, they want to be able to breathe the air and drink the water that is clean. They want safe and secure neighborhoods, strong defense, and they want us to represent overseas the best of American values.

I came to this body believing that the privileged and the powerful can look out for themselves but that our challenge is to make sure we are going to have as even a playing field as we possibly can for all Americans. I think it is something that should get us up early in the morning and have us willing to work long and hard, as long as we are privileged to serve here, to be able to achieve. That is really what America is all about: Freeing us from the forms of discrimination, creating an even playing field so that our fellow citizens can be what they truly can be and want to be.

I was reminded just the other day of the cartoon ''Peanuts'' by Charles Schultze. It gave me some hope because, as Peanuts has said:

> After you go over the top of the hill, you go faster on the other side.

So I am looking forward, with even greater spirit and greater determination, to the battles that lie ahead in this Senate Chamber, representing my State. I thank all of those who have been a part of today.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Madam President, I thank my colleague for his long service in the Senate.

May I inquire, are we prepared to go back on the bill?

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EQUAL PROTECTION OF VOTING RIGHTS ACT OF 2001—Continued

The PRESIDING OFFICER. The Senator from Utah.

AMENDMENT NO. 2934

Mr. HATCH. Madam President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. Without objection the pending amendment is set aside. The clerk will report.

The senior assistant bill clerk read as follows:

> The Senator from Utah [Mr. HATCH], for himself, Mr. ENSIGN, and Mr. BURNS, proposes an amendment number 2934.

Mr. HATCH. I ask unanimous consent the reading of the amendment be dispensed with.

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

The amendment is as follows:

> (Purpose: To apply the election technology and administration requirements to States only after funding is made available to meet such requirements)
>
> On page 22, after line 25, insert the following:
>
> **SEC. 105. COMPLIANCE WITH ELECTION TECHNOLOGY AND ADMINISTRATION REQUIREMENTS CONDITIONED ON FUNDING.**
>
> Notwithstanding any other provision of this title, no State or locality shall be required to meet a requirement of this title prior to the date on which funds are appropriated at the full authorized level contained in section 209.

Mr. HATCH. Madam President, I rise today to offer an amendment to S. 565, the Equal Protection and Voting Rights Act of 2001.

First of all, I thank my friends Senator ENSIGN and Senator BURNS for cosponsoring this important amendment. Let me also commend my colleagues, Chairman DODD and Senator MCCONNELL, for undertaking an extremely arduous process leading to consideration today of legislation that is supported by half the Senate. I know this was not easy for the committee, nor their staffs, and I appreciate the hard work that led to this compromise.

That being said, I do have a concern about the impact that enactment of this legislation could have on states and localities, most of whom are experiencing extreme budget shortfalls. Let me explain.

Title I of the Dodd-McConnell bill includes seven new uniform and nondiscriminatory requirements for election technology and administration. These are requirements, for example, pertaining to certification of votes cast, audit capacity, and accessibility for individuals with disabilities. If enacted, these requirements would apply to each voting system used in an election for Federal office. Obviously, this language has far-reaching consequences.

I appreciate the intent underlying the sponsors' legislation, which is that the system must be uniform in nature, across the entire country, if it is to be successful in accomplishing the goal of election reform.

I also appreciate the committee's stated desire that the program be fully funded. That being said, the question I ask my colleagues is this: ''What if it isn't?'' What if a future Congress fails to provide adequate funding for this legislation?

That goes to the heart of my amendment.

My amendment is simple. It states that only fully-funded mandates will be enforceable. In other words, if Congress does not provide the funding, the States and localities won't be left holding the bag for a Federal mandate.

Let me hasten to make clear that my amendment does not seek to change the mandates in this title. What it does is ensure State and local governments that we will keep our commitment in the Unfunded Mandates Reform Act of 1995. At that time, we promised the States that we would not saddle them with new mandates without providing them with the resources to implement and enforce those laws.

While I believe my good friends Senator CHRIS DODD and MITCH MCCONNELL are well intentioned in their approach to election reform, as now drafted, this bill fails to protect states and localities from unfunded mandates. Adoption of my amendment would guarantee we keep this promise to our States and localities. I also believe that this amendment seeks to codify the author's intent of meeting our promises to the states.

Some may argue that the Dodd-McConnell bill will fund every title in the bill. However, this argument does not hold water when weighed against the text of the bill. This bill authorizes payments to the states. Note the key word—authorizes. It does not appropriate the resources to get the job done. Given the numerous competing Federal priorities, not to mention the funding required in our fight against terrorism, there is good reason to question whether those resources will be available.

I have great faith in the future of this country and in our future leaders. I do not have faith, however, that future congresses will allocate required resources for every State to purchase new equipment and to retrofit existing structures where citizens vote. S. 565 sets three hard deadlines, and the States will be held accountable for the mandated changes at each of those deadlines. Although the changes will be phased in over 4 years, all States will be responsible for implementing all provisions by 2006.

The Congressional Budget Office has estimated the cost of the Dodd-McConnell bill at $3 billion. That is billion, with a ''B.'' I know that my friends Senators DODD and MCCONNELL fully expect this bill to be funded. I truly hope that is the case.

But let us look at the hard realities. It is ethnical for us, at a time when the majority of our states are facing serious financial difficulties, when some, such as my home State of Utah are cutting off health care benefits to children and closing prisons, to even suggest they foot the entire bill for these new mandates? I think not.

Our amendment simply declares that States will not be held accountable for any mandated provisions in S. 565 until sufficient funds have been appropriated. I think it would be prudent, even if we are able to fully fund these mandates, to have this provision in the bill as a safety net.

Let me also note that this amendment has the support of state and local governments.

Madam President, I ask unanimous consent that letters from various State and local officials be printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

NATIONAL ASSOCIATION OF SECRETARIES OF STATE, NATIONAL CONFERENCE OF STATE LEGISLATURES, AND THE NATIONAL ASSOCIATION OF COUNTIES

February 13, 2002.

DEAR SENATOR HATCH: The national organizations listed above, representing state and local elected officials, express our support for your proposed amendment to ensure that full federal funding accompanies federal election reform legislation.

We have reviewed the text of your proposed amendment and endorse it as a mechanism to guarantee that federal mandates be accompanied by full funding. We look forward to working with you to ensure that states and local governments are equipped to provide fair and open elections and to maintain and improve the process by which we conduct elections for local, state and federal office.

Sincerely,

RON THORNBURGH,
Kansas Secretary of State, President, National Association of Secretaries of State.

LARRY NAAKE,
Executive Director, National Association of Counties.

WILLIAM POUND,
Executive Director, National Conference of State Legislatures.

STATE OF UTAH,
OFFICE OF THE GOVERNOR,
Salt Lake City, UT, February 25, 2002.

Hon. ORRIN G. HATCH,
Russell Building,
Washington, DC.

DEAR SENATOR HATCH: I am writing to express my support for your proposed amendment to ensure that full federal funding accompanies federal election reform legislation.

As you are aware, many states, including Utah, are experiencing budget shortfalls. It would be extremely difficult, if not impossible, to make budget allocations to purchase new voting equipment at this time. Unfunded federal mandates would also place a financial burden on our 29 counties. We are dedicated to providing the best equipment so that every individual has an equal opportunity to vote, but we cannot accomplish this without federal funding.

As the Chief Election Official for the State of Utah, I endorse your proposed amendment. I feel that the only way states and localities can accomplish the many aspects of election reform is to provide full funding for all federal mandates. I look forward to working with you to ensure that all elections are fair, open and efficient.

Sincerely,

OLENE S. WALKER,
Lieutenant Governor.

Mr. HATCH. I urge my colleagues to remember your commitment to your State—no more unfunded mandates. I urge an affirmative vote on this important amendment.

Mr. DODD. Madam President, as I understand my colleague—I appreciate his points about what we have tried to do in this legislation, obviously. There are some minimum requirements in the area of access, to make it possible for millions of disabled Americans who have never been able to cast a vote in private, independently, to be able to do so; the anti-fraud provisions of statewide voter registration; and provisional voting. Those are the three minimum requirements here—and fully fund it.

I agree with my colleague from Utah. I happen to believe when there are mandates such as this, minimum requirements, no matter how minimum they may be, we ought to have the resources to make it possible for our States to do those things.

I have committed to my friend and colleague from Utah that we are going to do everything possible to see to it that is the case. So, in terms of the language of this amendment, I inquire of my friend from Utah whether or not the understanding is we are going to see to it—the President has already put $1.2 billion in his budget as a kind of indication of the administration's good faith on this issue.

I found that to be a remarkable commitment in light of the fact the bill has not been adopted yet. Obviously, we don't have the power to appropriate as an authorizing committee. But because my friend from Kentucky, the Senator from Missouri, and the Senator from Illinois—all of whom are principal sponsors of this bill—sit on the Appropriations Committee, along with conversations with others, we feel very confident that the resources are going to be there on a bipartisan basis.

AMENDMENT NO. 2934, AS MODIFIED

Mr. HATCH. Madam President, from our previous conversation, I understand that the Senator requests that I withdraw this amendment.

Let me just say that I am reluctant to withdraw this amendment. I am very concerned that without a concrete assurance in the bill, our states will be saddled with requirements that are clearly out of their financial reach. I hear what my friend, Senator DODD, is saying and I would like to believe that there will be adequate funding for all of the provisions in S. 565. On the other hand I have received countless entreaties from local governments who are, simply put, skeptical that the federal government will provide them with adequate funding. Without that funding, obviously, an unfunded mandates. That is what I would like to avoid.

That being said, Senator DODD does raise a good point when he reminds us that many of the cosponsors of the Election Reform Act serve on the Appropriations Committee. On the other side, one of the great fears of those who I represent with this amendment is that future congresses will not share the same commitment. It is my hope and I'm sure the hope of all of the cosponsors of this amendment that the appropriators will endeavor to fund fully all of the provisions within the bill. I accept the assurances of my colleague address this concern more fully in conference. To that end, I'm willing to work with my colleague on this issue and modify my amendment. I am sending the modification to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment is so modified.

The amendment (No. 2934), as modified, is as follows:

At the appropriate place, insert the following:

SEC. . SENSE OF THE SENATE ON COMPLIANCE WITH ELECTION TECHNOLOGY AND ADMINISTRATION REQUIREMENTS.

It is the sense of the Senate that full funding be provided to each State and locality to meet the requirements relating to compliance with election technology and administration pursuant to this Act.

Mr. HATCH. Madam President, this modification expresses the sense of the whole Senate to do what both Senator DODD and I are so concerned about. It shows that all 100 Senators agree with Senators ENSIGN, BURNS, THOMAS and me that full funding of this act must be guaranteed to states and localities. While this is not the version of the amendment that I would have preferred, I believe that it will assure the supporters of the original amendment that there will be appropriate funding. I urge adoption of the amendment, as modified.

Mr. DODD. Madam President, I agree. I thank my friend from Utah, the Senator from Nevada, and the Senator from Montana. Everyone feels very strongly about this in the difficult times for all of our jurisdictions. That is why we have not made this a percentage mandate but a 100-percent Federal budget, and becoming a far better partner with our States and localities in the conduct of elections.

I enthusiastically support this modification.

The PRESIDING OFFICER. Is there further debate?

If not, without objection, the amendment, as modified, is agreed to.

The amendment (No. 2934), as modified, was agreed to.

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

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 2935

Mr. HATCH. Madam President, I send an amendment to the desk.

The PRESIDING OFFICER. Without objection, the pending amendment is set aside.

The clerk will report.

The assistant clerk read as follows:

The Senator from Utah [Mr. HATCH] proposes an amendment numbered 2935.

Mr. HATCH. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

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

(The amendment, No. 2935, is printed in the RECORD under ''Amendments Submitted''.)

Mr. HATCH. Madam President, I rise to offer another amendment to the bipartisan Equal Protection and Voting Rights Act of 2002. First let me thank my colleagues Senators DODD, MCCONNELL, BOND, SCHUMER, MCCAIN, TORRICELLI, and others for all the hard work that they have put into this bill. I also want to thank Senator LEAHY for cosponsoring this amendment, which will lay the groundwork for integrating new technology into the political process. Senator LEAHY's knowledge and support of technological issues made his input invaluable.

As Americans, we have the right to participate in the greatest democracy in the world, and most will agree that the act of voting is the bedrock of our democratic society. Americans take pride in the role they play in shaping issues and determining their leaders, and yet, we see that voter participation in recent years has decreased among people of all ages, races, and gender. I find these statistics both disappointing and tragic because, as Thomas Jefferson stated, ''that government is the strongest of which every man himself feels a part.''

Why is voter turnout so low? Of the 21.3 million people who registered but did not vote in the 1996 election, more than one in five reported that they did not vote because they could not take time off of work or school or because they were too busy. Can technological advances, like the Internet, increase participation in the electoral process by making voter registration easier or by simplifying the method of voting itself? As the elected representatives of the people, we should consider every option available that might help involve more of our country's citizens in America's democratic process. Federal, State, and local governments are duty bound to encourage all eligible Americans to exercise their right to vote.

In the past, attempts have been made to increase voter registration and turnout. Unfortunately, these attempts have met with limited success. The Motor Voter Act of 1993, for example, attempted to increase voter participation by permitting the registration of voters in conjunction with the issuance of driver's licenses. According to the U.S. Census Bureau, 28 percent of the 19.5 million people who have registered to vote since 1995 have done so at their local Department of Motor Vehicles, the single highest method compared to any other form of registration. Notwithstanding this simplified voter registration procedure, voter participation continues to decline. Although registering to vote at the DMV generally is more convenient than other methods of registration, a substantial portion of registered voters nevertheless continue to fail to register to vote and fail to go to the polls on election day.

Voting via the Internet has been suggested as one possible solution to the problem. The Internet has revolutionized the way people communicate and conduct business by permitting millions of people to access the world instantaneously, at the click of a mouse. The Internet has already increased voter awareness on issues of public policy as well as on candidates and their views. In the future, the Internet may very well increase voter registration and participation, and thereby strengthen our country's electoral process.

As many of us have seen in the recent past, more and more states are looking at ways to utilize the Internet in the political process. Proposals include online voter registration, online access to voter information, and online voting. State and local officials around the country are anxious to use the Internet to foster civic action. I think that this is a positive step. Real questions remain, however, as to the feasibility of securely using the Internet for these functions. How can we be sure that the person who registers to vote online is whom he or she claims to be? How can we ensure that an Internet voting process is free from fraud? How much will this technology cost? There are also important sociological and political questions to consider. For example, will options such as online registration and voting increase political participation or could the Internet be equitably used in the political process? These and other questions deserve our attention.

The Hatch-Leahy amendment addresses these issues in two ways: No. 1, it establishes an advisory committee that will provide a necessary framework for discussing the possible uses and abuses of the Internet in the voting process;

And No. 2, it directs the Attorney General to review existing criminal statutes and penalties and to report to Congress and the advisory committee whether additional penalties for interfering with online registration and voting are needed.

No American who has exercised his or her rights to vote should ever have to wonder if their properly cast vote will be counted. We must preserve the integrity of the voting process and I commend the efforts of those who have drafted this bill. The Hatch-Leahy amendment complements the bill and will help to ensure the legitimacy of the voting process. As we continue to address the current problems with our voting process, we can and should take this opportunity to examine the impact of new technologies on our elections.

Many States already allow for portions of the voter registration process to be completed online. The Arizona State Democratic Party allowed online voting in the 2000 presidential primary and nearly 36,000 Arizona Democrats took advantage of this opportunity. We can anticipate that this trend toward online voting will continue. To make clear our desire to hold elections free from fraud, this amendment requests the Attorney General to study whether our criminal code provides adequate penalties to punish and deter interference with online registration and voting.

The Hatch-Leahy amendment will also create the ''Advisory Committee on the Internet and the Electoral Process.'' This committee, comprised of federal, state, and local officials, as well as representatives of the high-tech industry and academia, will investigate the practicality, feasibility, and advisability of using the Internet in the voting process. The report generated by this committee will provide a much needed framework for discussing important issues related to Internet voting. New technology has enhanced many aspects of our lives, and perhaps it can be used to enhance our civic lives as well.

Can registering and voting online really work? We must carefully evaluate the issues that will arise as the civic privilege of voting meets with technological advances. Proponents of ''electronic voting''—so-called e-voting''—contend that there are numerous advantages to this emerging type of ''cyber'' political participation, including the immediate disclosure of campaign contributions, an increase in the number of grassroots volunteers, and the creation of a more accessible forum for political advertising. Skeptics assert, to the contrary, that e-voting would only serve to decrease ''real'' electoral participation, place personal privacy at risk and pave the way for election fraud. The late Senator Sam Ervin opposed simplifying voter registration and voting, stating that he did not ''believe [in] making it easy for apathetic, lazy people'' to vote. I do not know whether online voter registration and e-voting will halt the decline in voter participation; I do not know whether online voter registration and e-voting even is wise. I firmly believe, however, that this issue deserves serious examination as we seek to ensure that our democratic republic engages as many citizens as is possible.

As we seek to ensure equal access to the voting place and the integrity of the voting process, it would be irresponsible of us to ignore the potential

effects, both good and bad, that new technology will have on the political process. The importance of the issue demands we take the opportunity to explore these possibilities. The Hatch-Leahy amendment proposes important forward-looking measures that will ensure our ability to properly integrate new technology in the political process.

Madam President, I yield the floor on this amendment. Then I will bring up one more amendment.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. Madam President, this is a study to be done on Internet voting. As my friend from Utah points out, there are jurisdictions which are examining how this would work. Obviously, there are some very serious problems one might face on privacy issues and the like with Internet voting. We have accepted a number of amendments that look at studies to be done to report back to us on this area.

Mr. HATCH. If you are willing to accept the amendment, that will be fine.

Mr. DODD. I want to make sure my colleague from Kentucky is all right on this amendment. I am fine with it.

Mr. HATCH. Shall we wait on that with the understanding you will check and see?

Mr. DODD. Why don't we wait until he comes to the Chamber—I want to give him a chance to respond to this—and temporarily lay this aside?

Mr. HATCH. That is fine.

Mr. DODD. And then come back to it.

Mr. HATCH. Madam President, I ask unanimous consent that my amendment be temporarily laid aside and I be permitted to bring up one more amendment.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. HATCH. Madam President, I send another amendment to the desk.

Mr. SPECTER addressed the Chair.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Madam President, I discussed with the distinguished manager an opportunity to speak for just a few minutes in morning business. I could not be in the Chamber before. So I ask unanimous consent to speak for up to 5 minutes.

Mr. DODD. Reserving the right to object, my colleague from Georgia has been very patient. He has an amendment to offer on the bill. Can we limit this statement? How much time does the Senator from Pennsylvania need?

Mr. SPECTER. Four minutes.

Mr. CLELAND. I yield.

Mr. DODD. The Senator from Georgia has decided the 4 minutes is an appropriate time.

Madam President, I ask unanimous consent that upon the completion of the remarks of the Senator from Pennsylvania, the Senator from Georgia be recognized to offer an amendment.

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

(The remarks of Mr. SPECTER are printed in today's RECORD under "Morning Business.")

Mr. SPECTER. I thank my colleagues and yield the floor.

AMENDMENT NO. 2936

Mr. HATCH. Madam President, I ask unanimous consent to use one of Senator MCCONNELL's relevant amendments.

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

The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Utah [Mr. HATCH] proposes an amendment numbered 2936.

The amendment is as follows:

(Purpose: To make the provisions of the Voting Rights Act of 1965 permanent)

On page 68, between lines 17 and 18, insert the following:

SEC. ___. MAKING THE PROVISIONS OF THE VOTING RIGHTS ACT OF 1965 PERMANENT.

(a) PERMANENCY OF PRECLEARANCE REQUIREMENTS.—Section 4(a)(8) of the Voting Rights Act of 1965 (42 U.S.C. 1973b(a)(8)) is amended to read as follows:

"(8) The provisions of this section shall not expire.".

(b) PERMANENCY OF BILINGUAL ELECTION REQUIREMENTS.—Section 203(b)(1) of the Voting Rights Act of 1965 (42 U.S.C. 1973aa–1a(b)(1)) is amended by striking "Before August 6, 2007, no covered State" and insert "No covered State".

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of enactment of this Act.

Mr. DODD. Just one moment.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. Is this the amendment on the——

Mr. HATCH. Bilingual.

Mr. DODD. Could I urge my colleague, on this one, because there is going to be objection raised by the Senator from Vermont, among others—we have the Senator from Georgia waiting to offer an amendment. This is going to take some work. So I would urge my colleague to maybe withdraw the amendment temporarily.

Mr. HATCH. Why don't I make a very short set of remarks, and then you can set it aside, and we can decide what to do later. Is that OK?

Mr. DODD. I urge the Senator to withdraw it temporarily so it is not hanging out here, so we can try to work on it.

Mr. HATCH. Let me leave it, you can set it aside, and then we will work on it.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Madam President, today I offer an amendment to a provision of the Voting Rights Act that I introduced and we adopted in 1992. That law required the States to provide for election materials in Spanish, Asian languages, as well as Native American languages.

I am proud of that law. I am well aware of the excitement that new citizens, often senior citizens, experience on the day they first leave their home to vote as American citizens for the very first time, sometimes accompanied by their English-speaking children and grandchildren. Imagine that, Madam President.

But that excitement turns to terrible anxiety when they find that they cannot understand English language instructions that we English-speakers take for granted. Out 1992 amendment changed that for millions of our newest Americans of Hispanic and Asian descent, as well as the descendants of our first Americans.

The law has worked, and so today I offer an amendment to make permanent the requirement of these bilingual facilities, and I urge my colleagues to join me.

Similarly, my amendment also makes permanent provisions of the Voting Rights Act that have withstood the test of almost 30 years of periodic extensions. Rather than extend these civil rights protections repeatedly, I think we should make them permanent.

That is all I have to say. I would be happy to have it set aside. We can debate this issue later as necessary.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Madam President, I understand this amendment is going to be set aside. I am glad to see that. This amendment is premature. It would be an extension of the Voting Rights Act absent any hearings of any sort.

We have the current difficulty, as we have seen, of an extremely activist U.S. Supreme Court which basically acts as a kind of super legislature and has been setting aside act after act of the Congress, even some that have had years of hearings. I would be concerned that when they set aside acts of Congress passed by very solid majorities, both Republicans and Democrats, following years of hearings, what they might do on something like this that has not had a hearing.

The Supreme Court's 1997 decision in City of Boerne v. Flores provides an instructive example. In that case, the Court distinguished between the Religious Freedom Restoration Act of 1993—which it invalidated—and the Voting Rights Act. The Court criticized the lack of evidence of religious bigotry Congress had adduced to support its passage of the RFRA. Conversely, it said, Congress had developed a record of widespread bigotry to support its passage of the Voting Rights Act. I believe the Court overstepped its bounds and thwarted Congress' will through this decision, and I fear the same could happen if we hastily make the Voting Rights Act permanent without establishing an ample record of why such a decision is necessary. There is no need for such haste—we should make the Voting Rights Act permanent, but we should do it in a way that would withstand challenge before even the most skeptical court.

Am I correct that the amendment has now been withdrawn?

The PRESIDING OFFICER. The amendment has not yet been withdrawn. The Senator from Utah stated that it would be set aside.

Mr. HATCH. Madam President, I am happy to have the amendment set aside if I could work on it with my colleagues. I am happy to ask unanimous consent that it be set aside so that we can work on it with our colleagues and resolve any difficulties. I can't imagine any difficulties, but if there are, we will try and resolve them. If not, we will vote on it later today.

The PRESIDING OFFICER. Without objection, the amendment will be set aside. The Senator from Georgia is recognized.

AMENDMENT NO. 2883

Mr. CLELAND. Madam President, I rise today to offer an amendment along with my colleague from Georgia, Senator MILLER, who is a cosponsor to S. 565, as amended by the Dodd substitute. I understand the amendment has been sent to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Georgia [Mr. CLELAND], for himself and Mr. MILLER, proposes an amendment numbered 2883:

Amend section 1(a) to read as follows:

(a) SHORT TITLE.—This Act may be cited as the ''Martin Luther King, Jr. Equal Protection of Voting Rights Act of 2001''.

Mr. CLELAND. Madam President, as read by the clerk, this is a simple but important amendment. This amendment will change the title of the Equal Protection of Voting Rights Act of 2001 to the ''Martin Luther King, Jr. Equal Protection of Voting Rights Act of 2001.'' I believe that it is appropriate to name this legislation after the man who fought for equal voting rights for all Americans, Dr. Martin Luther King, Jr., a man who had a vast and distinguished record of public service to the American people.

As one of the premier champions of basic human rights, Dr. King worked tirelessly to combat segregation, discrimination, and racial injustice. In 1963, Dr. King led the march on Washington, DC, that was followed by his famous address, the ''I Have a Dream'' speech. Through his work and reliance on nonviolent protest, Dr. King was instrumental in the passage of the Civil Rights Act of 1964 and the Voting Rights Act of 1965. Despite efforts to derail his mission, Dr. King acted on his dream of America and succeeded in making the United States a better place.

I believe this is an appropriate time and place to honor Dr. Martin Luther King, Jr., the foremost leader of the civil rights movement, for his contributions to this Nation in ensuring that all Americans have the right to vote. I would like to thank Senator MILLER for his support of this amendment, and I thank Senator DODD for the opportunity to speak about this matter on the floor this afternoon.

I urge my colleagues to support this amendment and attach Dr. King's name to this important bill during the month of February, a time when we recognize the achievements of African Americans in this great nation of ours.

Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

At this time there is not a sufficient second.

Mr. DODD. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. SCHUMER). Without objection, it is so ordered.

AMENDMENT NO. 2906

Mrs. CLINTON. Mr. President, I rise today in support of an amendment to the important election bill that is being considered. I note that the Presiding Officer has been deeply involved in the crafting of this legislation, along with Senator DODD, Senator MCCONNELL, and others. It does put us in a very good position to be able to tell Americans that we have heard their concerns about our electoral system and we are moving to address them.

I applaud the President for putting $1.2 billion in his budget to be able to fund the requirements that will fall upon the States as they attempt to bring their electoral system in line with what is really required for a modern Federal election system to function.

I have introduced this amendment, referred to as the residual vote error rates amendment, a rather complicated description that I will get to in a minute, because I think it is imperative that we address what were the legitimate concerns not only in this last Presidential election, but in elections prior to it, because year after year, not just in the year 2000, ballots have not been counted because of what are referred to as ''residual votes.'' These are overvotes and undervotes, and spoiled votes.

According to the definitive Caltech/MIT report:

Over the past four Presidential elections, the rate of residual votes was slightly over 2 percent. This means that in a typical Presidential election over 2 million voters did not have their Presidential vote recorded for their ballots.

The percentage of discarded ballots is even higher in Senate elections—approximately 5 percent.

In other words, almost 5 million votes are not recorded for other prominent statewide offices.

Now, in the vast majority of these cases, voters actually believed they were recording their votes, even though their ballots were ultimately discarded.

Because of this pattern of discarded votes, so-called residual votes, based on unintentional human error, the Ford-Carter commission, chaired by former President Gerald Ford and former President Jimmy Carter, recommended unanimously that Congress focus not just on machine errors in improving our election system but on the unintentional human errors that make up the bulk of what denies our citizens their vote from being counted. The commission, acting unanimously—Republicans, Democrats, independents, academics, people with political experience, all walks of life—made this unanimous recommendation because they concluded that only by measuring the rate of residual vote errors will we be able to assess effectively whether the voting process as a whole is giving citizens an equal opportunity to have their votes counted.

That is why I have offered this amendment, which would require the Office of Election Administration—which is called for in the underlying bill—to set a residual vote error rate standard, or benchmark. In other words, just as we are asking the Office of Election Administration to set a standard for mechanical errors—you know, you pull the lever, put the punch card in a machine, and something goes wrong, and the machine, because of mechanical error, doesn't count your vote—in the bill we are asking the Office of Election Administration to set a benchmark, so that we will make sure that mechanical errors are corrected. Well, similarly, I am asking in this amendment that we set such a standard or benchmark for the residual errors, votes that are never counted, so that we keep those votes to the barest possible minimum.

This proposed standard is 100 percent in keeping with the other voting standards in the bill, including the voting system standard that requires the Office of Election Administration to make sure that we have a system nationwide that, in Federal elections, ensures that mechanical errors for people in one State are counted in the same way as for people in another State. Similarly, these unintentional human errors should be held to the same standard.

Now, a mechanical error rate standard, I agree, will certainly be helpful in improving the election system; but, unfortunately, it does not address the most significant cause of discarded votes.

Just think back to those weeks, those torturous weeks when we had to go through the recounting of votes to try to determine what was the voter's intent. Most States have such a standard in State law, and the States use their systems to determine the outcome once a challenge is made and

then to figure out how they are going to appropriately address it by counting those votes and trying to meet the standard that the State sets.

We need a similar standard for Federal elections. This amendment will provide greater assurance that all voters in any Federal election are protected.

Some people have said in discussing this amendment with me that this may result in suits being brought against States. As I understand the bill, it gives the Attorney General the authority to bring a civil action against States that fail to comply with any standard. This amendment is no different. It does not put an additional burden on the States, nor does it put an additional burden on the Attorney General. In any event, States will have more funding and more than 7 years to comply since jurisdictions that receive grant funds to meet voting system standard requirements will be deemed in compliance until the year 2010.

We are not asking any different process than what has already been established in the bill for the mechanical error rate.

I also think it is important to recognize that this amendment does not address what happened solely in the Presidential election of 2000. In fact, on the contrary, both the Caltech-MIT report and the Ford-Carter commission have told us that we discovered a problem that has been, unfortunately, widespread throughout our country for many elections.

That is why this amendment is supported by the AARP, the League of Women Voters, the NAACP, the National Council of La Raza, the AFL–CIO, the U.S. Public Interest Research Group, the Leadership Conference on Civil Rights, and many other groups that are concerned that if we leave this particular issue unaddressed, we have not given our citizens the assurance they deserve that their votes will count.

In closing, I hope we are able to obtain the support needed for this residual vote error amendment so that we can be sure we are not only taking care of the machines that break down, but we are taking care of those unintentional errors that may cause a breakdown in the individual citizen being able to have his or her vote counted.

I hope for the sake of all Americans we will ensure that we can have the utmost faith in our election system, and I hope my colleagues will support this amendment. I thank the Chair.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. Mr. President, in consultation with the two leaders and with my colleague from Kentucky, I ask unanimous consent that the Senate vote in relation to the Cleland amendment No. 2883 at 4:55 p.m., with no second-degree amendments in order prior to that vote.

As a source of information for my colleagues, there will be two votes based on an earlier unanimous consent agreement. There will be a vote on a judicial nomination immediately following the vote on the Cleland amendment.

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

Mr. DODD. I thank the Chair. I believe the hour of 4:55 p.m. has arrived.

The PRESIDING OFFICER. The Senator from Connecticut has correctly announced the time.

VOTE ON AMENDMENT NO. 2883

The PRESIDING OFFICER. The question is on agreeing to amendment No. 2883. The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. REID. I announce that the Senator from Vermont (Mr. JEFFORDS) is necessarily absent.

Mr. NICKLES. I announce that the Senator from South Carolina (Mr. THURMOND) and the Senator from Nevada (Mr. ENSIGN) are necessarily absent.

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

The result was announced—yeas 97, nays 0, as follows:

[Rollcall Vote No. 36 Leg.]

YEAS—97

Akaka	Dorgan	McCain
Allard	Durbin	McConnell
Allen	Edwards	Mikulski
Baucus	Enzi	Miller
Bayh	Feingold	Murkowski
Bennett	Feinstein	Murray
Biden	Fitzgerald	Nelson (FL)
Bingaman	Frist	Nelson (NE)
Bond	Graham	Nickles
Boxer	Gramm	Reed
Breaux	Grassley	Reid
Brownback	Gregg	Roberts
Bunning	Hagel	Rockefeller
Burns	Harkin	Santorum
Byrd	Hatch	Sarbanes
Campbell	Helms	Schumer
Cantwell	Hollings	Sessions
Carnahan	Hutchinson	Shelby
Carper	Hutchison	Smith (NH)
Chafee	Inhofe	Smith (OR)
Cleland	Inouye	Snowe
Clinton	Johnson	Specter
Cochran	Kennedy	Stabenow
Collins	Kerry	Stevens
Conrad	Kohl	Thomas
Corzine	Kyl	Thompson
Craig	Landrieu	Torricelli
Crapo	Leahy	Voinovich
Daschle	Levin	Warner
Dayton	Lieberman	Wellstone
DeWine	Lincoln	Wyden
Dodd	Lott	
Domenici	Lugar	

NOT VOTING—3

Ensign	Jeffords	Thurmond

The amendment (No. 2883) was agreed to.

EXECUTIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now proceed to vote on the nomination of Cindy K. Jorgenson, which the clerk will report.

The legislative clerk read the nomination of Cindy K. Jorgenson, of Arizona, to be United States District Judge for the District of Arizona.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Cindy K. Jorgenson, of Arizona, to be United States District Judge for the District of Arizona? The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from South Carolina (Mr. THURMOND) and the Senator from Nevada (Mr. ENSIGN) are necessarily absent.

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

The result was announced—yeas 98, nays 0, as follows:

[Rollcall Vote No. 37 Ex.]

YEAS—98

Akaka	Dorgan	Lugar
Allard	Durbin	McCain
Allen	Edwards	McConnell
Baucus	Enzi	Mikulski
Bayh	Feingold	Miller
Bennett	Feinstein	Murkowski
Biden	Fitzgerald	Murray
Bingaman	Frist	Nelson (FL)
Bond	Graham	Nelson (NE)
Boxer	Gramm	Nickles
Breaux	Grassley	Reed
Brownback	Gregg	Reid
Bunning	Hagel	Roberts
Burns	Harkin	Rockefeller
Byrd	Hatch	Santorum
Campbell	Helms	Sarbanes
Cantwell	Hollings	Schumer
Carnahan	Hutchinson	Sessions
Carper	Hutchison	Shelby
Chafee	Inhofe	Smith (NH)
Cleland	Inouye	Smith (OR)
Clinton	Jeffords	Snowe
Cochran	Johnson	Specter
Collins	Kennedy	Stabenow
Conrad	Kerry	Stevens
Corzine	Kohl	Thomas
Craig	Kyl	Thompson
Crapo	Landrieu	Torricelli
Daschle	Leahy	Voinovich
Dayton	Levin	Warner
DeWine	Lieberman	Wellstone
Dodd	Lincoln	Wyden
Domenici	Lott	

NOT VOTING—2

Ensign	Thurmond

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is laid on the table. The President shall be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will return to legislative session.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

EQUAL PROTECTION OF VOTING RIGHTS ACT OF 2001—Continued

Mr. DODD. Mr. President, I ask unanimous consent that Senator SCHUMER be recognized to offer the Schumer-Wyden amendment; that the amendment be debated this evening, and that

when the Senate convenes on Wednesday at 9:30 a.m., there be 30 minutes for debate equally divided in the usual form, in relation to the Schumer-Wyden amendment, prior to a vote in relation to the amendment, with no second degree amendments in order prior to the vote.

Mr. REID. Mr. President, reserving the right to object, I should have mentioned this to the two Senators, but I didn't see it. We really need to have the vote at 10 a.m. because there are committees meeting. There will be almost 30 minutes of debate, with the prayer and the pledge and going right to the debate, and that will be equally divided. Could we have the vote at 10? Committee chairmen and ranking members wanted to have the vote at 10.

Mr. MCCONNELL. That is fine, if you want to adjust it.

Mr. DODD. I so modify the request to read on Wednesday at 10 a.m.

The PRESIDING OFFICER. Without objection, the unanimous consent request is modified.

Is there further objection?

Without objection, it is so ordered.

The Senator from Nevada.

Mr. REID. Mr. President, the majority leader has asked me to announce there will be no more rollcall votes tonight and expressed appreciation to the two managers for getting this far on this very complicated issue.

The PRESIDING OFFICER. The Senator from New York.

AMENDMENT NO. 2937

Mr. SCHUMER. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from New York [Mr. SCHUMER], for himself and Mr. WYDEN, proposes an amendment numbered 2937.

Mr. SCHUMER. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To permit the use of a signature or personal mark for the purpose of verifying the identity of voters who register by mail, and for other purposes)

Beginning on page 18, line 8, strike through page 19, line 24, and insert the following:

(b) REQUIREMENTS FOR VOTERS WHO REGISTER BY MAIL.—

(1) IN GENERAL.—Notwithstanding section 6(c) of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg–4(c)) and subject to paragraphs (3) and (4), a State shall, in a uniform and nondiscriminatory manner, require an individual to meet the requirements of paragraph (2) if—

(A) the individual has registered to vote in a jurisdiction by mail; and

(B) the individual has not previously voted in an election for Federal office in that State.

(2) REQUIREMENTS.—

(A) IN GENERAL.—An individual meets the requirements of this paragraph if the individual—

(i) in the case of an individual who votes in person—

(I) presents to the appropriate State or local election official a current and valid photo identification;

(II) presents to the appropriate State or local election official a copy of a current utility bill, bank statement, Government check, paycheck, or other Government document that shows the name and address of the voter;

(III) provides written affirmation on a form provided by the appropriate State or local election official of the individual's identity; or

(IV) provides a signature or personal mark for matching with the signature or personal mark of the individual on record with a State or local election official; or

(ii) in the case of an individual who votes by mail, submits with the ballot—

(I) a copy of a current and valid photo identification;

(II) a copy of a current utility bill, bank statement, Government check, paycheck, or other Government document that shows the name and address of the voter; or

(III) provides a signature or personal mark for matching with the signature or personal mark of the individual on record with a State or local election official.

(B) PROVISIONAL VOTING.—An individual who desires to vote in person, but who does not meet the requirements of subparagraph (A)(i), may cast a provisional ballot under section 102(a).

(3) IDENTITY VERIFICATION BY SIGNATURE OR PERSONAL MARK.—In lieu of the requirements of paragraph (1), a State may require each individual described in such paragraph to provide a signature or personal mark for the purpose of matching such signature or mark with the signature or personal mark of that individual on record with a State or local election official.

On page 68, strike lines 19 and 20, and insert the following:

(a) IN GENERAL.—Nothing in this Act may be construed to authorize

Mr. SCHUMER. Mr. President, the amendment I offer on behalf of myself and the Senator from Oregon—joined as cosponsors by the Senators from Washington, Mrs. MURRAY and Ms. CANTWELL; my colleague from New York, Senator CLINTON; the Senator from Illinois, Mr. DURBIN; as well as Senators BINGAMAN, HOLLINGS, AND KERRY—is a very simple amendment. It deals with the issue of signature on first-time voters.

First, before I begin, I commend my colleague, Senator BOND, for his efforts to include provisions in this bill that address voter fraud. All of us—Senators DODD, MCCONNELL, BOND, and TORRICELLI, and I—who worked so long and hard on this bill realize that part of the glue of the compromise of this bill was to make sure there were antifraud provisions in it. When an election is tainted by fraud, it not only casts doubt over the outcome and a pall over the victor but, more importantly, it shakes the voters' faith in our system, undermines each and every ballot that was cast. I believe that the Senator from Missouri—and I know my colleague from Connecticut would join me—deserves a great deal of credit for crafting antifraud provisions. One of them has, however, created some real problems that the amendment the Senator from Oregon and I have introduced seeks to correct.

The bill currently requires first-time voters who registered by mail to provide either a photo ID or a copy of a utility bill, a bank statement, a government paycheck, or other government document that shows the name or address of the voter. On the surface, that sounds to be a very reasonable requirement. But once you begin to scratch the surface, you discover it could easily disenfranchise countless eligible voters.

The amendment I offer today, with Senator WYDEN, will allow States to use signature verification and attestation, in addition to a photo ID and government checks, to verify voters; or a State can opt to only use a signature verification system, which is what we have done for decades in my State of New York with very good results. With these additions, we can be just as tough on voter fraud without turning away eligible voters. And there, my colleagues, is the careful balance of this bill. We do want to come down on voter fraud, but at the same time we must be mindful of the fact that the very thrust of this legislation is to make sure that every vote counts and to make sure that those who wish to vote, and wish to vote properly and legally, are able to do so as easily as possible.

That is the ultimate balance we seek. We believe this amendment restores that balance. When we don't have that amendment, balance is not restored and we will not do anything further to prevent voter fraud, but we will turn away thousands—nay, tens of thousands of eligible voters in States such as mine that have this system.

I have heard from election officials in my State, and I have heard from other States as well. The current provisions will disenfranchise voters and, at the same time, create an administrative problem for the many States that have used signature or attestation as the way of verifying that the person who comes to the ballot, to the polling place, is that person indeed.

I have copies of letters from the secretaries of state of Alaska, Kentucky, and North Carolina, for instance, expressing strong reservations about the provisions and urging that they be changed.

I ask unanimous consent to have those letters printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

STATE OF ALASKA,
February 13, 2002.

Hon. TOM DASCHLE,
U.S. Senate,
Washington, DC.

DEAR SENATOR DASCHLE: I understand that the elections reform legislation, S. 565, is currently being debated by the Senate. I have just returned from a meeting of the National Association of Secretaries of State, at which this election reform bill was a major focus.

The bill contains many positive provisions. Alaska's election system is well ahead in many areas, and many of the major sections in the bill will not have a great impact on Alaska because we are already in compliance with them.

I do have a major concern that I ask you to consider as you and your colleagues work on

this bill. Under the current provisions, the bill would impose federal requirements for verification of voter identification. Verification of some kind is a good idea, but the type of verification should be left up to states so it can be tailored to fit the unique circumstances of each state.

Let me give two simple examples of how mandated federal requirements could lead to the unintended consequence of discouraging or even disenfranchising voters:

S. 565 mandates that voters show photo identification in order to vote. In Alaska, this provision will create an unnecessary burden on rural Alaskans who live in communities with no means of obtaining photo IDs. It will effectively disenfranchise them (even though, ironically, they will almost certainly be personally known to the poll workers).

S. 565 would require first-time by-mail voters to send in proof of their identity with their ballot. This provision is likely to cause confusion and result in many ballots being unnecessarily disqualified because first-time voters forget to send in their documentation, or they send it in the wrong envelope. (These are just the kind of voters we want to encourage to participate in the democratic process, yet they are the most likely to be discouraged by this requirement!) There are other, equally effective ways to verify voter identification, such as allowing states to verify the signature on the voting envelope with the original signature on the voter registration form.

As I understand it, Senator Wyden may propose an amendment to address this issue. if this is the case, I would appreciate your support for this amendment, and if you can co-sponsor it, that would be even better.

I fully support the objective of effectively verifying the identity of voters and even requiring that each state have a system in place to do this, but I ask you to leave it up to states to decide how best to accomplish that. Although well-intended, voter verification mandates in S. 565 will have the unintended consequence of discouraging or even disenfranchising qualified voters, and it will have an especially harsh impact on Alaska.

I appreciate your consideration of this matter, and I truly appreciate the time and effort you are devoting to improving election processes throughout the nation.

Thank you for taking the time to meet with me this week while I was in Washington. I very much appreciated the opportunity to talk with you about issues of importance to Alaska.

Sincerely,

FRAN ULMER,
Lieutenant Governor.

COMMONWEALTH OF KENTUCKY,
OFFICE OF THE SECRETARY OF STATE,
Frankfort, KY, February 14, 2002.

Hon. MITCH MCCONNELL,
Russell Senate Office Building,
Washington, DC.

Hon. CHRISTOPHER BOND,
Russell Senate Office Building,
Washington, DC.

DEAR SENATORS MCCONNELL AND BOND: I am writing to express my concern regarding a provision in the substitute to S. 565, the Equal Protection of Voting Rights Act, that you and Senators Dodd and Schumer recently developed.

This legislation would require states to set up a photo ID program for individuals who have registered to vote by mail. Such a requirement would be administratively burdensome, could lead to discrimination or charges of discrimination, would undermine voter participation through absentee balloting, and is not the best way to meet the stated goal of preventing vote fraud.

The photo ID requirement currently in the legislation would put election workers and election directors in the position of administering the program. They would have to determine what photo IDs are acceptable. They would have to determine which voters would be subject to the requirement. And they would have to administer the program at busy polling places.

A photo ID requirement is widely suspect in minority communities. I am concerned that it would result in additional charges of discrimination at a time when we are trying to build greater trust in our election systems. Election officials would be on the front line defending against such charges.

It is clear that the photo ID requirement would undermine voter participation through absentee balloting. The requirement would make it more difficult to cast an absentee ballot because copies of IDs, as required for absentee voting under the bill, are difficult for many, including the aged and person with disabilities, to obtain. Vote-by-mail has promise for increasing voter participation, and we believe that concerns about fraud can be dealt with in other ways.

I share with the bill's sponsors concern about preventing possible fraud. That is one of the reasons that many states have moved to signature verification systems. I urge you to work with the other sponsors to allow states to accept signatures for verification as part of the ID system. No only are such systems easier to administer at the polling place, they are also consistent with well-run absentee ballot programs.

Thank you for your consideration of this important issue.

Sincerely,

JOHN Y. BROWN III,
Secretary of State.

DEPARTMENT OF THE
SECRETARY OF STATE,
Raleigh, NC, February 12, 2002.

Hon. MITCH MCCONNELL,
Russell Senate Office Building,
Washington, DC

Hon. CHRISTOPHER BOND,
Russell Senate Office Building,
Washington, DC.

DEAR SENATORS MCCONNELL AND BOND: I am writing to express some concerns I have regarding a provision in the substitute to Senate Bill 565, the Equal Protection of Voting Rights Act, recently developed with Senators Dodd and Schumer.

I share with many the concerns about preventing possible fraud. The photo ID program for individuals who have registered to vote by mail creates not only an administrative burden on election officials, but the overall effect will be a tremendous chill on voting rights. In my opinion, it is not the best way to address the issue of potential voter fraud.

The practical application of the ID requirement will create an entirely new layer for misunderstanding, miscommunication, potential discrimination and have serious side effects of suppression of voting in the name of preventing fraud. Election officials should not be in the business of determining what type of photo ID's are acceptable, and what other form of identification will be appropriate.

The photo ID requirement will undermine rather than enhance voter participation. Absentee balloting processes would be impeded, especially in elderly communities, disabled communities and others. While many people in this country have home copy machines, many others have no knowledge as where to find a public copy machine, or access to it within their community.

The concern about preventing possible fraud is an important one, but there are a number of other ways that fraud can be addressed without requiring election officials to be decision makers in this area.

Let me relate a personal story from just this morning that will indicate the photo ID system is certainly not a ''be all, end all'' answer to this issue. Since September 11, the Capital Police Corp of North Carolina government is providing security for all doors into the building that houses the Secretary of State's Office and the Department of Revenue. A new security officer was on the door I used today. This individual asked for my photo ID. I flipped open my case where my photo ID is usually contained, and demonstrated it to the guard who immediately waved me through after looking at the card. As I closed the holder I noticed that my photo ID was not there, because I had used it the prior day for air travel and it was still in a jacket pocket having not been returned to its regular position. In fact, the guard glanced at my social security card with my name printed and a social security number, but no photo whatsoever, and someone who did not know whether I was the elected Secretary of State or an international terrorist waved me on through.

As you can see the systems we have in place as operated by humans are ripe with many opportunities for either intended or unintended consequences. Thank you for your work on this very important issue, but the photo ID requirement is a burden that does not need to be placed on the electoral system in this country.

Sincerely yours,

ELAINE F. MARSHALL.

Mr. SCHUMER. The public also feels strongly about the Schumer-Wyden amendment, as does the AARP, the League of Women Voters, the American Association of People with Disabilities, NAACP, United Cerebral Palsy Association, and the National Hispanic Leadership Agenda, to name a few of the many groups that oppose the provision as it stands. I say to my colleagues and those in the civil rights community, I thank them for working so closely with us on this amendment. We believe this provision, unamended, could undo lots of the progress we have made in the last decade to allow people to vote. In many areas, it could undo the significance of the motor voter law which allows people to register at their motor vehicle department or other places.

Some of the voters who could be disenfranchised by the current provisions include, first, the elderly. Seniors vote in large numbers. In fact, the FEC estimated that, in 1998, 61.3 percent of all Americans over 65 voted. However, this provision established real barriers to the polls for older Americans. As the AARP explains:

> The bill's photo ID requirements are particularly problematic for many senior citizens. Alternate approaches, such as signature match and verification, already successfully used by the majority of States, could enhance the antifraud provisions without having a chilling effect on voter participation.

That is from William D. Novelli, executive director and CEO of AARP. The point he makes is well taken. Again, you have lots of people who cannot use the provisions in the bill. I know my

colleague from Missouri will say: It is easy, everybody has a photo ID.

Well, not everybody does. Lots of senior citizens don't drive, and there is no other photo ID available. Or some might say that everybody can bring a utility bill. What about two people with different names and sharing a house and one has the name on the utility bill? What does the other do? It is not so easy.

Again, since in this bill we want to err on the side of allowing people to vote, provided it is done in an honest way—nobody wants to see fraud—we have to have this amendment.

How about students? Voting-age high school students may not have a photo ID. They certainly—many of them—would not have a government check or a utility bill in their name. College students who live out of State could be affected by these provisions. Again, with one phone in a suite which six college students are sharing—there is no utility bill, no electricity bill in most college dorms. There are lots of students who don't have licenses, particularly in urban areas. What would they do? These are the kinds of people—young people—whom we most have to bring into the system and get into the habit of voting. Turning them away sends the wrong message at a time we can least afford it.

How about the disabled? Don't ask me; talk to the experts. The American Association of People with Disabilities explained:

> A photo ID requirement would place an onerous burden on the millions of Americans with disabilities that do not drive—

Obviously, many don't—

> or do not live independently, and do not have access to a utility statement or bank account with their name on it. Signature verification is needed as an acceptable form of identification for Americans with disabilities to protect their fundamental right to vote.

That is signed by Andrew J. Imparato, president and CEO of the AAPD.

One of the things my colleague from Connecticut has worked long and hard on, with great success, is making it easier for the disabled to vote. This bill does it. He did a fine job on that. It would be tragic to give with one hand and take away with another by not having the Schumer-Wyden bill added to the provision.

How about those who vote by mail? I am sure my colleague from Oregon and my colleague from Washington, who are cosponsors of this amendment, will discuss the impact of this provision on the mail-in voters, in which their States specialized. I point out that it would make this provision, without the Schumer-Wyden amendment, more difficult for people to vote by mail. In States such as Oregon and Washington, where voter participation has risen following increased reliance on mail-in voting, this provision could cause voter participation numbers to slide.

Finally, minority voters. Both a Federal court and the U.S. Department of Justice have held that photo ID requirements adversely impact minority voters. Don't listen to me, or even some of the advocates, if you may be dubious of them. What about a Federal judge examining this issue? Morris v. Lawrence held that:

> The burden imposed by this requirement will fall disproportionately on the Latin American community.

The Department of Justice, which has examined this issue, while enforcing section 5 of the Voting Rights Act, stated:

> The imposition of the driver's license picture identification requirement is likely to have a disproportionately adverse impact on black voters in the State, and will lessen their political participation opportunities.

I know if you come from a State that doesn't have a large urban area, you may think: Well, what are they talking about? Everybody has a driver's license. Everybody has a utility bill. The only reason to pass this is to allow people to defraud.

Absolutely not. Absolutely not. In my own State of New York, I have been very concerned as we have debated this bill and crafted this bill, as my good friend from Missouri knows from the many meetings we have had, that this provision could unintentionally disenfranchise many voters, particularly in a city such as New York City where people are less likely to have driver's licenses. Some members of my own staff—people who could not be more involved in the political process—don't have driver's licenses and could be prohibited from voting under this provision.

Let me give my colleagues a statistic. Of the 8 million people who live in New York City—obviously, some are underage, but not half, not close to half—only 3 million have driver's licenses. If you want to keep New Yorkers from voting, it is a good provision; otherwise, it fails on every level.

In fact, we have a system in New York that has been extremely successful at deterring voter fraud without creating new barriers for voters. So do many other States. That is why secretaries of state around the country are scratching their heads and wondering: Why won't we include signature and attestation as a way to allow voters to show they are the voter? We use signatures everywhere else.

When one cashes a check, a bank does not make them send in a utility bill or a driver's license. You can, yes. Can some people work and practice and try to forge a signature? Yes. We have counterfeiters. We have people who forge checks. But believe me—and I have talked about this with my good friend from Missouri—if someone is really out to create fraud, they can do it with a photo ID, and they can certainly do it with a utility bill.

In New York, our system of signature has been more successful, I would argue, than most other systems in preventing fraud. Here is how it works. Every voter in New York—not just first-time voters—is required to go through the following identification procedure—as my colleagues know, the bill only deals with first-time voters: When you register in New York, you must sign the registration materials. They are then scanned into a computer. The digitalized signature is then pasted into the poll roster.

On election day, each voter is required to sign the poll roster next to, but without seeing, the digitalized signature. Poll workers then compare the signatures, and if there is any question about the signature, the poll worker is authorized to challenge the signature. Poll workers do it all the time, and as a result, we have been able to prevent voter fraud without preventing eligible voters from exercising their rights.

New York is not alone. According to the GAO, 19 States and the District of Columbia use a signature verification or attestation procedure for verifying the eligibility of voters. An additional 22 States—that is 41 all together and the District—use a signature system in conjunction with something else.

This amendment serves a simple purpose. It allows those States to continue to use the signature procedures that they are effectively using now.

I say to my colleagues, this bill has very fine intent. It is to prevent the mistakes of 2000. In addition, it is to prevent voter fraud. I salute the Senator from Missouri once again—I did earlier before he was in the room—for working hard on those provisions, but its overall purpose is to make sure that people who are eligible to vote can vote and have their votes be counted.

It would be tragic if all the progress we made with so many of the other provisions in this bill were taken back by our failure to allow signature verification or attestation, and so many who want to vote would be refused from voting.

I say to my colleague from Missouri, as all of us who are in this profession, I am very interested in polling places, and I am always going around election time. I see the painful looks on people's faces as they wait on line, and in New York, one sometimes has to wait an hour to an hour and a half. Our voting machines are outdated, and we are trying to correct that in other parts of the bill. But working people have come from work, and I can see on their faces that they have to get home to the kids, and they have to wait on line and then they do not get to vote.

We do not want that to happen. Our amendment prevents that from happening. We do not want people to say because you do not have a driver's license or your own utility bill, when you show up that first time to exercise the very franchise that our ancestors have died for you are turned down.

The solution proposed in the Schumer-Wyden amendment of allowing States to use signature verification and attestation is effective, as proven by all the States that use it. It prevents fraud just as well as the existing

provisions in the bill but does not have the very pointed disadvantage of preventing many eligible people from voting.

This is a bill that moves us two desperately needed steps forward: Increasing accessibility to the polls and preventing voter fraud. It would be a shame to include a provision in the bill that takes us one step back.

I reserve the remainder of my time.

The PRESIDING OFFICER (Mrs. CARNAHAN). The Senator from Missouri.

Mr. BOND. Madam President, it is a great disappointment that I rise to address this amendment. We worked for roughly 6 months in a bipartisan manner, which I previously described in this Chamber, to achieve a bill that truly does make it easier to vote and tougher to cheat.

Many of the ideas and concerns my colleague from New York raised were raised in those discussions, and we made provision to deal with all of those. It was on the basis of the changes and the agreements that we made that we supported this bill.

The Senator from New York has pointed out that maybe people still cheat. Frankly, I would like to have more protections, and if the Senator is interested in building in more protections against cheating, I would be more than happy to work with him on it.

Simply put, if this amendment is adopted, this bill will make it easier to vote and easier to cheat. Certainly, that is not what we are here to achieve.

When the motor voter law became law 8 years ago, one major impact was to create the mail-in registration card. This section was part of the overall effort to make it easier to get people registered, and it has been used in many States.

However, because of fears even then that registration by mail could encourage voter fraud, a provision was also included that granted States the authority to require everyone who registers by mail to vote in person the first time after they register. Thus, the motor voter, or MVRA, included a provision for first-time voters which specifically granted States the authority to require those who register by mail and have not previously voted in that jurisdiction to vote in person for the first time.

To date, several States have used this provision, and now they require those who register by mail to vote in person the first time they vote.

Unfortunately, numerous States have also discovered since the enactment of motor voter and its mail-in registration requirement that a dramatic number of fake names, illegal names, and duplicate names have been registered. Unfortunately, St. Louis, MO, has become the current poster child for this abuse, but as I will show shortly, it is not limited to St. Louis or to Missouri.

In St. Louis this past March on the final day to register before the mayoral primary, 3,000 mail-in registration cards were dropped off. However, due to the controversies which occurred in the November 2000 election and the overall strain on the election board with just local races on the ballot, election officials did a thorough review of the cards. Some cynics say that maybe in St. Louis it is not important if you are voting for a President, a Governor, a Senator, a Congressman, but when you get down to voting for a mayor, that means jobs, and nobody wants to see cheats in a mayoral race.

Election officials did a thorough review of the 3,000 cards. Immediately, one official noted that a deceased neighbor of his was on the list. He subsequently discovered that a very well-known and highly respected former alderman, ''Red'' Villa, who had died 10 years ago, was reregistered, along with the deceased mother of another alderman. Might as well get everybody involved. Let's go through the whole ward. It appears that hundreds of the cards were filled out in the same handwriting.

If those people had been allowed to vote by signature affirmation, guess what. I bet the mail-in vote, the mail-in ballot, would have had the same signature that was on those phony mail-in registration forms.

The city attorney was brought in, then the U.S. attorney, as the number of phony-looking cards jumped into the thousands. The criminal investigation is ongoing. We hope maybe we will find out just how much fraud was attempted in the 2001 mayoral primary.

However, big problem: 30,000 cards were dropped off just prior to the registration deadline for the November 2000 election. They received no preelection screening, like nearly every other State in the country. We do not know how many additional false names, dead people, duplicate names, and even dogs are registered. We certainly know one famous St. Louis dog, Ritzy Mekler, the mixed-breed dog registered to vote several years ago. Here is the registration form: Mekler, Ritzy; with address; place of birth is Los Angeles; a Social Security number; date of registration is 10/4/94; and here is Ritzy's signature.

Actually, the Senator from New York goes a little further in saying a mark would be good, so Ritzy could just use a paw print. All he would have to do is affix a similar paw print.

I have a feeling whoever wrote Ritzy Mekler on that registration form probably could duplicate that Ritzy Mekler signature each and every time they wanted to vote. So Ritzy certainly would be advantaged if we got rid of the requirement that you show proof that you are a live human being before you are allowed to vote.

I tell my colleagues this only to get some perspective as to what it is in the underlying Dodd-McConnell amendment, the new requirement that those voters who choose to register by mail must prove, with some form of identity, an address. Whether they vote in person or by mail, they have to have some proof. It is not the absolute requirement that they vote in person, nor is it the absolute requirement that they provide a photo ID. But what we have learned the hard way in some cases over the past 10 years is that registering by mail and then voting by mail is a recipe for vote fraud.

Obviously, registration by mail makes it much easier to put fraudulent names on the voter lists. Voting by mail makes it very easy to vote these names illegally. Thus, after 6 months of work, we achieved the McConnell-Dodd compromise which sought to address this problem head on: How can we stop dogs, dead people, and people registering under phony names from registering?

Section 103(b) of the Dodd-McConnell substitute recognizes the fraud risks of mail-in registration coupled with mail-in voting. Thus, it creates a requirement that any voter who chooses to register by mail must provide some proof of identity at some point in the registration voting process. Proof of identity can be accomplished by any of the following: A current and valid photo identification. That could be a driver's license, or what you have to show if you get on an airplane, or what you show if you want to buy cigarettes or liquor. Most people have these.

But we didn't want to limit it to people who have a photo ID. So, No. 2, a copy of a current utility bill that shows the name and address of the voter. Or, No. 3, a copy of a current bank statement that shows the name, the address of the voter, or a copy of a current government check that shows the name and address of the voter, or a copy of a current paycheck that shows the name and address of a voter, or a copy of any other current government document that shows the name and address of the voter.

Thus, the point my colleague from New York made about the disenfranchisement brought about by requiring a driver's license, a photo ID, is not applicable. That is what we worked 6 long months to achieve. A voter who chooses to vote by mail to comply with the requirements, by enclosing a copy of any of the above with his or her mail-in registration; or, two, bringing a copy of any of the above to the polling place the first time they vote; or, three, enclosing a copy of any of the above with the mail-in absentee vote.

Now, it is a backstop. We even went further for voters who show up at the poll who have forgotten their ID. They have not brought anything. They can vote provisionally. They will be able to put in a provisional vote so we don't have to guess at the polls. They will cast their ballot. It will be set aside until it can be confirmed that they are a lawfully registered voter entitled to vote from that place in that State. When they are, it will be counted.

Madam President, we must keep in mind that vote fraud is accomplished

in many different ways. Some are very simple. Some have been developed to a high art form in St. Louis. You can place false names on the voter rolls and vote them absentee. It is the easiest, usually the safest, particularly if the registration and voting are all done by mail. No sweat, no problem. Just sign. Have everybody write down their names. Under this system, I could register my colleague from New York. I certainly would not do anything unlawful. But he might wind up as a Republican voter in southwest Missouri with his mail-in registration and his signature which will match that registration on every ballot he casts thereafter.

Or, second, you can use out-of-date voter rolls and then move people around to vote repeatedly, using the names of people who died or moved or the false names that have been placed on rolls over time. Or you can run extra blank ballots through the voting machine at the end of the day or toss out boxes from key precincts. These are the simple things. We do not deal with all of them here. They are problems that afflict our system across the country.

For anybody who thinks it is just a Missouri problem, let me assure you the problem goes on nationwide. Let me give a sample of some of the things we have found from news articles. The Palm Beach Post, May 28, 2001, says that more than 5,600 people appear on a statewide list of suspected felons who voted illegally on November 7, 2000, 766 of them voting in Palm Beach County, 68 percent of whom were registered as Democrats. The Miami Herald, January 19, 2001, reports that 452 felons voted illegally on November 7, 2000; 343 were cast by Democrats, 62 by Republicans. The Miami Herald, January 24, 2001: 90-year-old Cora Thigpen voted twice in the Presidential election. I bet she would have liked to have voted more. I guess she ran out of steam after casting a second ballot. But hers was one of more than 2,000 illegal ballots cast in the election by Floridians who signed affirmations swearing they were eligible to vote but were not. Poll workers never checked, ignoring county rules that were intended to combat fraud. One poll worker pointed out:

> There are really no safeguards. This system is set up to allow people to vote.

The Florida Sun Sentinel, January 17, 2002, points out that at least 162 ballots in Duval, 200 in Volusia, 43 in Pinellas County were from voters who were ineligible. The newspaper points out that providing false information for a vote is a felony but prosecutions are rare.

Moving over to Texas, the Houston Chronicle reports that in 1991, a special election in Harris County revealed that in precinct 85 where the election judge hired six relatives as clerks, 600 ballots were counted even though only 316 voters had signed in to vote. After the 1992 Presidential election, the vote registrar found that 6,707 illegal ballots were cast in Harris County. Prosecutors contend that voting violations are almost impossible to prosecute because the law is set up only to encourage participation in elections, not to prevent voter fraud.

Moving closer to where we are now, in Virginia, the Washington Post, on November 10, 1998, said 11,000 ineligible felons and nearly 1,500 dead people are registered to vote in Virginia, according to State auditors. In the previous November's election, 1,700 felons voted along with 144 dead people. That is quite a theological accomplishment for Virginia.

State and national election specialists were quoted in that article as saying that part of the problem in the Federal motor voter law, which is designed to make it easier to register to vote, is that it also makes it tougher to protect voter lists from fraud and error.

In Wisconsin, January 21, 2001, the Milwaukee Journal Sentinel said 361 felons were found to have voted illegally in Milwaukee on November 7. A review found that there were virtually no safeguards or notification requirements to prevent or discourage ineligible voters from participating. It is basically an honor system. When fraud is discovered, officials say it is rarely enforced.

California has its own problems. I won't go into all of them. February 1, 2002, the California Journal noted that north California artist Judith Selby, who often scours the beach looking for ingredients for her artwork, found a lid from one of the 63 missing absentee ballot boxes. She recognized the importance of it so she turned the castaway ballot box into an artistic poster entitled, ''Cast Your Vote—Away.''

In Colorado, a Saudi man detained by Federal authorities for questioning about the September 11 terrorist attacks voted in Denver during last year's Presidential election, even though he was not a U.S. citizen. The Denver city clerk and recorder said it is hard for election officials to discover if someone lied about their citizenship unless someone complains.

In North Carolina, a Pakistani man facing a vote fraud charge has been linked to at least two of the September 11 hijackers.

In Indiana, an examination of inaccurate voter rolls shows that tens of thousands of Indiana voters appear more than once, according to the Indianapolis Star of November 5, 2000. More than 300 dead people were discovered to be registered. One woman who died in April 1998 was found to have voted in the fall election.

Motor voter was partially to blame because it allows people to register to vote, but it is far more difficult to rid the rolls of invalid names.

Of course, there are our good friends in Alaska. According to an FEC report, Alaska had 502,968 names on its voter rolls in 1998, but the census estimates that only 437,000 people of voting age were living in the State that year.

How would the Schumer amendment work? Let me go through this for you. A vote fraud planner fills out numerous false names, uses his or her own address as a return address. Typical would have been multiple names at the same address in one household. This is a drop-house scheme. It is identified by the secretary of state in Missouri as one of the more recently used schemes in Missouri. Eight or more adults registered from a single family residence makes us a little suspicious that there may be some phony registrations there.

Under current law in Missouri, as in most States, these new voters request absentee ballots, and just like that fraudulent voters are registered and fraudulent votes are cast, with the same person signing the fraudulent registration and signing the absentee ballot. It works like clockwork.

Under the original compromise bill, the Dodd-McConnell amendment, this huge loophole is eliminated by the simple proposition that if you register by mail, you need to provide an ID before you vote the first time. You can provide the ID in person or by mail, but you must provide an ID. The bill is very careful to provide numerous options for the ID: Driver's license, other photo ID, utility bills, bank statements, government checks, or other documents—something to show name and address and existence. It is pretty simple, common sense.

Is there a real live person behind the name? Or is it a dog? Or is it a dead person? Or is it somebody conjured up to be a ghost resident in your drop-house location?

Under the amendment being offered by the Senator from New York, all you need to do is use the same handwriting you did to register falsely and you will be able to vote falsely. As I said, Ritzy Mekler could have done it. She got herself registered. Somebody filled out the card. As long as somebody went to the trouble to get the dog registered, follows up and signs Ritzy's name, pretty much the same way when she votes absentee—no problem. Ritzy's vote counts.

Sometimes debates are complicated and intricate. There are provisions that we worked through in this bill that are very difficult. We worked hard to straighten them out. But this one is very simple.

Vote fraud is occurring. People are trying to cheat to win elections. The Dodd-McConnell bill takes some basic, commonsense steps toward eliminating some of the most obvious fraud. The Schumer amendment says: No, we need to keep these fraud options open. We need to make drop-house schemes easy. We need to keep voting franchises available to dogs—maybe even cats.

For those who wish to protect the status quo, the Schumer amendment does just that. It guts section 103(b) protections in two ways. First, it adds two additional methods to comply with the in-person voting requirements,

thus effectively abandoning the voter's responsibility to provide some independent proof of his or her identity. Instead, the Schumer amendment would simply require the voter to sign an affirmation that they are who they say they are. It would also require the State and precinct to set up a verification system that would compare the signature of the individual with that of his or her registration document—as another alternative.

Ritzy Mekler's signature would be scanned into the machine so we would know that whoever signed Ritzy Mekler was really signing Ritzy Mekler the next time the dog voted.

Second, for those who vote by mail, the voter would have no responsibility to show proof of identity, as none would be required from the voter. The State would instead have to set up a signature verification system that would, again, match the voter's signature on their ballot with that on their registration card.

Taken together, these provisions eliminate the proof of identity requirement which is the backbone of the antifraud protection. But it appears to me that the Schumer amendment would actually go beyond gutting the identity provisions, as the scheme would roll back the efforts by several States to require first-time voters who register by mail to only be allowed to vote in person the first time after they register.

These States: West Virginia, Virginia, Tennessee, Michigan, Illinois, Nevada, and Louisiana, will have their efforts completely undercut by the Schumer amendment.

Why have we not heard stories from these States that have shown that the groups the Senator from New York mentioned have been so terribly disadvantaged, such as the elderly voting in West Virginia, Virginia, Tennessee, Michigan, Illinois, Nevada, and Louisiana? I think their system makes common sense. St. Louis City, after the threatened vote fraud in the mayor's race in March of 2001, required people to show up with a photo ID with their address on it. Nobody complained. As a matter of fact, the citizens in St. Louis may have had an honest election. It was a show stopper. The media watched closely. They congratulated them, and it worked. I did not hear that people were disadvantaged.

The Schumer amendment would actually protect the law—the drop-house scam, one of the most common vote fraud schemes used today. As I said, this scheme is when one individual fills out registrations for multiple names at one address. Then that same individual requests absentee ballots for all of those names and votes all of those names in the privacy of his or her own home. How simple is that?

The Schumer amendment and those who vote for it are simply saying go ahead. Drop-house schemes would now be specifically protected under Federal law as States would not be required to allow the new mail-in to register to vote in person, nor would they be allowed prior proof of identity. The drop house is free and clear of any commonsense scrutiny by speeding that provision into States that now take some steps to prevent it.

But this is serious business. This amendment makes a mockery of the business. Americans across this country follow the rules. They fill in applications honestly. They provide an identification. They stand in line. They are not afraid of hard work, and they care deeply about this country.

As the Missouri Court of Appeals said when it struck down an illegal voting scheme to keep the polls open after closing time in November of 2000, it is just as much an important part of your civil right to cast a vote as to make sure it is not diluted by having your vote canceled by somebody who votes illegally.

The end does not justify the means. If you think it is important to win an election in any way rather than win it fairly, then maybe this is something you want to keep open—these loopholes. I don't.

I have listened to an awful lot of people in Missouri who want to get out from under the shame of what the media has shown to have occurred in our elections.

In most of the country, everyday folks—folks you see at the coffee shop, the folks you see at the nursing homes—I talk to them. They express concern. They do not understand when you try to explain to them that it was just too much to ask of a voter who chooses to register by mail to actually provide some proof of who they are and where they live at some point in the process.

So the choice is clear. The choice of the Schumer amendment comes down to the question: Do we want to protect the honest voters from those who would cheat them or do we protect the rights of dogs and the dead to register to vote, the people who operate the drop-house schemes, the people who operate all the other phony mail-in registration schemes to continue to steal votes? What is the most important action we take as citizens in a republic? It is to cast our vote.

I hope my colleagues will join me in rejecting this amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Madam President, I yield the Senator from Oregon, my fellow sponsor of this amendment, as much time as he may consume.

Mr. WYDEN. Madam President, I never had the chance to negotiate with the distinguished senior Senator from the State of Missouri. But I can tell him that despite his strong views on the subject, I never would have agreed to the photo ID provision in any negotiation because I believe this provision is a poison pill that is going to silence the political voices of seniors, the disabled, young people, and minorities from coast to coast.

The distinguished senior Senator from Missouri talked about discussing it with nursing home residents. Let us talk about that for a moment.

I was director of the Gray Panthers for 7 years before I was elected to the House of Representatives. I served on the aging committee there, and I serve on the aging committee here. I have dedicated my whole professional life to the cause of senior citizens. I can assure the distinguished Senator from the State of Missouri that there are not any nursing home residents in this country asking to be taken to the copy center to make Xerox copies of driver's licenses or other documents. That is just not going to happen. Many of the seniors are voting by mail because physically going to the polls is hard for them. Forcing seniors to get to a library or a copy center to photocopy an identification card would be just as hard as a trip to the polling place.

I don't think the principal way to stop voter fraud is to make it harder for Americans to vote. The way to deter fraud is to go after it early, when people fraudulently register to vote, and punish it hard. That is what this bill does. That is on what the State of Oregon is focusing. If someone submits a false Federal photo ID or a utility bill, or if somebody attempts to register a cat or a dog to vote, the time to catch them is at the beginning, at the point of registration. It will be a lot more difficult once the registration is in.

In Oregon, those who falsify their registration face up to a $100,000 fine and/or up to 5 years in prison and the loss of their vote. It is a pretty stiff penalty for registering a dog. There are cases outstanding now from the last election.

I tell my colleagues that I think there is also a question, if one really wants to go after fraud. The way my State thinks they can best deter fraud is, Why not figure out a way to make the registration provision kick in in 2002? I think there is a real question about how it is that the registration provision really isn't kicking in until 2004. I think that was an opportunity, had it be sped up, to really meaningfully go after fraud and do it in a way that would not deter voter participation.

The new photo ID or proof of address requirement for first-time voters is going to create many more problems than it will solve. How will the election monitors know exactly who is the first-time voter and whom they should ask for a photo ID? What if only 5 people out of 50 in a line in a polling place are singled out to produce that photo? What if the utility bill that Mabel Barnes brings to the polling place lists her as ''M. Barnes'' and the election monitor says, How do I know the ''M'' doesn't stand for ''Mark,'' and they reject the identification? What if Mabel Barnes is an elderly widow who lives

with her daughter, has no driver's license, has no accounts in her name, and has her Social Security check directly deposited to her daughter's bank account? In that case, Mabel Barnes, the senior citizen, wouldn't meet the necessary requirements for the first-time voter in the bill.

I say to my colleague, the distinguished senior Senator from Missouri, that he may be talking to nursing home residents in his State, but I will put my 20 years of working with older people, going back to those days of the Gray Panthers, on the line here and say in the most sincere way that I can that I think this bill's photo ID provision is a poison pill. It is going to disenfranchise an awful lot of seniors. I do not know of any nursing home residents in this country who would be asking to be taken to a copy center if this were to go forward. They are going to be disenfranchised. That is a reality of the provision.

I would like to take a couple minutes to explain Oregon's pioneering vote by mail system so my colleagues will get a sense of why section 103, if left unmodified, would be so damaging to States such as Oregon, and other States that rely on mail-in ballots such as Alaska, New York, and Washington.

I also say to my colleagues, I guess it is worth noting that I am the first mail-in U.S. Senator. I am the first Senator ever elected exclusively by mail in a campaign that was very close with my colleague, my friend, Senator SMITH. By the way, Senator SMITH did not cite any evidence of voter fraud in that very closely contested election, to his credit. Many certainly pushed him to do it, and he did not because our system is working.

Enacted by nearly 70 percent of the voters in the 1998 general election, Oregon's vote-by-mail system does not need fixing by the Federal Government. Our voter registration card already includes an oath swearing the signer is a U.S. citizen. Submitting a false registration is a class C felony carrying a penalty of up to $100,000 or 5 years in prison. The same penalties apply to anyone who knowingly votes twice or whose signature cannot be matched with the signature on file with the county clerk.

Oregon's counties verify the signature on each ballot return envelope to the original signature on the voter registration card. Because ballots cannot be forwarded, Oregon's voting rolls have been clean.

In the 2000 general election, out of 1.9 million registered voters, about 1.5 million cast votes, about 80 percent. Of the 1.5 million votes, the counties referred a number of ballots to the secretary of state, close to several hundred. In five of these cases, there was enough evidence for the State to prosecute. The remaining 187 votes were not counted because Oregon requires signature verification for counting the vote.

Since the 1996 May primary, 13 cases of fraud have been prosecuted; convictions won in 5, and 8 cases still pending.

So we want to make it clear that in our State, which has pioneered this innovative approach so popular with seniors and working families, and many who live very hectic and busy lives, the signature authentication system has proven remarkably good at detecting and deterring fraud. Despite that record, this bill, this legislation, says that that system is not good enough.

The photo ID requirement would also be expensive for the States that use voter signature. Election officials at home in Oregon tell me they know of no State that has an easier and more inexpensive way to figure out just who is a first-time voter.

So let's just think about the ramifications. We all—Democrats and Republicans alike—want to encourage young people and first-time voters, those who have not participated in the political process, to participate. So here we are, at a time when it is already difficult, according to the election officials, to try to keep track of who is a first-time voter, and we now have a bill that will make it even tougher to address these issues because of the added expense.

If the provision were in effect, each time a new voter registered in a county, the county clerk would have to call the clerks—at least in my State—in the 35 other counties to determine whether the person was still registered there. Oregon is working to develop a centralized voter registration system, as the bill calls for, by 2004. But it is going to cost about $7 million to do that.

So here is what is going to happen this fall at polling places across the country if the poison pill that is this photo ID provision remains in the legislation.

Millions of first-time voters who register by mail in 28 States will get up on election day and go to the polls to vote. They will wait in line. And when they finally get to the front, they will be asked for a copy of their utility bill, their bank statement, or a valid photo driver's licence. Suppose they walk to the polls or share an apartment where the utilities are all under a roommate's name? They will not be able to satisfy that new requirement. They will go home. And I think any Member of the Senate who thinks those people are going to come back is just not talking to those people or to those election officials who have worked closely with them.

The photo ID requirement in the bill also applies if you registered by mail and you are a first-time voter in any jurisdiction. That means that a voter who lived in a part of Salem, OR, who was in Marion County and moved to West Salem and Polk County, and was voting there for the first time, would have to mail in, with their ballot, a copy of a photo ID or a bank statement. If they voted at a polling place, they would have to show a proof of identification. Without the photo ID, an otherwise eligible voter would be turned away and would probably not come back.

Some might say not to worry because there is a provisional ballot. However, every first-time voter who is turned away at the polls this November is not going to be able to use provisional ballots because under another section of the bill provisional ballots do not take effect until 2004.

The defenders of this provision claim they want every vote to count, but, in my view, this requirement almost guarantees that seniors, the disabled, minorities, and others are going to be disenfranchised from coast to coast.

My colleagues, it seems to me there is a lesson from Florida that is relevant to the debate tonight. What the message from Florida was all about is that the elections process needs to be simplified. It needs to be made less complicated. The photo ID requirement is going to take the elections process across this country in just the opposite direction and make it more complicated.

My State is not alone in its opposition to the photo ID requirement because of the damage the provision would cause, and cause nationwide.

The provision, in my view, is going to work a hardship on minority voters. In fact, last November a Federal court ruled against an identification requirement used at a polling place in Massachusetts, finding that:

> The burden imposed by this photo ID requirement will fall disproportionately on the Latin American community, thereby violating section 2 of the Voting Rights Act.

There is a reason that this coalition of groups of seniors and minorities and a variety of organizations that have worked to expand the franchise is opposing this legislation. They want to see us expand the franchise. They want to deter fraud, but they do not want to deter voting.

I say to my colleagues, supporting this amendment is going to allow 27 States and the District of Columbia to keep their voters' signature or attestation systems, but even more importantly, it is going to protect an approach, a system for voting to which more and more Americans are attracted. More and more Americans like the appeal and the convenience of this way to vote.

In my view, putting a photo ID system in place at the end of the line, at the very end of the process, rather than taking strong steps to discourage fraud at the outset of the process, when a voter registers, is not the way to go. We ought to be taking steps that are cost effective, that are practical.

I know my colleague from Missouri is sincere in his views. I wish I could have been part of the negotiations that took place in committee because I would have brought to the Senator from Missouri and the Senator from Kentucky some of the senior citizens with whom I have worked over the years, some of

the seniors with whom I have worked in the Meals on Wheels programs and in nursing homes. They are not going to be able to comply with these provisions. These are folks who are having difficulty reading existing government forms.

My goodness, we all hear from seniors who are having difficulty reading some of what is on a pill bottle. And my colleague has said that these are people who are going to be able to go out and find Xerox machines and copy centers and the like. It is just not going to happen.

It is not a debate about my colleague's sincerity. I know he feels strongly about these views. This is a debate about the real-life provisions of this legislation and the hardships that are going to be caused by this photo ID provision. In my view, it is in fact a poison pill that does great harm to an otherwise very good bill that the distinguished Senator from Connecticut and the distinguished Senator from Kentucky have put together.

I hope my colleagues will vote for this amendment. It has great ramifications for the electoral system in our country. I strongly urge the support of the amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BURNS. Madam President, I rise this evening to oppose the Schumer amendment. I think my good friend from New York underestimates Americans. The greatest example of why we vote is in his little domain. It is called Ellis Island, a wonderful place to visit. I recommend all Americans do it.

See the photographs of people who came from everywhere, some having everything they owned in a little bag, not very much money, not speaking the language, not understanding the system, really not knowing what kind of a land this was. It took a lot of get-up-and-go to do that.

The bottom line was freedom—freedom and opportunity. They knew in their own hearts, after they had not been here very long, that that freedom and opportunity also demanded responsibility. They didn't ask if there was a health plan. They didn't ask if there was a minimum wage. They didn't ask for anything. They just wanted that freedom and opportunity.

Here is where I think we underestimate Americans. If you go down and want to pick up tickets to the theater or to a sporting event and they are in ''will call,'' they require a photo ID, don't they? We all fly on airplanes. Yesterday, after Salt Lake City, I don't know how many more lines I want to stand in. But most of us fly on airplanes. If you don't have a photo ID, are you going to get on? No, sir. You step up there. You pull out your little ID before you can even get in to the gate area. I did that.

We all have new ID cards here. Some of you might have noticed; some of you might not. I pulled mine out the other day and gave it to the one doing the screening. She looked at it. She said: ''I don't recognize that kind of an ID card.''

I said: ''Well, it has on there what I do. It has a picture of a nice-looking fellow and a number.''

''It doesn't make any difference. I don't recognize it.''

I put that one back. I pulled out one for Sam's Club. That one worked good. I went right on through.

Most of the seniors I know vote absentee if they can't make it to the polls. They preregister. They understand what voting responsibility is and how precious most Americans think that right is to vote.

By the way, I am getting tired of going through these detectors wearing boots because I always have to take them off. They have steel shanks. That requirement has cost me seven pairs of socks. I can't have holes in them anymore, and they have to match.

The seniors in my State of Montana notably have one of the largest percentages of votes in every Federal election. They get absentee ballots. My good friend from Oregon, I am sure, has a mail-in ballot. That is kind of a mail-in absentee. It has to match a registration somewhere. There has to be somebody there.

What this bill requires is the validity of a person. I had an amendment that was rejected by this body—I still think it was a good amendment—that we could purge our lists every 4 years instead of, as this bill requires, every 8 years. Those counties that have universities and institutions of higher learning carry an enormous list of students who desire to vote in that county, and those names have to be carried for 8 years.

I do not have one election administrator in one county out of the 56 in Montana who really thinks they can embrace this legislation at all because there are some mandates in here that maybe we can't comply with.

Let me give an example. We don't have electricity or running water at every polling place in Montana. That is hard to believe, is it not? We have old, abandoned country schoolhouses still used for polling places. But they don't hold school there anymore, so they fire up the old stove and take their lanterns. That is where they vote. And if something comes up, you know everybody in the county. The county is probably as big as Delaware and only has 1,800 people. Everybody knows everybody anyway. There is very little room for fraudulent votes.

What we are saying here with this legislation is that we don't quite trust the American people to do some things for the privilege and the right to vote. If they really want to participate in the political process, they will do all the necessary things.

You are not registered to vote. Would you like to register to vote? Well, I would. So they fill it out. Who mails it in? Usually the guy who is working the neighborhood. That could be me.

The seniors I know and the people I know who have a hard time making it to the polls vote absentee. We forget about this. We go into this debate every time.

I am saying we are talking about something that may be very important, but I don't think it is important because we have underestimated the American people. You never want to do that.

They know what the proposition is. They understand what it is to register to vote. They pay taxes in that county or that township. They protect their right to speak through the polling box. Don't underestimate them.

Everything we do, everything we do, from picking up tickets for the theater or a sporting event or anything else, requires that photo ID. I would admonish anyone to go out and tell anybody, from the first-time voter through the oldest voter, that they can't vote, because they can find ways to do it—register by mail, absentee.

I have to believe what we are trying to do here is to maintain the status quo. We leave ourselves open, with these huge lists, to fraud—we invite it, in fact—when it boils down to the responsibility of each and every citizen to be in a position to vote.

So I ask that this amendment of my good friend from Oregon—and we know each other's States very well, and we also understand the people there very well. I venture to say you would get a higher percentage of voter turnout in eastern Oregon than you do in western Oregon. They know the responsibility, and they understand it, and they welcome it.

So I hope my colleagues will vote to table or defeat this Schumer amendment.

I yield the floor.

The PRESIDING OFFICER (Mr. DAYTON). The Senator from Kentucky.

Mr. MCCONNELL. Mr. President, I thank the Senator from Montana for his observations. He certainly makes the point well that what we are asking here in the underlying bill—insisted upon by Senator BOND—is not at all unreasonable.

I heard the Senator from Oregon talk about the failure to pass this amendment being a poison pill. Let's make it clear what the poison pill is. The poison pill is passing this amendment, which unravels the core bill that was negotiated over a lengthy, and sometimes painful, process of many months. If the motion to table the Schumer amendment is not agreed to, then I fear passage of this bill is seriously in question.

As the Senator from Missouri and the Senator from Montana have pointed out, requiring identification is not unusual. I thought I heard the Senator from Oregon talk only about photo ID, and I will defer to my friend from Missouri. Is the Senator from Kentucky correct that a photo ID is only one of a number of different options that could satisfy the antifraud provisions

insisted upon, and agreed to, in the underlying bill?

Mr. BOND. Mr. President, to respond to the Senator from Kentucky, this in fact was one of the areas we negotiated for a long time. There is no single requirement that you must have a photo ID. We provided all of the options for other forms of identification that are set out in the bill. I respond further to the Senator from Kentucky that the U.S. Department of Justice, Assistant Attorney General Carl Thorse, for Daniel J. Bryant, advises:

As to acceptable forms of identification, by the Department's reading, voters lacking photographic identification may nonetheless meet the requirement by presenting utility bills, bank statements, government checks, paychecks, or ''other government documents'' showing the name and address of the voter. Nothing in the Department's preclearance activities or other experience implies that minority voters would be less able than other voters to provide at least one of the documents accepted under this flexible requirement.

I ask unanimous consent that this letter be printed in the RECORD.

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

U.S. DEPARTMENT OF JUSTICE,
OFFICE OF LEGISLATIVE AFFAIRS,
Washington, DC, February 26, 2002.

Hon. CHRISTOPHER S. BOND,
U.S. Senate,
Washington, DC

DEAR SENATOR BOND: This letter responds to your letter of February 21, 2002, inquiring about the Department of Justice's (''Department'') views on whether a covered jurisdiction, which implemented a change in voting procedure consistent with proposed Section 103(b)(2) of S. 565, would thereby violate Section 5 of the Voting Rights Act, 42 U.S.C. §1973c. We interpret proposed Section 103(b)(2) as requiring persons to provide photographic or other identification, in certain circumstances, as a prerequisite to voting. [See below.] As discussed further below, assuming preclearance were needed for such a change, in the Department's view a change in voting procedure requiring voters to provide documentation of identity does not necessarily have the purpose or effect of denying or abridging the right to vote on account of race or color. Far from automatically violating Section 5, identification requirements can be an efficient and effective means of combating voter fraud.

Initially, we assume for the purpose of this letter that Section 103(b)(2) of S. 565 would require a change in pre-existing voting ''qualifications, prerequisites, standards, practices, or procedures'' cognizable under Section 5. It is far from clear that a federally mandated change in voting procedure, which granted the covered jurisdiction little or no discretion in implementing the change, even would be reviewable by the Department under Section 5. See, e.g., *Young* v. *Fordice*, 520 U.S. 273, 285–86 (1997). By the Department's reading, proposed Section 103(b)(2) appears to vest almost no discretion in local officials with regard to identification requirements; the forms of acceptable identification, for example, are enumerated in the statutory text.

Assuming for purposes of this letter that proposed Section 103(b)(2) is even subject to Section 5 review, we first note that, in responding to your letter, we have not examined the voting systems currently in place in all covered jurisdictions, and we reach no conclusions as to whether those systems are now compliant with proposed Section 103(b)(2), or whether any change in a particular jurisdiction would require Section 5 preclearance. After reviewing the text of proposed Section 103(b)(2), the Department concludes that, as written, nothing in it would require an objection under Section 5. First, identification is required for all voters, and the accepted forms of identification are designated (§103(b)(2)(A)(i)). Moreover, provisional balloting is provided for those who lack the required identification on election day (§103(b)(2)(A)(ii)). As to acceptable forms of identification, by the Department's reading, voters lacking photographic identification may nonetheless meet the requirement by presenting utility bills, bank statements, government checks, paychecks, or ''other government documents'' showing the name and address of the voter. Nothing in the Department's preclearance activities or other experience implies that minority voters would be less able than other voters to provide at least one of the documents accepted under this flexible requirement.

Thank you for giving the Department the opportunity to express its views on this important issue. The Office of Management and Budget has advised us that from the perspective of the Administration's program, there is no objection to submission of this letter.

Sincerely,

DANIEL J. BRYANT,
Assistant Attorney General.

Proposed Section 103(b)(2) of S. 565 states in relevant part:

(2) REQUIREMENTS.—

(A) IN GENERAL.—An individual meets the requirements of this paragraph if the individual—

(i) in the case of an individual who votes in person—

(I) presents to the appropriate State or local election official a current and valid photo identification; or

(II) presents to the appropriate State or local election official a copy of a current utility bill, bank statement, government check, paycheck, or other Government document that shows the name and address of the voter; or

(ii) in the case of an individual who votes by mail, submits with the ballot-

(I) a copy of a current and valid photo identification; or

(II) a copy of a current utility bill, bank statement, Government check, paycheck, or other Government document that shows the name and address of the voter.

(B) PROVISIONAL VOTING.—An individual who desires to vote in person, but who does not meet the requirements of subparagraph (A)(i), may cast a provisional ballot under Section 102(a)

(3) INAPPLICABILITY.—Paragraph (1) shall apply in the case of a person—

(A) who registers to vote by mail under section 6 of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg-4) and submits as part of such registration either—

(i) a copy of a current and valid photo identification; or

(ii) a copy of a current utility bill, bank statement, Government check, paycheck, or Government document that shows the name and address of the voter; or

(B) who is described in a subparagraph of section 6(c)(2) of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg-4(c)(2)).

Mr. MCCONNELL. Mr. President, I thank the Senator from Missouri. He pointed out clearly that the photo ID is only one of a number of acceptable options. The goal is not to deny people the opportunity to vote, but to verify there are actual people who are voting. The notion that somehow it is an onerous requirement to provide photo ID is, frankly, absurd on its face.

I have behind me an advertisement that appeared in the Washington Post recently. It is an advertisement for a cell phone. It says: ''Add Nextel to your holiday list.'' In the ad it says: ''In-store purchases require at least two forms of valid identification.'' That is, to buy a cell phone, two forms of valid identification are required.

Now the sanctity of the vote, the sanctity of the ballot, voting only once, and being a legitimate voter are considerably more important than the purchase of a cell phone. There is almost nothing of consequence you can do in our society today without providing some kind of ID. The Senator from Missouri has been quite generous in providing a number of different options, not just a photo option, which obviously would be the clearest way to make certain that the first time registrant was indeed a person who did live where he was being registered. But the Senator from Missouri was quite generous, I thought, in providing a number of different options to meet that requirement—short of a picture ID.

Secondly, referring to another chart, we have a voter in Maryland—these are two long-time registered voters in Maryland. One is a person named Mabel Briscoe, 82, and the other long-time registered voter in Holly Briscoe, her terrier. Mabel finally got caught, and they gave her community service instead of jail time because she indicated she was trying to make a point in registering her terrier: that they had an absurd registration system in Maryland.

Now surely the Senate is not going to pass an amendment that makes it easier to register to vote than to buy a cell phone. The sanctity of the ballot is extremely important in this country. As the Senator from Missouri said repeatedly, we want to make it easier to vote—but vote only once—and harder to cheat.

So this amendment is the poison pill. It is the deal breaker. If this amendment passes, this bill is in serious trouble. These provisions that the Senator from Missouri negotiated and insisted upon have made this a much better bill and have given it an opportunity to pass on a bipartisan basis. To break faith with the core compromise in this bill, I fear, renders it unfit for passage. That is how serious this vote is.

We are not going to have much time to debate it in the morning. There are not many of our colleagues around tonight. But there is no way I can underscore, as somebody who cares deeply about this bill, that it should pass. It bears my name in the second position, along with the Senator from Connecticut, and I think it moves us in the right direction. I will be darned if I will be party to unraveling the critical elements of this bill that were negotiated by the Senator from Missouri. These elements, which go right to the very

heart of our democracy, are that you are only entitled to vote once—and you need to be a person. Nobody has referred yet to ''60 Minutes,'' but they ran a segment within the last year or so. I happened to catch it one night when I was watching television. It was about the current situation in California, where there have been a number of different animals that have registered and voted repeatedly under the current system.

We made it a lot easier to vote a few years back. We certainly made it a lot easier to register. It didn't have any impact on turnout. So now we have these voluminous voting rolls all across America. It is pretty hard not to be registered to vote. All the Senator from Missouri is asking here is that there be clear evidence that a first-time registrant be a real person who is eligible to vote and actually living at the address. I don't think that is asking too much.

I certainly hope that tomorrow, when a motion to table is made, it will be successful. Otherwise, we will still be debating this amendment for quite some time.

I thank the Senator from Missouri again for his important contribution to this bill in the antifraud area. I think it is a core part of the underlying bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Mr. President, I enjoyed listening to the debate from my colleagues from Kentucky, Missouri, and Montana. I say at the top of this that I respect their views and where they are coming from. I don't believe there is any ill motivation. Some would say, well, they really don't want people to vote, or whatever else. I don't buy that. I don't think that is fair. But I would make a couple of observations.

As I was listening to the debate, something struck me.

First, we have a little bit of an obsession of dogs voting. I do not think that is bringing down our system. I say to my friends from Kentucky and Missouri, if someone wants to go out of their way to sign their dog's name, they can very easily, under the proposal of the Senator from Missouri, put their picture in there. The owner of Ritzy could put his or her—I do not know if it is a his or her, the lone Ritzy—could put their picture ID in the envelope and then vote.

We cannot stop people who are totally committed to being fraudulent from doing that. There is no system that will stop everybody. Whether our amendment is adopted or not, whether even the original amendment of the Senator from Missouri is in there or not, the .001 percent, who for their own sick reasons want to have two votes or have their dog vote, are going to get around this provision, and they can easily get around the amendment of the Senator from Missouri. Ritzy can. This nice lady from wherever she is can. We know that.

Let's not say because there are a few people who are totally driven to commit fraud—and they will, and they should be prosecuted. This bill, to the credit of the Senator from Missouri, does a lot to minimize it, particularly the voting rolls provisions which everyone has talked about but will change in this bill unless it does not become law. That is the No. 1 way to stop it. We know that some people are going to commit fraud.

What I am befuddled by is the argument that because a few people will commit a ridiculous type of fraud and can whether or not the Schumer-Wyden amendment is adopted, that we should disenfranchise probably millions, certainly hundreds of thousands of people.

I noticed who the Senator from Kentucky and the Senator from Montana were talking about in their debate: Average folks.

I have a cell phone. I shut it off because I am in the Chamber. Sure, if I wanted to go to Nextel and get a cell phone, I have two or three photo IDs in my wallet. That is not at whom this bill is aimed. I am going to be able to vote easily.

We are talking about people who have a rough time voting. We are talking about realizing the American dream. We are talking about people who do not go to airports regularly and check in and show their photo IDs. Those are not the people who need the help.

We are talking about struggling people who cannot afford a car, do not fly in an airplane, do not own a cell phone, and certainly those who do not have their photo IDs, their United States Senate card, which is given to us so we do not have to do any work for it. As the example my friend from Montana uses: I got my photo ID. Yes, he does; he has a Senate card whether he drives or not.

There are millions of Americans—immigrants, poor people, elderly people, disabled people—who do not have that. Should they be disenfranchised because of Ritzy and Ritzy's owner?

This is not a zero sum game. That is a bogus argument.

The Senator from Connecticut and the Senator from Kentucky, to their credit, along with those others of us who were on for the ride, were looking at people who have a rough time voting because they live in the corners of American life, but our Constitution says their vote is every bit as important as ours, even if they do not have a cell phone, even if they do not fly in a plane regularly, even if they are not a Member of the Senate. There are millions of them, not 10, not 20.

They do not want to vote twice, and they do not want their dogs to vote, but they want to vote. That is what we are doing tonight. We are allowing them to vote. We are allowing the people in the corners of America who struggle, who have enough trouble—they cannot make a political contribution; oh, no. They cannot travel 30 miles to see their Congressman, their Senator, their assemblyman, their State senator. Oh, no. They do not have time to sit at a computer and write a letter to a newspaper. Oh, no. They are too busy trying to eke out a life, and are we to say to them: We are going to treat you just as the guy making $150,000 who flies around the country, who owns two cell phones, who has photo IDs in his pocket, we are treating you the same?

It is very easy for my good friend from Montana, again with best of intentions, to say that it is a responsibility to vote and we should put as many barriers in the way as we have to, to eliminate every last fraudulent voter before they can vote.

That is not the balance this bill seeks, in my judgment. The balance this bill seeks is, yes, prevent fraud and do things that do not unnecessarily disenfranchise people. Cleaning up the voter rolls is not going to disenfranchise people, especially with provisional voting. Do not do things to disenfranchise those who are different because they are generally poorer or disabled or older.

Let's make no bones about it, the outcry that occurred in Florida was not because of fraud. It was because of disenfranchised voters. For one reason or another, they could not vote. It was because we found in so many poor districts a number of people who could not somehow exercise their constitutional right to vote, every bit as protected by our Founding Fathers as yours and mine. They could not vote. That is what this bill is about.

When the Senator from Missouri came to us and said: Let's also try to knock out fraud because that is important, the Senator from Connecticut wisely said: He is right. But there has to be a balance, and if to knock out every Ritzy you are going to disenfranchise 100,000 people because they do not have a cell phone and they do not fly in the planes and they cannot just pull out of their pocket a voter ID card, then you are creating the wrong balance.

I do not think I buy this, but I have heard it from my colleagues and many others, if the Schumer-Wyden amendment is not adopted, the balance in this bill is such that a lot of people are saying the heck with it. The Senator from Oregon is right.

The Senator from Kentucky said if this amendment is adopted, it will slow down the bill. What? We are going to see a lot of amendments to slow down the bill? I will tell my colleagues something. The whole goal of this bill was not an antifraud bill, it was not to disenfranchise, it was not to make it harder to vote, it was to make it easier to vote and, at the same time, as a corollary, try to eliminate fraud, not eliminate fraud and, at the same time, as a corollary, try to make it easier for people to vote.

Again, the lady in that picture, Ritzy, whom we have heard a lot about,

Ritzy is going to find a way to vote illegally, incorrectly, whether we have this amendment or not. Again, I repeat, all the owner of Ritzy has to do is put a photo ID in that envelope. So do not make it like this amendment allows that fraud to be created.

What allows that fraud to be created is, again, someone resolute on doing it will do it. I think the proposal of the Senator from Missouri, again, done with good intention, throws out the baby with the bath water. It disenfranchises so many who are not typical middle-class Americans, and I ask my colleagues to think about that; not to say, me and my 20 best friends, we can vote easily.

The only reason we would not want a photo ID is because we would be committing fraud. That is right, but that is not true of a poor person who does not have a car and does not have a phone and does not own a home. It is not true of a disabled person who cannot drive and cannot operate their own bank account. It is not true of an elderly person who has to have most of their things done for them by somebody else.

Yet our Constitution—not CHUCK SCHUMER, not RON WYDEN, not CHRIS DODD—says their right to vote is every bit as sacred as ours. And that is what this bill seeks to protect.

Mr. MCCONNELL. Will the Senator from New York yield for a question?

Mr. SCHUMER. Yes, I will yield to the Senator from Kentucky.

Mr. MCCONNELL. Would the Senator of New York think there would be hundreds of thousands of people, as I heard him say, who would not have one of the following—he keeps talking about a valid photo ID, but as I read the underlying bill, and the provisions by the Senator from Missouri, any one of the following would satisfy—and we are talking only about first-time registrants—photo ID, utility bill, bank statement, government check, paycheck, or other government document. How many people in America could there be who would not have one of those things? Who in America would not have had one of the things the Senator from Missouri insists be part of the underlying bill?

Mr. SCHUMER. OK. I would answer my good friend, do not ask me, ask the groups that represent them. The AARP says there are lots of their people who do not have any of those provisions. That is why they came to us and said do the signature and do the attestation. The groups that represent minorities in this country say there are lots of their citizens who do not have any of these. These days, I say to my good friend from Kentucky, most welfare checks—I know in my State—are sent by wire to an account.

Mr. MCCONNELL. Will the Senator yield for a further question?

Mr. SCHUMER. When I finish. The groups who represent lots of these people, who I daresay know more about their lives and their abilities to meet the requirements of this bill than either he or I do, say the lengthy list, which the Senator read, does not work. I ask the Senator if they believe, which I do, too, that signature, which has worked in my State without any large reports of fraud, will make it easier for these people to vote, these people who live in the corners of America to vote, why is adding that in so significant that it would, in the words of the Senator from Kentucky, bring down the bill?

Yes, I posit to the Senator from Kentucky that there are lots of people who cannot meet the requirements in this section of the bill. If we did not believe that, we would not be offering this amendment.

Mr. MCCONNELL. Will the Senator yield for a further question?

Mr. SCHUMER. Please.

Mr. MCCONNELL. Since the Senator is asserting there are some Americans who would not have a valid photo ID, utility bill, bank statement, government check, paycheck, or other government document, could they not then vote provisionally?

Mr. SCHUMER. First of all, they cannot vote provisionally in the year 2002. That is in the bill now. I believe that was insisted on either by the Senator from Kentucky, Missouri, or somebody else, so they will be disenfranchised in this election.

Second, I have seen it in the polling places in New York—maybe this is not true—I have seen it with first-time voters, the ballot officer says: Here, sign this paper and put it in the box, but it is not going to count on the machine. And there are arguments at the polling place, particularly from new immigrants who say: No, I want to be on the machine like everybody else because my vote is not counting there.

They come from countries where they do not have the trust we have in government. They may come from a Communist country. They may come from a dictatorship. When they are forced to vote provisionally, they believe they are being treated as second-class citizens.

Now we have put the provisional voting system in as a backup. I would not want to make it the norm because somebody does not have the ability to meet the requirements that most middle-class people could.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. Mr. President, I am afraid we have seen a bunch of straw men set up and beaten up talking about all of these people who do not have any of these means of showing their identity. We negotiated 6 long months, and we had input from all of these people. The various groups to which my colleagues from New York and Oregon have referred have looked at this bill, and we came to an agreement. Certainly, we did not expect everybody to have a photo ID. Only about 90 percent of adults have driver's licenses that show the photo ID. So we went down the list and found out that the utility bill, bank statement, paycheck, or other documents could show the ID.

Provisional voting, yes, we agreed on provisional voting. I did not happen to write the section that made the provisional voting effective in 2004. I would be happy to move it to 2002. That does not cause me any problem. Let us match them up.

As far as somebody not wanting to vote provisionally, we have laid out everything in the world that they can bring in to show their identity. That new arrival who just qualified to vote in this country, if he or she writes in, sends in a mail-in registration form, he or she is going to get a form back saying: OK, the first time you vote you have to have one of these. That is going to be in plenty of time for the person who takes the responsibility to register to vote to find the proper means of identification.

Now, the Senator from New York talked about how the system worked just fine. I was a little concerned, reading the December 2000 article in the New York Post—and I do not have it with me, but I will bring it in tomorrow—which said they had found that 14,000 people were registered both in New York City and South Florida. I would be interested to find out how many of them voted once or twice. It could be a little problem there.

We are not going to solve all the problems. The Senator from New York is right. We said we were going to make it easier to vote and tougher to cheat. We never said it was going to be automatic that everybody is going to vote. Nor did we say that we are absolutely going to knock out every cheat. What we need is good prosecution. The Senator from Oregon talked about that. He said there are some prosecutions underway in Oregon. I sure hope there are because I have not seen it.

Most of the prosecuting authorities find it is too difficult because they do not have the means to identify the people who voted fraudulently. Yes, we need good, strong prosecutions. We also need in the polling place good, strong Republicans and good, strong Democrats watching each other making sure the voters get what they are entitled to.

Frankly, when the Senator from Oregon said these nursing home residents cannot get up and go to a copy machine to copy a utility bill, or even the stub of a government check or a statement from a bank—if they get a Social Security check deposited in a bank, they are going to get a statement. You know what they could do; they do not even have to photocopy. They can send it in after they paid it or after they received the statement. They could send it in. Maybe somebody is going to have to get up in that nursing home and go get them a stamp and then get them a notary public. I just bet that person, if they spend enough time, put a little time and effort into it, can get them a photocopy or get them one of their ID documents to send in.

I agree we ought to catch them at the beginning. We ought to catch them when they register. That is the whole purpose of the bill. That is what we negotiated when we negotiated the Dodd-McConnell compromise. We are just going to deal with the people registering the first time and say, yes, you have to prove you are a real live human being, adult citizen meeting the standards of the State registrar. The only thing we can do to prove you are a human being is with one of the multitude of provisions we have for showing that. Provisional voting is the way, if they are knocked out, that they can still come back in. We may not have solved 100 percent of every single problem. This bill certainly does not. It certainly does not prevent 100 percent of the fraud.

Let me go back to the State of Oregon to talk about percentages. My friend from Oregon believes the anti-fraud protections included in his bill should not apply to Oregon because they have sufficient protections already in place. My colleague from Oregon was elected in the first mail-in election, and I understand there is a court challenge to the constitutionality of the system. We will be interested to see how that develops.

But it was with great interest I read an article in the Los Angeles Times printed in December 2000 about a range of issues that should give everyone pause, particularly the idea that political operatives can act as mailmen. Let me read a relative portion of that article.

The article is headlined: ''Decision 2000/America waits; A 'Modern' Democracy That Can't Count Votes; Special Report: What Happened In Florida Is The Rule And Not The Exception. A Coast-to-Coast Study By The Times Finds A Shoddy System That Can Only Be Trusted When The Election Isn't Close.''

They say:

An Oregon practice that many considered foolhardy is allowing anyone, including campaign workers, to collect ballots. Political operatives go door-to-door to gather them. In the crush of election day, people walked away with ballots collected from cars pulling to the curb outside the county clerk's office in Portland.

Vicki Ervin, the Multnomah County director of elections, says she has no idea where they were going, but she has no evidence of foul play.

I ask unanimous consent to have this article printed in the RECORD.

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

[From the Los Angeles Times, Dec. 11, 2000]

DECISION 2000/AMERICA WAITS; A 'MODERN' DEMOCRACY THAT CAN'T COUNT VOTES; SPECIAL REPORT: WHAT HAPPENED IN FLORIDA IS THE RULE AND NOT THE EXCEPTION. A COAST-TO-COAST STUDY BY THE TIMES FINDS A SHODDY SYSTEM THAT CAN ONLY BE TRUSTED WHEN THE ELECTION ISN'T CLOSE

Because ballots can be bought, stolen, miscounted, lost, thrown out or sent to Denmark, nobody knows with any precision how many votes go uncounted in American elections.

For weeks, Florida has riveted the nation with a mind-numbing array of failures: misleading ballots, contradictory counting standards, discarded votes—19,000 in one county alone. But an examination by The Times in a dozen states from Washington to Texas to New York shows that Florida is not the exception. It is the rule.

State and local officials give priority to curbing crime, filing potholes and picking up trash. That often leaves elections across the country underfunded, badly managed, ill equipped and poorly staffed. Election workers are temporaries, pay is a pittance, training is brief and voting systems are frequently obsolete. ''You know why we never paid attention to this until now?'' asks Candy Marendt, co-director of the Indiana Elections Division. ''I'll tell you: because we don't really want to know. We don't want to know that our democracy isn't really so sacred. . . .

''It can be very ugly.''

The examination shows:

New York City voters use metal lever-action machines so old they are no longer made, each with 27,000 parts. Similar machines in Louisiana are vulnerable to rigging with pliers, a screwdriver, a cigarette lighter and a Q-Tip.

In Texas, ''vote whores'' do favors for people in return for their absentees ballots. Sometimes the canvassers or consultants, as they prefer to be called, simply buy the ballots. Failing all else, they steal them from mailboxes.

Alaska has more registered voters than voting-age people. Indiana, which encourages voting with sign-ups by mail and a driver's license bureaus, has jammed its registration lists with hundreds of thousands of people who should not be on them. They include felons, the dead and many who have registered repeatedly.

In Oregon, a preliminary survey indicates that more than 36,000 of the state's 1.5 million voters may have mailed in ballots this year that were signed by someone else. Some students in Wisconsin say they voted as many as four times.

Louisiana's former election commissioner, Jerry Fowler, pleaded guilty 14 days ago to a kickback scheme with a voting machine dealer. Even when relationships are legal, lines of authority blur. In the state of Washington, dealers program vote counters. In Arizona, they go as far as to help feed in the ballots.

To many Americans, the right to vote is sacred, a hard-won legacy of the women's suffrage and civil rights movements. Memories of those 20th century struggles remain fresh among voters of the new century. Yet the system that counts their ballots has fallen into disarray and dysfunction.

The voting system is so troubled that the National Bureau of Standards, a federal agency now know as the National Institute of Standards and Technology, said 12 years ago that an election mainstay, prescored punch-card ballots, should be junked—but more than 500 counties throughout the nation still use them.

Federal standards for voting equipment took effect in 1990, but they are not mandatory. A number of states, including Florida, have written some or all of the standards into their own codes. But all existing equipment was excepted, meaning that decades-old systems in Florida and elsewhere are exempt.

America has learned two things from the 2000 election, says Robert Richie, executive director of the Center for Voting and Democracy, a nonprofit, nonpartisan election watchdog group in the Washington suburb of Takoma Park, Md.: ''Your vote certainly counts.

''On the other hand, your vote may not be counted.''

LONG-TERM NEGLECT

If the problem were out-and-out fraud, many would recognize it as an object so familiar on the political landscape as to be a running joke. They late Earl Long used to say that he wanted to be buried in Lousiana so he could stay politically active.

This year's election did include corruption, but the real problem was less obvious: In almost innumerable ways, the election system that counts the votes has suffered from long-term neglect and mismanagement.

Much of the bumbling is caused by inexperience and lack of funding. ''People ask, 'If we can put a man on the moon, why can't we have an election system that works?' '' says William Kimberling, a deputy director at the Federal Election Commission. ''I say, 'Yes, and it will cost just about as much.' ''

The Board of Elections in New York City, for instance, hired 25,000 temporary workers this year. The job pays $130 for a day that stretches from before 6 a.m. until after 9 p.m. ''Would you sit there for 15 hours for $130?'' asks Danny DeFrancesco, the board's executive director.

''Most of the workers can't read the manual,'' sayd Martin Connor, state Senate minority leader and one of New York's leading election lawyers. ''You're not going to get bankers, businesspeople and teachers sitting there.''

New York has trouble finding voting machine technicans who will start at $21,000 a year. ''You make more money servicing laundry machines,'' says Douglas Kellner, a commissioner on the election board. As a result, machines break down, voting is delayed and people leave.

Some critics blame patronage. Election workers in New York get their job through political leaders. Former Mayor Edward J. Koch calls it ''a terrible system.''

But much is ineptitude. Four years ago, Susan Marler, the Yuma County, Ariz., recorder enlisted two female inmates from the Yuma jail to help send out ballots. Some were mailed more than two days late. By that time, says County Supervisor Tony Reyes, many migrant laborers, mostly Latinos, had left to work on farms in California and could not vote.

Some places cannot even keep election directors. Several years ago, Tamira Bradley held the job in Longview, Wash. She was paid $1,800 a month. ''I really felt that nobody took me seriously,'' she says, so she quit to become a waitress at a Sizzler. ''I made more money.''

Long-term neglect introduces so many errors into voting and counting ballots that it is impossible to know after an election exactly what the totals are and how many people may have been robbed of their votes.

Rebecca Mercuri, a computer scientist at Bryn Mawr College in Pennsylvania, and Curtis Gans, director of the nonpartisan Committee for the Study of the American Electorate, estimate that at least 2 million ballots did not get counted this year across the country.

That would disenfranchise a city the size of Houston.

But these estimates include deliberate race skipping, when voters do not like any of their choices. Experts do not know how much of that goes on.

The only mistakes that can be estimated with any confidence are those committed by vote-counting machines. Providers say the machines have error rates of 0.01% to 0.1%. If that is true, counting machines alone could

have made as many as 100,000 mistakes this year—an average of 2,000 votes per state.

That is far more than Texas Gov. George W. Bush's margin in Florida for the presidency.

But machine counts do not differentiate race skipping, either, and that makes it impossible, even in the case of machines, to know with any certainty how much voters get robbed.

''Counting votes is like playing horseshoes,'' says Jim Mattox, a former Texas attorney general who investigated the voting machine industry in the 1980s. ''You get points for being close.''

WEAK EQUIPMENT

Voting jurisdictions across the country use five varieties of lever-operated machines, six kinds of punch cards, 10 sorts of optical scanning systems and six types of touch-screen computers.

Every system has its weaknesses.

In 1998, the most recent year with records available, New York City reported trouble calls on 474—or nearly 8%—of the 6,221 metal lever-action machines that it deployed.

Each is a 900-pound hunk of metal parts crammed into a gray steel cabinet that stands 6 feet, 4 inches and looks like it dispenses cigarettes. Voters flip toggle switches to choose their candidates, then pull a big lever to record the choices on a mechanical counter.

The machines are called Shoups, after the Ransom Shoup family in Pennsylvania that began making them decades ago. They are stored in five warehouses and hauled each election day to 1,300 polling sites from the northern reaches of the Bronx to Rockaway Beach in Queens.

For 38 years, these clunky monsters have taken a pounding. ''We had one that fell onto the hood of a Buick,'' says Richard Wagner, a voting machine technician since 1968. ''An automobile has 5,000 parts; a voting machine has 27,000 parts. If a guy drops it from the moving truck, it goes out of alignment. If it's put out of alignment enough, it won't work.''

The machines also are comparatively easy to rig. Louisiana changed to a Shoup competitor in lever machines several years ago after state Rep. Emile ''Peppi'' Bruneau showed fellow lawmakers, with coaching from a voting machine technician, how to steel a Shoup-equipped election.

With his cigarette lighter, Bruneau softened a lead plug that sealed the machine. With a pair of pliers, he removed a copper wire embedded in the plug. With a screwdriver, he took off the back cover and a Plexiglas lid protecting the vote counting mechanism. With a Q-Tip, he prodded the counter digit by digit, manipulating the vote total as easily as he might reset an alarm clock.

Punch card systems that produce chads are particularly prone to problems.

Sometimes the chads—tiny rectangular pieces of cardboard—are left hanging. Counting machines force them back into their holes and read what should be a vote as a non-vote.

Prompted by problems in last month's election, officials in Wisconsin have decided to scrap their chad-producing systems by the end of next year. The systems deliver votes at only 7 cents a ballot, however, and they remain popular in voting jurisdictions coast to coast. Nine are in California, including Los Angeles, San Diego and Alameda.

Optical scanners have their own special problems.

They require precisely printed ballots, and they cannot count ballots when voters mark them with Xs, circles or check marks instead of filling in ovals, boxes or arrows. When the scanners fail to count those ballots, election workers in some states may create duplicate ballots or enhance the originals with a small graphite stamp to clarify voter intentions. They are meant to work in pairs with members from competing political parties.

Election officials say this system works, but Shawn Newman, an attorney who represents Citizens for Leaders with Ethics and Accountability Now (CLEAN), based in Tacoma, Wash., considers the practice a sham. ''Your ballot can be re-marked, remade totally,'' he says, ''without your knowledge or permission. . . .''

More than 8% of counties nationwide have upgraded to fully computerized touch-screen systems, similar to automated teller machines at banks.

Apart from their expense—an estimated $100 million to outfit Los Angeles County, for instance—some election officials do not trust them. Some of these systems provide no paper records for recounts or disputed elections.

Even those that do, some experts say, might be programmed to lie.

Other security concerns are raised by Internet voting. Despite what Arizona Democrats regard as a successful experiment in their primary this year, William Kimberling, the Federal Election Commission deputy director, calls it ''a breeding ground for fraud.''

What is never trouble-free is the combination of computers and humans.

Four years ago in Yolo County, Calif., a system reversed results between the first- and last-place candidates in a City Council race.

Someone had positioned two of the six candidates out of order when the computer was programmed.

''The actual winner knew something was wrong,'' says County Clerk-Recorder Tony Bernhard, ''when he got one vote in the precinct where his mother and father lived.''

TROUBLE WITH ROLLS

Just as troubling is voter registration.

Alaska has 38,209 more names on its rolls than it has voting age population. Virginia Breeze, spokeswoman for the state Division of Elections, says the rolls are hard to purge because people come and go. ''Alaska has always been boom or bust.''

One of every five names on the Indiana rolls is bogus, according to Aristotle International, a Washington, DC-based firm that helps clean up registration rolls. Indiana officials dispute the number, but most agree it is somewhere between 10% and 20%.

Aristotle representatives say six other states have rolls with bogus names of 20% or higher: Arizona, Idaho, Texas, Oklahoma, Utah and Wisconsin. Officials in those states too believe the figure is inflated, but none denies that his or her state has serious problems.

In many cases, much of the blame rests with the so-called motor-voter law. Passed by Congress, its provisions were adopted by Indiana on Jan. 1, 1995. Under the law, Indiana makes it possible for voters to register by mail or by filling out a form at any of 3,000 state offices, including every branch of the Bureau of Motor Vehicles.

During the five years since the beginning of Indiana's motor-voter program, the number of new registrations has increased by 1 million. Tens of thousands, however, are the names of people who have registered more than once. Others are people who no longer live in Indiana. Still others are in prison—or dead.

To compound these troubles, Indiana makes it very difficult to remove voters from the rolls. One person might register six variations of his name. On the rolls, he would become six different people. Unless he got caught, he could vote six times.

VOTES FOR SALE

Voting repeatedly is one kind of election fraud. Another, says Jack Compton, police chief in Alice, Texas, is hiring a ''vote whore'' to help you win.

While they prefer to be called political consultants or canvassers, vote whores are paid by campaigns to do favors for people in return for their absentee votes. ''The last I heard,'' Compton says, ''it was $20 a vote.''

Alice is where operatives stuffed Ballot Box 13 with 200 votes to save Lyndon B. Johnson's political career. The extra ballots were cast in alphabetical order and marked in the same handwriting and with the same dark ink. Johnson had planned to abandon politics if he lost his second campaign for the U.S. Senate in 1948, but Box 13 gave him enough votes to win. He went on to become vice president and finally president.

Since the bad old days, much of Texas has gone straight, says Buck Wood, an Austin attorney who specializes in electoral law. But South Texas is distinctive, he says, because its vote whores are so integral to its political system. ''They're generally elderly. They're retired. You can make $6,000 or $7,000 a year. Of course, they don't pay income tax on it. That's a lot of money. It's kind of like a little part-time job.''

Rick Sisson, an Alice businessman, pushed for a recent investigation. ''They are paid to go out and solicit people for their mail-in ballots. Sometimes they actually pay people for these ballots. . . . The political prostitute comes to me and says, 'I will pay you $3, $5. You put your signature, I vote it the way I want. Here's your money.' ''

Sometimes they steal votes outright. ''My brother and a co-worker and a lady were stealing ballots from mailboxes to vote for a candidate in 1986,'' says an Alice resident, who declines to be identified. ''My brother wasn't being paid; he just wanted the candidate to win. So they would take the ballots and give them to him. They'd put them in the microwave. The heat would open the envelope. They'd make the vote for whoever they wanted. . . .

''My brother knew when the mailman was coming by. They stole hundreds of ballots. My brother told me about it. He said he was scared.''

One woman in the trade describes the people she solicits as ''customers.''

The woman, who requested anonymity but agreed to be called Anita, says she actually cares about her customers and does many small kindnesses for them throughout the year. In return, they permit her to request mail-in ballots for them and let her tell them how to vote. Many, she says, also give her ''gifts'' of votes for the candidates of her choice.

Anita says each of her candidates pays her $150 a week during the election season. ''By the time the politics is over, you'll have $1,500. I have 167 people on my list.

''There's a girl in my neighborhood that I bring beer to. I see her three times a year. She says, 'Oh, it's you! It must be election time.' I go to get her mail-in ballot request, and she says, 'Do you have any money?' When I say yes, she says, 'Go get me a quart of beer.' So I do, and then I'll request her ballot. . . .

''You keep up with obituaries. If somebody dies, you get a new person.''

Students are more straightforward. At Marquette University in Milwaukee, where the campus newspaper polled 1,000 of them, 174 said they voted two, three or four times.

One told The Times he voted twice for Bush—once at a polling place on the Marquette campus and then by absentee ballot

in Florida, where he would have been among those who gave Bush his whisper-thin margin.

''It's easy to vote more than once,'' the student said. ''No one seems to care.''

But most accounts, however, the preferred way to cheat is with mail-in ballots. And that makes Oregon a target, as well.

This was the first presidential election in which all Oregon votes were cast by mail. The ease of send-in voting gave the state an 80% turnout—among the highest in the nation.

Part of the concern is about possible intimidation from family or friends when voters mark their ballots at home—or at ''ballot parties,'' where group leaders might pressure others to vote as instructed. But a bigger worry is about forged signatures.

It is a felony to sign someone else's ballot. Workers try to match signatures on ballot envelopes with those on the voter rolls.

''I don't have much faith in that process,'' says Melody Rose, an assistant professor of political science at Portland State University.'' I can forge my husband's signature perfectly.''

In a pilot study, Rose gathered preliminary survey data this year on voters in Washington County, outside Portland. About 5% of 818 respondents said other people marked their ballots, and 2.4% said other people signed their ballot envelopes. Rose suspects the real number is higher, because people are reluctant to admit being party to a crime.

If the trend holds, it could mean that more than 36,000 or Oregon's 1.5 million voters submitted illegal ballots.

Bill Bradley, the Oregon secretary of state, says it is troubling if some people are signing other people's ballots. But Bradbury maintains that he still has confidence in voting by mail.

An Oregon practice that many consider foolhardy is allowing anyone, including campaign workers, to collect ballots. Political operatives go door-to-door to gather them. In the crush of election day, people walked away with ballots collected from cars pulling to the curb outside the county clerk's office in Portland.

Vicki Ervin, the Multnomah County director of election, says she has no idea where they were going, but she has no evidence of foul play.

TURNED AWAY AT POLLS

While some people vote more than once, others are barred from voting at all.

Thousands on the mostly African American east side of Cleveland went to vote this year, only to be turned away.

Because of a 1996 state law cutting Cleveland precincts by a quarter, their polling places had been changed. The Cuyahoga County Board of Elections says it sent postcards to registered voters telling them of the switch.

But of 85 blacks who were asked about the postcards during the 2½ days of interviews in east Cleveland, only one said he received notification.

''I never got a card, never,'' says Francis Lundrum, an east side native. He says he bellowed at an election worker: ''I am a veteran of the United States armed forces! I want to vote!''

It did no good.

Lundrum and the others who were turned away should have been given provisional ballots, to be certified later. Among those who did not get one was Chuck Conway Jr. ''I think there was some stinky stuff going on.''

Sometimes the post office robs people of their votes. In a few counties in Oregon, long and heavy ballots were returned this year for postage due. But the most egregious postal failure came in Washington state.

Steven and Barbara Forrest and their 29-year-old son mailed in ballots from Bellevue on election day. Several days later, two of the ballots were found on the island of Fyn, 100 miles from Copenhagen, in Denmark.

Brian and Helle Kain of Odense, Denmark, discovered them in a large envelope containing navigational charts they had ordered from a company on Shaw Island, 50 miles north of Seattle. They called the U.S. Embassy in Copenhagen, which told them not to worry because it was too late to count the ballots anyway.

A Danish reporter telephoned Forrest, and he called Julie Anne Kempf, the King County election superintendent. Kempf was miffed. She phoned the embassy. Her country, she said, was far from certifying its election.

At last notice, the two ballots were on their way home. But the Forrests have no idea what happened to their son's vote. ''We hope it got counted,'' Forrest says. ''We feel very strongly about voting.

''We told the department of elections that we are upset about it. But I guess if you're going to assess blame, it almost certainly had to go to the Postal Service.''

VOLUNTARY STANDARDS

Some of this voting chaos is because there is actually no such thing in this country as a national election. Americans vote in a hodgepodge of 3,141 counties with 10,000 local jurisdictions.

Yet, election officials have never come up with uniform, binding rules for voting.

Federal standards, now in the process of being updated, are voluntary. Each state, for instance, decides which voting machine systems can be sold within its borders. Then, like patients in a health insurance network, counties and cities make their purchases from the state list.

Gary L. Greenhalgh says he favored ''mandatory standards with teeth'' when he directed the Federal Election Commission's national clearing house on election administration from 1975 to 1985, while election rules were under discussion.

But Congress did not want to impose new cost requirements on the states, he says, and the standards became voluntary.

The Federal Election Commission had no money to enforce standards, and vendors were wary of picking up the cost. So an association of state election directors hired a consultant to find laboratories to test voting systems. The group agreed to medicate among vendors, labs and authorities.

It became an example of interdependence between public election officials and private companies that critics say can grow too intimate. In this instance, there was no illegality, not even over-reliance upon the vendors to do official duties—but there was unchallenged secrecy.

The first vendor to sign up for testing complained about Election Technology Laboratories, says R. Doug Lewis, executive director of the Houston-based Election Center, which helps administer the program. Among the vendor's concerns was the lab's desire to examine its actual lines of computer programming code.

Administrators sided with the vendor, saying they had not intended such a deep level of examination.

''What's going on inside the machine is of no concern,'' said consultant Robert Naegele, who wrote the standards. ''My major concerns were accuracy, reliability and maintainability.''

''That's not rigorous testing,'' counters Arnold B. Urken, a co-founder of the Election Technology lab. Mischief or mistakes could go undetected.

''I'm not saying vendors are evil, but unless you test the code, you don't know,'' Urken says. Cars and airplanes are regulated at that deep level, he adds. ''Why should we demand anything less when we're electing the president of the United States?''

PROPOSALS FOR IMPROVING NATIONAL ELECTION SYSTEM

There is no unanimity on how to fix the myriad problems with the election system nationally that have been spotlighted by the razor-thin presidential vote in Florida. But among the many proposals circulating, the following have been culled from interviews with scores of county, state and federal elections officials, voting equipment vendors and other experts:

*Adopt minimum mandatory national standards for voting equipment used in elections for federal offices and provide funds to help counties meet them. This could include hardware, software and ballots that would be phased in.

Current standards are voluntary. Congress has been reluctant to intervene in election procedures, which the U.S. Constitution delegates to states.

*Require periodic recertification of all voting equipment.

Some current equipment, which has never been certified, is decades old and the manufacturers are no longer in business.

*Encourage states and counties to upgrade training for county election officials and poll workers. This could be done through federal mandates, federal grants or both.

*Urge all states to set uniform standards for how to determine a voter's intent if it is not clear.

Many states already do this, but there is no national consistency, as evidenced by various counties imposing different standards in the Florida recount.

*Adopt uniform standards and provide funding to help prevent voting in more than one state by purging county rolls of voters who have moved or died.

Currently, in many counties, when new residents register to vote, the information is sent back to the county where they previously resided. But the practice is uneven.

*Establish an ethics code for county elections officials to prevent revolving-door and conflict-of-interest problems. Set standards as well for gifts from vendors.

Mr. BOND. In addition to the story about the people coming in with ballots from who knows where, an even more interesting series of facts was unearthed in a study by Portland State University professor Melody Rose who did work assessing the potential for fraud and coercion in Oregon's mail-in voting. Her preliminary data is quite revealing. This is a sample, not exact, but she said 5 percent of voters in Oregon had someone else mark their ballot; 2.5 percent of voters had someone else sign their ballots; 4 percent of voters either signed or marked someone else's ballot.

In a State such as Oregon with about 1.6 million ballots cast in 2000, those percentages could equate to fairly high numbers. If the preliminary data were to hold up across the entire population, that might mean 80,000 voters had someone else mark their ballots, 40,000 voters had someone illegally sign, and 64,000 voters signed or marked someone else's ballot.

I am not comforted by the assertions that Oregon has everything under control and thus should be exempt from antifraud protections in this bill. We

are not going to get everybody who commits fraud. I certainly hope my colleague from Oregon was correct when he said prosecutions are underway. I feel like ''Waiting for Godot'' to see the successful prosecution of election fraud. Too often they find there are better things to do. Colleagues from other States have told me about people voting freely and admitted they voted multiple times and are never prosecuted.

I mentioned Cora Thigpen who voted twice. She was just getting up a head of steam. I am afraid she will not get prosecuted. We need more prosecutions. We cannot do that here. We can assess the penalties. We need strong poll workers watching each other, Republicans watching Democrats. We need strong prosecution. The minimal provisions to protect against drop houses and phony registration—which, yes, includes permitting dogs to register in Missouri and permitting lots of other people to vote illegally; there were 3,000 phony ballots for a mayor's race; 30,000 uninvestigated ballots before a general election in Missouri in November of 2000. We have to do something. We have to begin to get a handle on it and make it more difficult, if not impossible—I wish we could, and I will take any ideas anyone has to make it—impossible to commit fraud.

This compromise language we worked on for 6 months was designed to take into account the need of all the special individuals who we want to make sure can vote. At the same time, we are providing money and resources for voting machines, for voter education. This bill comes at all of these problems in a coordinated way and says yes, we have to do a better job. We have to do a better job making sure that everybody who is entitled to vote gets to vote, and to make sure that those who cast the vote are not having their vote canceled or diluted by people setting up drop houses, registering phony names, whether they be nonexistent people, dead people, or dogs.

The amendment of the Senator from New York undoes the compromise we have reached.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, I will take a couple of minutes to respond to the comments the distinguished Senator from Missouri made about Oregon and offer up a proposal for how we might avoid the gridlock that looks as if it may be at hand.

With respect to vote by mail and how it is working in the State of Oregon, in the special election held in 1996 where the principal candidates were myself and our colleague, Senator SMITH, we had almost two-thirds of all eligible voters participate in that election. The level of participation was three times as high as that held in the previous special election for a Senate seat. We in effect broke all the records for participation in a Senate special election.

As I stated earlier, our colleague, Senator SMITH, to his credit, when pressed on the subject, said that there was no evidence of voter fraud that he in any way believed affected the election. What we have in the State of Oregon is tremendous benefit in terms of voter participation. The level of participation is three times as high as that seen in the previous Senate special election that certified new Senators in this body with my colleague Senator SMITH—the person who might well have expressed concerns and did not state any whatever at the time, or since.

My sense is that the distinguished Senator from Missouri is basically now saying he is against mail-in voting as well. He has said he is following the constitutionality of various issues relating to mail-in voting, and I think this raises again that there is a lot being presented to the Senate other than deterring fraud. I am certainly interested in working with our colleagues, Senator MCCONNELL and Senator BOND, in particular, on this issue because I think we are in a very difficult position, given the last hour and a half of debate. The distinguished Senator from Kentucky has essentially announced if our side prevails, if the amendment prevails and the photo ID is struck, he will in effect have to take to the floor for a considerable length of time, and that will obstruct our ability to go forward.

I certainly do not want to respond in kind. I have passed on that effort up to this point. I was not party to the negotiations that took place in committee. I can tell the President and our colleagues I very much wanted to put a hold on this bill and would have come to the floor and publicly announced that hold in line with the procedural reforms that Senator GRASSLEY and I have advocated, stipulating that all holds ought to be public, but I didn't do it in deference to the distinguished chairman of the committee, Senator DODD, who made it clear he would work with me and others to try to resolve this issue.

So there has been a lot of good faith on this side of the aisle. I would offer up the idea, even at this late hour, that rather than having this sort of mutual assured destruction, where everybody takes down everybody else's work product—and there is so much that can be agreed upon—I think we ought to have another round of negotiations. As one Senator who did not get to participate in the first round, I am anxious to meet our colleagues halfway.

For example, if our colleagues are willing to talk about getting rid of the photo ID, which I and others believe is so onerous for seniors, minorities, and others, I think we ought to be looking at ways to figure out how to put the voter registration requirement into effect in 2002.

If we are going to be tough on fraud, let's be tough now rather than waiting to get so far down the road. I know it is difficult to do, but I think those kinds of ideas would provide an opportunity for at least some further discussion in an effort to try to work this out.

I know there have been months and months of negotiation in good faith in the committee. But this Senator, who has a State where vote by mail has worked, a State that has empowered so many through vote by mail, I didn't participate in any of those negotiations. On top of that, I probably, without thinking about Senators DODD and MCCONNELL, I probably would have put a hold on this bill until this issue had been resolved because of my concern for the State.

I am anxious to meet my colleagues halfway in an effort to resolve this issue. But I think at the end of the day we have to figure out ways to make it easier to vote, easier to participate in the political process, as we deter fraud. The fact is, this is going to make it tougher to vote.

The hour is very late. I cannot believe the distinguished chairman of the committee, Senator DODD, and the distinguished ranking minority member, Senator MCCONNELL, are all that wild about staying here until the wee hours trying to figure out another way to deter fraud without having this photo ID requirement. But I want to make that offer.

This is so important. There is so much good work that has been done on this issue. Let us try to find common ground on the issue of deterring fraud—that is something both Democrats and Republicans feel strongly about—rather than taking this bill down, which is where we appear to be headed tonight.

I would like to participate in the negotiations. I have made it clear I wish I had the opportunity as a member of the committee to do so. This basically is my first opportunity to have a chance to formally participate in the discussion. I would like to look at ways to deter fraud aggressively. If we are serious about it, we should not be waiting until 2004, we should be trying to do it now. We should be trying to do it for this upcoming election.

I think it is just one of several ideas that we might possibly, even at this late hour, figure out a way to come together on and make sure we are united in terms of fighting fraud, not going forward with something which is going to disenfranchise so many voters, which I believe is the end result of photo ID.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. SMITH of New Hampshire. Mr. President, I ask unanimous consent to temporarily set aside the pending amendment in order to offer an amendment.

Mr. DODD. Will my colleague wait for a minute or so? Then I will be glad to turn to him.

The PRESIDING OFFICER. Objection is heard.

Mr. DODD. Mr. President, my colleague from New Hampshire has been

here quite some time, seated. I want to give him a chance to engage in this.

First of all, let me thank our colleague from Missouri and colleagues from New York and Oregon. They have been engaged in meaningful debate. I regret there are not more Members here— it has been a long day—not here to listen to this, what I think has been a very valuable discussion. Hopefully, through the vehicles of C-SPAN and other such methods, people in the country have had a good opportunity to hear what I think has been a very worthwhile discussion about a very important issue.

I thank all of them for their very generous comments about the miles we have traveled to get us to this point, which is only a few yards away from what could be final passage of a historic piece of legislation. Significant resources are being committed by the Federal Government to our States and localities to improve what I think the Senator from Missouri properly described as a shoddy system, and I think maybe he was being polite about not one State but the entire country, one which is desperately in need of repair, so that our great Nation should be a model to other societies on how a great democratic society chooses its leaders.

Certainly anyone who has looked at this has concluded that this is a system in need of repair. The Senator from Kentucky and I have worked very hard to bring us to this point. We have adopted over 30 different amendments, in addition to what we tried to do ourselves. We thought we were thinking about a lot of things that people might anticipate. This is a subject matter where every Member of this Chamber is an expert. We are talking about elections, and everyone had to go through one to get here. So this is not a subject matter about which any Senator believes he or she does not bring something to the table when it comes to a discussion about how people vote and how those votes are counted.

What I would like to suggest—we are planning, obviously tomorrow, now, at sometime around 10 a.m., to have a vote. I am hopeful that everyone will try, even at this late hour, the Senator from Oregon has raised the prospect, to see if there might not be, despite our efforts over the weeks to find a resolution—maybe there is a possibility of finding some common ground that might avoid what I think might be a very close vote on this subject matter.

I don't know the votes. I haven't been participating in any vote counts. I haven't called Members. I haven't asked Members how they would vote on this. The leader has done that. I have stayed out of it. But I hope we might find some way to resolve this issue without having it come to a vote.

Maybe we can't. Every now and then you can try your best to bring people together and ultimately they decide they just want to cast a ballot. That being the case, and I don't know the outcome, all I want to say is that this is how the process works. You have to accept to some degree, I suppose, allowing the process to function. I just hope in the passions, the emotions that people feel on this, we would not place ourselves in a situation where we take out literally dozens of amendments and dozens of ideas in the hopes of crafting something worthwhile. So I am hopeful we may work something out.

That is all the comment I want to make this evening, except to thank the two Senators who have spoken so eloquently on the subject matter. Senator SCHUMER was involved for a long time and introduced one of the first bills, with our colleague from Kentucky, on this subject matter over a year ago. Senator WYDEN cares about it clearly, and his State uniquely, along with the State of Washington, is acting as sort of pioneers in the area of 21st century voting with mail-in voters that has successfully worked in his State. He has very rightly sought, along with his colleague, Senator SMITH and others, to see to it that we would not in any way jeopardize his State or the State of Washington from continuing to pursue some novel, unique, and very worthwhile ideas on how people can cast their ballots. I thank him and his colleagues for those efforts to bring us to this particular point.

Of course, I thank again my good friend from Kentucky. He has a lot on his mind. He is in the middle of the campaign finance reform debate and there has been no more diligent and articulate spokesman for an alternative point of view in that debate. I admire his courage. He has taken a real beating around the ears from people all across the country. While I disagree with him, I admire immensely his guts; that he doesn't back down on something in which he believes.

He has been a great ally in this effort. It has not been easy trying to juggle a lot of different balls in the air. The one on campaign finance reform is one in which he has been deeply involved, and has borne, I think, the brunt of unfair criticism about what he cares about. I didn't want the evening to end without expressing my emotional appeal to my colleague from Kentucky that my respect for him is unlimited in terms of his commitment to the things and principles in which he believes. I just hope we might find some way to resolve this matter.

Senator BOND was one of the first people I talked to about this bill, in addition to my colleague from Kentucky, and about his determination to try to reduce and eliminate, to the extent possible, fraud in the country. My colleagues from New York and Oregon have identified their remarks with his ambition to seek a system that would be devoid of fraudulent behavior. We deplore it wherever it occurs. But my hope is that with the balance struck between where Senator BOND wants to be and where others raise legitimate points, there is still room to find common ground. That is my fervent hope—to the staff, and to others who are involved in this—before we cast votes or find ourselves in a position where the middle ground becomes impossible to find or is lost.

With that simple plea, let me yield the floor to others who want to make any closing comments. My colleague from New Hampshire has an amendment he is going to raise. I will certainly be happy to sit here and listen to his proposal as he offers it, and then urge our staff, Senator BOND's staff, and the staff of Senators WYDEN and SCHUMER to maybe sit down and see if there isn't some common ground, along with the staff of Senator MCCONNELL. We are prepared to stay around as well to see if we can help in that regard.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. MCCONNELL. Mr. President, I thank the Senator from Connecticut for his kind remarks, not only on this issue but the other issue that has kept us largely preoccupied in the last few days. Hopefully, we will have a vote in the morning and will know where we stand on the future of this bill.

I commend all of those involved. The Senator from New Hampshire has been waiting patiently. Therefore, we look forward to what he has to say.

I yield the floor.

Mrs. MURRAY. Mr. President, I rise in support of the Schumer/Wyden amendment. The 2000 election clearly illustrated that there are significant flaws in our election system. In many places our systems of voting are antiquated and people are being disenfranchised.

The bill we have before us seeks to correct those problems.

It improves voting systems, provides a mean for provisional voting, cuts down on voter fraud, and provides grants to States so they can improve their methods of voting.

The bill is not perfect. During consideration of this bill, I had worked with my colleagues on both sides to make sure that the intent of this reform bill is realized.

We want fewer people turned away from the polls, and we want to bring our states' election systems into the 21st century.

In my home State of Washington, 69-percent of votes in last November's election were cast by mail. Every election that percentage increases, and those numbers are larger for new voters.

In the state of Oregon, by law every voter casts their ballot by mail. This method has made it much easier for those who lack adequate transportation, or are elderly, or disabled or are single mothers to vote. Previously disenfranchised voters now can exercise their most important civic city because of vote by mail.

This legislation has several provisions that make the vote by mail process more difficult and in some cases could kill this method of voting. Two weeks ago, I worked with Senators

CANTWELL, DODD, MCCONNELL, WYDEN, and others to perfect a provision in the bill that would have placed an undo burden on jurisdictions utilizing vote by mail.

I thank those Senators who worked on that amendment.

There is a remaining obstacle to mail-in balloting in this bill that requires first-time voters to show some identification prior to voting.

Many voters don't have access to a polling place because they lack transportation, they are working too hard to provide for their families or are elderly or disabled.

The ability to vote by mail gives them the opportunity to participate in our democracy. These are the voters we cannot abandon as we address some of the obvious deficiencies in our nation's current electoral system.

The provision in the underlying bill places new and cumbersome hurdles on these types of voters and could potentially displace many new voters who want to get involved in the election process but could not without vote by mail.

I agree with many Senators that we must cut down on voter fraud and this bill does that.

In Washington, we run clean elections. We have had some very close races, and the integrity of the system has only been enhanced by the way the State has conducted those elections and the professionalism of the individuals involved.

I strongly support the Schumer/Wyden amendment.

Simply, this amendment would allow States like Washington and Oregon, who have significant numbers of mail-in voters, to create a signature verification system where signatures are matched against their registration.

This is a common sense approach that will insure that those that vote by mail don't have to go through overly burdensome hurdles in exercising their civic duty.

If we are unable to adopt this amendment, systems like those in Oregon and Washington could become unworkable and many new voters would find themselves without a say in the election of their public officials.

That would be an unacceptable result to this Senator.

I urge my colleagues to support this amendment.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. SMITH of New Hampshire. Mr. President, I thank my colleagues for their courtesy.

I ask unanimous consent that the pending amendment be set aside for the purpose of offering another amendment.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

AMENDMENT NO. 2933

Mr. SMITH of New Hampshire. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from New Hampshire [Mr. SMITH] proposes an amendment numbered 2933.

Mr. SMITH of New Hampshire. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 68, between lines 17 and 18, insert the following:

SEC. ____. PROHIBITION ON BROADCAST OF CERTAIN FALSE AND UNTIMELY INFORMATION ON FEDERAL ELECTIONS.

Part I of title III of the Communications Act of 1934 (47 U.S.C. 301 et seq.) is amended by inserting after section 315 the following new section:

"SEC. 315A. PROHIBITION ON BROADCAST OF CERTAIN FALSE AND UNTIMELY INFORMATION ON FEDERAL ELECTIONS.

"(a) FALSE INFORMATION ON LOCATION AND OPERATING HOURS OF POLLING PLACES.—A licensee who, on the day of a Federal election, knowingly broadcasts using a facility covered by the license any false information concerning the location or time of operation of a polling place designated by the appropriate State authorities for use by electors in such election shall be fined not more than $10,000,000, imprisoned not more than five years, or both.

"(b) UNTIMELY RESULTS OF EXIT POLLS.—A licensee who, on the day of a Federal election, knowingly broadcasts using a facility covered by the license the results of an exit poll or election projection taken within a jurisdiction covered by the license as an actual election result before all polling places in the jurisdiction designated by appropriate State authorities for use by electors in such election have closed shall be fined not more than $10,000,000, imprisoned not more than five years, or both.".

Mr. SMITH of New Hampshire. Mr. President, I know the hour is late. I don't want to inconvenience my colleagues for too long. My purpose in rising now is to get an amendment in for tomorrow. I will try to keep that in mind and be as brief as possible.

I was listening to my colleague, Senator WYDEN, talking about getting voters to the polls and encouraging them to go to the polls. One of the ways to encourage them to go to the polls is to not have the broadcast media tell the voters the polls are closed before they are. That is really what my amendment is about.

I am hopeful that the Senate will agree with me and realize it is improper to do that for obvious reasons, and join me in perhaps agreeing to this amendment overwhelmingly.

I call it the broadcast fraud amendment. It simply prohibits the broadcasting of certain false information on election day. Unfortunately, this amendment is necessary to strengthen Federal prohibitions on the broadcast of false election information—information, by the way, that the broadcasters know full well is false before they broadcast it. It could change the outcome of a Federal election.

There are two provisions in this amendment.

First, the amendment prohibits a broadcaster from knowingly broadcasting false information concerning the location or time of operation of a polling place. In other words, if the broadcaster went on the air at 6 p.m. saying all the polls are closed when he knew they were actually open until 7 p.m., that act would be a clear violation of this amendment.

Second, this amendment prohibits a broadcaster from knowingly broadcasting the results of an exit poll or election projection as an actual election result before all polling places in the jurisdiction have closed. That would also be a violation of this amendment. For example, a broadcaster goes on the air saying at 6 p.m. the race is over and the winner is candidate A when the polls are actually open until 7 p.m. It is one thing if the broadcaster says based on exit polling, but that is not what we are talking about.

So the act of calling the election at 6 p.m. would be a violation of this amendment because that act by a broadcaster would lead thousands of voters to not vote because they would believe their vote would not count. If they were being told on the television that the polls were closed over and over again, why would they vote unless they were to challenge the broadcaster and begin to ask questions? Supposedly, the press is supposed to be telling you the truth when they talk to you.

Let me be clear, because there will be critics, this amendment does not prohibit a broadcaster at any time from saying we have exit poll numbers that show this trend or that trend, and, if the trend continues, candidate A is supposed to win the race. That is not the issue.

This amendment only prevents the broadcasting of exit polls that project the actual election results. That is the issue. If they project these results as actual, that is what it precludes; in other words, saying candidate A has won the State when in fact it is only the exit polls that say that, not the actual poll.

Furthermore, it only prohibits the broadcasting of this sort of information after the polls are closed. If you want to go on the air and broadcast false information to the voters, this amendment allows you to do it, but wait until the polls are closed.

Let us say you have exit polls which say candidate A is a winner based on the exit polls. But the polls close at 7, and you have this information at 6. Wait until 7 when all the polls are closed, and then you can say anything you want. You can say the exit polls say this guy won regardless, and actually won. Then say anything you want. That is all we are saying. It is very important to understand that because that is a very serious distinction.

Another serious problem with the premature broadcast of exit polling is that on occasion the exit poll is incorrect. Our 43rd President, Al Gore, and

Senator Dick Swett of New Hampshire discovered that they were victims of false exit polls, because there was no Senator Swett. He was told he was the winner when in fact he wasn't. And there was no President Al Gore even though he was told he was President. He wasn't.

If the media wants to make a total fool of themselves and say Gore was elected and Swett was elected to the Senate, they can go out there and say it. That is fine, but wait until the polls are closed. Then you can say it.

That is all we ask. I don't think that is unreasonable.

Most people do not know too much about my race, although it happened. In Florida, everybody knows about it.

I bring it up because it really goes to the heart of the amendment. To understand the ramifications of voters receiving false information about the closing time of the polling place, we need to look no further than the recent Presidential election in Florida. The Florida polling places closed at 7 p.m. Eastern Standard Time. That meant that in the Florida panhandle, which is in the Central Zone, polling places actually closed at 8 p.m. Eastern Standard Time. The voters in the panhandle had their votes suppressed in that election because the media broadcasted explicit information that the Florida polls had closed.

I know some I will say they really didn't say that. I will give you the actual quotes from most of the major networks and anchors in a few moments. This action happened 1 hour before the polls closed in the Florida Panhandle, and it was repeated constantly time after time and network after network throughout that final hour. No matter what channel you watched, you were going to hear that the polls in Florida were closed. If you were going to vote or wanted to vote, you were told by Peter Jennings or Tom Brokaw that the polls were closed. You would believe them. That is what they were saying. I will give you the quotes in a moment.

The suppression of votes could have a dramatic effect on the election. I am not getting into intent. I don't know the intent, but I can show that they knew. The events that transpired in Florida have been studied to understand how the suppression of a few votes almost changed history.

According to the Committee for Honest Politics, there were two interest studies of the Florida Panhandle situation in the last Presidential election. At 7 p.m. Eastern Standard Time, or 6 p.m. Central Time, the major networks stated that the polls in Florida were closed one hour before the polls in the Florida Panhandle actually closed. They said the State of Florida polls were closed when in fact only on the eastern side of the State was that true, and in the panhandle it was not true.

The major networks went a step further. They called the Florida election for Al Gore as President at 7:50 p.m. Eastern Standard Time, ten minutes before the panhandle polls closed, and 50 minutes after the major networks announced that the Florida polls had closed.

John McLaughlin & Associates compiled a survey that estimated the early call of the election discouraged more than four percent of Republicans more than Democrats to go to the polls. But that is a political issue, take it or leave it, like it or dislike it. The real issue here is that people were discouraged from voting no matter of what party.

Another study by John R. Lott, Jr. of the Yale Law School estimated the dropoff at about 3 p.m., or a range of 7,500 to 10,000 Republican voters.

Why do I say that? Because the Florida panhandle is traditionally Republican.

Obviously, when you are talking about a few hundred votes—indeed a few dozen votes at times deciding an election—several thousand is a huge, huge issue.

Here are excerpts from affidavits about what happened in the Florida Panhandle in 2000. There were some 40 affidavits from poll workers, poll clerks, poll inspectors, and bailiffs. This is what they had to say. I will repeat a few of these.

A poll worker in Bay County, Precinct No. 23:

> I have been a poll worker since the 1970's. Voting was steady all day until 6:00 p.m. Between 6:00 and 7:00 p.m.—

This is panhandle time—

> it was very different from past elections. It was very empty. The poll workers thought it was odd. It was like ''the lights went out.'' We joked with the deputy on duty because there was no one in line for the deputy to be placed behind when the polls closed.

The clerk for elections, Okaloosa County, Precinct No. 37:

> We had over 1,300 people turn out with an average of about 100 voters per hour until the last hour.

This is when the media was on the air saying the polls were closed—every media.

> When the doors were open, there were quite a number of people waiting in line to vote. There was a heavy flow throughout the day. . . . Soon after 6:00, I noticed that the volume dropped to almost zero.

So those are two poll workers saying that the numbers dropped to almost zero after the broadcasters began talking about this on national television.

He said further:

> In past elections, there was usually a rush of people coming from work, trying to get to vote [in that last hour] before the polls closed.

I think we have all experienced that.

Clerk of elections, Okaloosa County, Precinct No. 34:

> As the Clerk, my duties included working the books, instructing people to vote, and handling the ballots, and making sure that things go smoothly and courteously. When the doors were open, there were about 50–60 people waiting in line to vote. During the rest of day, there was a constant flow of voters. We were expecting a rush after Hurlburt Field let out about 4:30. I began to get my workers to take their dinner breaks before 6:00 anticipating people coming before the polls closed. Between 6:15–6:20, I looked around and asked, ''Where is everybody?'' My poll workers were just as perplexed as I was. I don't think we had more than five people from 6:15 until we closed at 7:00. We had averaged 80 voters per hour until the last hour.

Deputy for elections, Santa Rosa County, Precinct No. 34:

> On Tuesday, November 7, 2000, I was on duty and worked at the precinct from 6:00 AM until 8:00 PM. We have the second largest precinct in the county with 4,678 voters. I kept track of the number of voters per hour. There were many voters waiting to vote in the first hour and then there was a steady flow all day. By the last hour, there was a dramatic decline in voters. It is the deputy's job to stand behind the last voter in line at 7:00 PM. Eight years ago in the presidential election, there were so many people in line that the last voter did not vote until nearly 10:30 PM. When I went outside at the end of the day to tell people to hurry along, there was no one in the parking lot.

Poll inspector, Escambia County, Precinct No. 8:

> I have worked elections for the past three years to include local and Congressional. On Tuesday, November 7, 2000, I was on duty and worked at the precinct from 7:00 AM until 7:00 PM for the general election. We had the usual rush in the early morning, at noon and right after work. There was a significant drop in voters after 6:00. The last 40 minutes was almost empty. The poll workers were wondering if there had been a national disaster they didn't know about. It was my observation that this decline in voters between 6:00 and 7:00 was very different when compared to previous elections. The last 30 minutes was particularly empty. There is usually a line after the poll closes. In this election there was no one.

I think what the review showed clearly is that all five networks announced to the public, at the top of the hour, that the Florida polls had closed; that is, at 6 p.m. Central Time the polls throughout Florida had closed when, in fact, there was still a full and crucial hour of voting left. That is not right.

Stated another way, when 361 polling places were open and expecting a normal end-of-the-day voter turnout, the west Florida public was told, falsely, that no voting places remained open.

Let me say that again. In the last hour of the election in the Florida Panhandle, 361 precincts were ready to go in that last hour, expecting a rush of people coming home from work, and the public was told, on all of the major networks, that the polls were closed.

I am not exaggerating. I am going to show you that in a second. With the exception of Fox, all the other networks repeated the Florida poll-closing information throughout the 7 p.m. eastern time broadcast over and over again. They reported that the Florida polls had closed, and so implied by calling the Senate race or discussing exist polling data from Florida in a way that implied or assumed the polls were closed.

We cannot tell what was in the hearts and the minds of the network

executives and producers who made the decision to air incorrect information. That is not for me to say. All I can tell you is that the facts are they aired incorrect information. I think, although they will say they did not know because they were never informed, that is not true. I would like to call your attention to this news release. The one thing the press does is they do take a look at their news releases.

The election was November the 7th in 2000. This news release is dated October 30, 2000. It was put out by the Florida secretary of state, Katherine Harris. As I say, it was a news release.

Secretary of State Requests Patience in Predicting Winners of Races.

This is 8 days prior to the election. The news release says:

Tallahassee, Fl—Secretary of State Katherine Harris today requested the media to delay predictions of the outcome of elections until after 8 p.m. Eastern Standard Time. Florida has six counties in the Central Time zone and the Secretary wants all Floridians' votes to be cast prior to predictions on the winners of races.

With several races too close to call, full voter involvement is imperative for Floridians to participate in the electoral process. ''The last thing we need is to have our citizens in the Central Time zone think their vote doesn't count—because it certainly does!''

Waiting until 8 p.m. Eastern Standard Time allows all Floridians the opportunity to decide the outcome of races within Florida.

It is very interesting that is from Katherine Harris because Katherine Harris became a very famous person after November 7. But this was 8 days prior to November 7. A lot of people had a lot of things to say about Katherine Harris, but she is not Nostradamus. She had no idea how this election was going to be counted and recounted and overcounted or undercounted, and dealing with the chads and all that. She did not know anything about that on October 30. She was trying to point out to the media: Be careful. Central Time is part of Florida and East Coast Time is part of Florida. Please be careful and be accurate.

That went to every media outlet—every one—and they ignored it. The networks either ignored it or they did not read it. Now, come on, with all the people in every one of these news outlets, are we going to say they did not read it, no one read it? And I can prove to you, in a moment, that they did.

Mr. President, I ask unanimous consent that this news release be printed in the RECORD.

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

SECRETARY OF STATE REQUESTS PATIENCE IN PREDICTING WINNERS OF RACES

Tallahassee, FL.—Secretary of State Katherine Harris today requested the media to delay predictions of the outcome of elections until after 8 p.m. Eastern Standard Time. Florida has six counties in the Central Time Zone and the Secretary wants all Floridians' votes to be cast prior to predictions on the winners of races.

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Waiting until 8 p.m. Eastern Standard Time allows all Floridians the opportunity to decide the outcome of races within Florida.

Mr. SMITH of New Hampshire. Mr. President, I urge my colleagues to please—I know you get a million pieces of mail, and I know you have a lot of things to do—view a 7-minute video that I sent to each and every one of your offices. You all have it. Maybe your staff is hiding it from you or maybe they looked at it. I don't know. Maybe they didn't, but it is there. If they lost it, ask me. I will give you another one. It is excerpts of each and every one of these networks saying the same thing, over and over and over again, ad nauseam, between 7 and 8 o'clock: The polls are closed. Dan Rather: The polls are closed. Tom Brokaw: The polls are closed in Florida. Peter Jennings.

If it was not so serious in terms of the consequences, it would be funny; it would be hysterical. When you watch it, you will laugh. But nobody was laughing then. It was serious. Think about the pain we went through in this Nation that night, and for weeks to come, and all the way to the U.S. Supreme Court.

I believe, honestly, that all of it would have been avoided had it not been for what the networks did that evening. I think the turnout would have been more and the election would have been decided, I think overwhelmingly in favor of President Bush; but maybe it would have been the other way. The point is, it would have been decided. I do not think we would have had all the problems.

Let me read this just briefly, and then I will stop. Although I hope you all watch the tape, I have a feeling some of you will not watch the tape. So here are a few excerpts from some of the biggest names—the biggest names—in the media. Listen carefully. I am not exaggerating one word. These are quotes right off the air. And they are on the tape if you watch it.

This is now between 6 and 7 p.m. Central Time, between 7 and 8 p.m. Eastern Time; 6 and 7 p.m. panhandle time, with an hour yet to go at the polls. At 7:01 they started.

Al Hunt, CNN:

We now go to our election headquarters in Atlanta where it is 7:00 p.m. in the East. Polls have just closed in Florida, New Hampshire, and Virginia.

No doubt about that: ''Polls have just closed in Florida, New Hampshire, and Virginia.'' There is no qualifier. It did not say it was open in the Florida Panhandle.

Brit Hume, Fox News:

All right folks, we're coming up—right now it's 7:00 and we are in position to project a number of races. Looking at the State of Florida, where the polls have just closed, that race remains too close to call.

Then he goes on to talk about the Senate race of which our colleague, BILL NELSON, won.

Dan Rather, CBS News:

The polls just closed in six states, with 66 electoral votes including Florida's big 25, but no call yet in what both campaigns say may be the key to this election—Florida.

Peter Jennings, ABC News:

And now the polls have closed in six more states, so first, in Florida, in the Presidential race in Florida, we simply believe it is too close to call.

Tom Brokaw, NBC:

The polls have just now closed in six additional states representing 66 electoral votes. Let's take you through them now. Look at this, states that are too close to call—even though the polls have closed now. Here we are in Georgia, with 13 electoral votes; New Hampshire, with 4; and a big prize, the brass ring for this evening—to start everything off, the State of Florida [where the polls have just closed].

Bernard Shaw, CNN:

At 7:00 the polls have closed in certain states, and CNN is looking at what is going on in Florida.

I am repeating these because they are saying it over and over again. They are not saying it just once.

Dan Rather, CBS, again:

Also just closed their polls, but the races are too close to call. Look at this—Florida—25. The States in white—these are all the States where the polls have closed, but where it is too early to make a call. Florida the biggun'.

Bernard Shaw, CNN:

For your viewers, watching our coverage, this is the electoral map, every time we call the states, we will tell you what the totals are. What's going on at this hour across this country is a massive ground, war, he talked about Florida, he took it up the east coast, talked about the Republican strength in the panhandle.

Peter Jennings, ABC:

But the white states, as they appear on the map at the moment, are too close to call.

Cokie Roberts:

The Democrats are hoping to take advantage of some of the new people who have moved into Florida, and to pick up maybe one, maybe two, maybe three Republican held seats in Florida. We don't know the results there, even though the polls are closed.

Peter Jennings again:

It's also not true that turnout has been going down steadily over the last few years and that some of the places in Florida in the exit polls we looked at, so far, we don't see necessarily a vigorous turnout by young people. For example, but we do see many young people in that exit poll going for Mr. Gore.

Dan Rather:

Hold the phone all these states in gray here, all these states, are places where the polls are still open, and that includes Pennsylvania, with 23 electoral votes.

Where the polls have closed, but no decision is in yet —Florida with 25 electoral college votes.

Peter Jennings:

270 electoral votes needed to win, I'm going to say it time and again, and there is our national map. The white are states in which we currently believe it is too close to call.

Sam Donaldson, ABC:

The Democrats have just picked up another important seat in Florida. It is an open seat. Connie Mack, the Republican, was retiring. ABC News projects that Bill Nelson, the insurance commissioner, has won that race.

Bernie Shaw:

Where ever you see yellow—that's an oohooh, we can't tell you anything about that state.

On and on.

Cokie Roberts:

It was called the Senate race for the Democratic candidate there. So these are very important seats for the Democrats. The polls are closed, we don't have any results yet.

Judy Woodruff:

We've had polls close in let's see—one, two, three, four, five, six, seven, eight states—eight states so far. We have been able to call George Bush the winner in four of those states.

Dan Rather:

It's 7:30 here in the East, and this is the electoral vote right now—with 270 needed to win. Bush 41, Gore 3.

Jeff Greenfield:

As we look at the electoral map we are obviously putting none of these states in anybody's column.

Dan Rather:

It's early—don't be misled by the early Bush lead. Right now, the polls have just closed in three more states.

And on and on. This is about 7:45.

Dan Rather again:

Let me show the electoral map. In Florida, the polls have closed. No decision yet.

That is a sample of the networks' awareness of the importance of voter turnout which aired between 6 and 7 p.m. central time that night. I ask you, if you lived there and you were hearing that, you flip the channel, you go to another channel, flip the channel, you say: Man, I thought I got a notice somewhere that the polls were open, and they are telling you they are closed. People believe what they see and hear in the media. They were wrong. They were misled. This was out there. That is not the only thing that was out there. I will point that out in a second.

Listen to what else was out there. This is CNN now, the same networks calling the election. Here is what else they are saying:

The Vice-President and Senator LIEBERMAN we're told are still making calls.

This is between 6 and 7 p.m. central time. These people are reporting this. And rightfully so, Vice President Gore and Senator LIEBERMAN should be making calls. The election is not over. Guess where they are making them. Right into the Florida Panhandle.

The Vice-President and Senator LIEBERMAN we're told are still making calls, satellite interviews, radio interviews, their wives both making calls. Just spoke to a White House official who says the President of the United States has made 40 calls himself. Still making some at this hour, trying to turn out the Democratic vote.

So they are telling everybody on one hand the polls are closed, and they are telling them on the other hand that the Vice President and the President are making calls to get out the vote.

One final piece of evidence: There was further evidence that the national news media—I will be kind and say—recklessly ignored the fact that the polls were still open. That is pretty reckless to ignore that. That was out 7 or 8 days prior to the election.

Let me read some excerpts from Jeff Greenfield's book ''Oh, Waiter! One Order of Crow!'' This is Jeff Greenfield, a very respected guy in the media. He is basically telling them what they knew.

At 7:48 p.m., NBC called Florida for Gore, an act that raised the competitive juices at the other networks.

So it was that CNN Political Director Tom Hannon, at 7:50 p.m., opened the microphone to the anchor desk and announced in our ears, ''We are calling Florida for *Gore*—Florida for *Gore*.''

(''I was surprised by the early call for Florida,'' Hannon said, weeks later. ''But it's like a laboratory situation. You look at the numbers, the models, the percentages. There was no reason to assume there was a problem.'')

And for the next two hours, our coverage focused on one question: Could George W. Bush win the White House without Florida?

So they kept right on talking about how Florida was not decided. They said it was decided, and then told everybody for the next 2 hours, could Bush win the Presidency without Florida, or Gore, for that matter.

What we did not do was assume that Gore had the race won. What we did do was assume the accuracy of our call, even as the Bush campaign and its partisans were loudly questioning the call—and question it they did—loudly, urgently, almost desperately. In Austin, Bush political strategist Karl Rove was calling correspondents and news executives alike, with one message. Your Florida call is wrong! The polls in the Panhandle are still open! You're gonna have egg all over your faces!

They dismissed it as partisan rhetoric from partisans, even though they had it in their press releases that the polls were still open. Still quoting Greenfield:

Did anyone at the networks take these complaints seriously? No. After all, what were partisan voices against the cool objective certainty of the numbers and the models and the system that had worked so well for so long.

Dan Rather, in 1996 on my election, called my opponent and congratulated him on his victory. Then he called me a couple of hours later wanting to know what went wrong. I said: Nothing went wrong, Dan. I won. It went right for me.

I couldn't figure out how it worked.

I said: In New Hampshire, we count the votes before we declare the winner. Maybe that is what you should do.

It is pretty telling the kinds of things we have here. I think we know now that the arrogance is unbelievable. They used their polling results. They dismissed entirely people who were telling them over and over again, early in the hour, that the polls were still open, not to call the race, but they still did.

I want to answer one or two constitutional questions before I stop because I am going to be told that it is unconstitutional. It is not. My amendment would be constitutional pursuant to the Supreme Court case Burson v. Freeman. There is no violation of the first amendment to the U.S. Constitution with these commonsense regulations.

My amendment creates a new Federal statute to ban false or misleading information that confuses a voter. The whole issue, rightfully so, by the Democrats in this election was, Were the voters confused by looking at these butterfly ballots? That was the whole issue, the whole test.

They were confused. They were misled. Yet not a word uttered about the confusion and absolute flat out misleading information put out by the media, not by political operatives. It wasn't Karl Rove on television saying the polls were closed or open either.

It was Carl Rove trying to get the media to tell the truth. It was Katherine Harris trying to get the media to report the truth 8 days before the election. That is all.

In the Burson case, the Court upheld a Tennessee statute that prohibited the solicitation of votes and the display or distribution of campaign materials within 100 feet of the entrance to a polling place.

The Tennessee statute was subjected to strict scrutiny and the state had to prove that the regulation serves a compelling state interest and is necessary to serve the asserted interest.

The compelling state interest in my amendment is preventing the suppression of votes.

If a broadcast company willfully broadcasts information that it knows is incorrect about polling closing times, the broadcast company would be willfully suppressing an individual's right to vote.

My amendment provides for criminal penalties for the willful broadcast of incorrect polling information and is the most effective means to prevent a broadcast company from knowingly and willfully changing the outcome of an election.

Mr. President, I have here a memo from Henry Cohen, a Legislative Attorney for the American Law Division at the Library of Congress. Mr. Cohen gives an excellent legal analysis of my amendment and specifically addresses potential first amendment questions.

According to Mr. Cohen, it is not even close.

He says ''It appears that a court, following the decision in Burson V. Freeman would uphold the statute on the grounds that it served ''a compelling interest in protecting the voters from confusion'' and was necessary to serve that interest.

He goes even further, citing the dissent in Burson. In his view, even under the dissent in Burson, this amendment would be constitutional.

I ask unanimous consent that this memorandum be printed in the RECORD.

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

FEBRUARY 21, 2002.

To: Hon. Bob Smith, Attention: Edward Corrigan

From: Henry Cohen, Legislative Attorney, American Law Division

Subject: Whether Prohibiting Broadcasting False Information About Federal Elections Would Violate the First Amendment

This memorandum is furnished in response to your question whether there would be a First Amendment problem with Congress's prohibiting, on the day of a federal election, knowingly broadcasting (1) a false statement concerning the location or times of operation of any polling place, or (2) the results of an exit poll, or a projection of the winner of an election, in a manner that could mislead viewers or listeners to believe that the results of the exit poll or the projection of the winner was the outcome of the election itself. We consider only the concept of such a prohibition and not any specific legislation.

In Burson v. Freeman, 504 U.S. 191 (1992), the Supreme Court upheld a Tennessee statute that prohibited the solicitation of votes and the display or distribution on campaign materials within 100 feet of the entrance to a polling place. The Court recognized that this statute both restricted political speech, to which the First Amendment ''has its fullest and most urgent application,'' and ''bar[red] speech in quintessential public forums,'' the use of which for assembly and debate ''has, from ancient times, been a part of the privileges, immunities, rights, and liberties of citizens.'' Id. at 196, 197. Further, the statute restricted speech on the basis of its content, as it restricted political but not commercial solicitation, and therefore was not ''a facially content-neutral time, place, or manner restriction.'' Id. at 197.

The Court therefore subjected the Tennessee statute to strict scrutiny, which means that it required the state to show that the regulation serves a compelling state interest and ''is necessary to serve the asserted interest.'' Id. at 199. Although applying strict scrutiny usually results in a statute's being struck down, in this case the Court concluded ''that a State has a compelling interest in protecting voters from confusion and undue influence,'' and ''in preserving the integrity of its election process.'' Id. A campaign-free zone, the Court believed, would help ''preserve the secrecy of the ballot'' (id. at 207–208) and prevent ''voter intimidation and election fraud'' (id. at 206). The next question, then, was whether a 100-foot restricted zone is necessary to serve this compelling interest. The Court, noting that ''all 50 States limit access to the areas in or around polling places,'' said that, though it would not specify a precise maximum number of feet permitted by the First Amendment, 100 feet ''is on the constitutional side of the line.'' Id. at 206, 211.

Turning to your question, a statute that prohibited, on the day of a federal election broadcasting false statements about the location or times of operation of a polling place, or misleading statements about exit polls or election projections, would, like the Tennessee statute in Burson v. Freeman, restrict political speech on the basis of its content, and would therefore apparently be subject to ''strict scrutiny'' if challenged in court. But it appears that a court, following the decision in Burson v. Freeman, would uphold the statute on the ground that it served ''a compelling interest in protecting voters from confusion'' and was necessary to serve that interest.

In fact, though Burson v. Freeman was a 4–3 decision, it appears that the constitutionality of the proposal under consideration might be not as close a case. This is because the conduct that was restricted in Burson v. Freeman—solicitation of votes and the display or distribution of campaign materials within 100 feet of the entrance to a polling place—did not, like the proposal under consideration, involve false or misleading information, which, by its very nature can cause confusion. Rather, Burson v. Freeman involved conduct that merely had the potential to cause confusion.

The dissenting opinion in Burson v. Freeman believed the Tennessee statute to be unconstitutional in part because it ''does not merely regulate conduct that might inhibit voting; it bars the simple 'display of campaign posters, signs, or other campaign materials.' §2–7–111(b). Bumper stickers on parked cars and lapel buttons on pedestrians are taboo. The notion that such sweeping restrictions on speech are necessary to maintain the freedom to vote and the integrity of the ballot box borders on the absurd.'' Id. at 218–219. It does not appear that a comparable complaint of overbreadth could be raised with regard to the concept of prohibiting, on the day of a federal election, broadcasting false statements about the location or times of operation of a poling place, or misleading statements about exit polls or election projections. If a statute banned only false or misleading information that can confuse voters, then it would not be overbroad.

Mr. SMITH of New Hampshire. This is the first amendment on the right of the major media networks to knowingly broadcast false information leading to thousands of voters believing their vote doesn't count. In this case, it happened to be a Republican situation. It could be the other way around tomorrow. I would say the same thing if it were the reverse. It is not about party or about anything other than misleading information put out in a time zone where the election was still open. The secretary of State made a point of that, having no idea how important that statement was going to be.

Clearly, it should not be allowed under the first amendment. Supreme Court precedents agree with that. I have cited that in my statement. This amendment bans the willful broadcast of false or misleading information that suppresses potentially millions—in this case thousands—of people to believe that they don't have to vote, that their vote isn't important, they won't vote because they have been told the election is over.

I ask the Senate to give serious consideration to this amendment. I don't know what time we will vote tomorrow. That is up to the leaders. I ask you to look at the tape, because with me speaking about it, you can say he is putting the inflection wrong. Watch the tape and the body language and the way these broadcasters said this. It is very, very intimidating. They are basically saying, hey, go home, stop and get a beer, have a hot dog, stop at McDonald's, go home, don't worry about voting because the election is over, the polls are closed. That is what they are saying. I hope that you will watch the tape before the vote tomorrow. I can't show it on the floor, unfortunately. I will have it in the cloakrooms. I will bring down a copy tomorrow. I ask you to look at it before you vote.

Thank you, Mr. President.

Mr. DODD. Mr. President, first, let me thank our friend and colleague from New Hampshire for showing patience, first of all, and for staying around this evening. I appreciate that immensely. It will help us move the final product along tomorrow because he has taken time this evening to discuss it. I, for one, have not seen the tape. I will look for it. I haven't been in my office for so many days because I have been working on election reform.

Let me suggest that what the Senator has raised in this particular fact situation is not the first time. I recall, going back to 1980, there were concerns when there were exit polls that came out to the media reported before Western States had actually voted. There were colleagues of the U.S. Senate who allegedly lost reelections because the word was that the Presidential race was over. Even before Pacific coast time when literally thousands of people standing in lines walked out of line and didn't vote because they were going to vote for the Presidential race and decided not to show up.

As a result of that, according to many—I am not suggesting this is absolutely the case—many students of previous elections claimed that the decision to announce that exit polls had closed caused other races from local legislative races, gubernatorial races and Senate races, to be adversely affected. There are other suggestions dealing with the exit polls, making announcements about how States are likely to vote based on exit polls in the afternoon.

A number of issues were raised about how the media can more properly conduct themselves during the election process. The Senator from New Hampshire, I think, rightly points out the reason that you have these competitive juices in these control rooms. The media are watching what their competitors are saying and nobody wants to be left behind. I suspect in some cases they took what otherwise would have been reliable models and jumped ahead and found themselves saying, as in Jeff Greenfield's properly entitled book, ''Oh, Waiter, One Order of Crow.''

We are not going to vote tonight. I suggest this to my colleague because he brought up a very valuable point. I understand he has attempted to address the constitutional issue. This is a very important issue he raised. Thanks to Senator MCCONNELL, we are going to have a permanent election commission established in this country. My hope would be—because I have heard at least from the major media outlets that they understand they went over the top on these issues the Senator has raised. We might talk about a way, in the very early consideration for the Election

Administration Commission, to work out some agreements. There will also be potential challenges in courts.

The point he is driving home is we need to come up with an response. I think my colleague felt the answer, however arrived at, would be that we never again see what happened in Florida, where you have time zones—and he has been going through it, where person after person after person announcing the vote where polls were closed. I don't have any doubt that had some effect on the outcome of those areas. We might explore ways in which to avoid the obvious litigation that may ensue about whether or not we can require media outlets to do certain things or make it a violation of law to do it. I just raise that as a thought. I would like to be supportive of something that this Commission could come back to us, with the media, and say here are the things we are concerned about and these are the things that will never happen again because we have made certain changes.

I thank the Senator for staying around this evening to offer the amendment.

If I can, we have a couple amendments we are going to agree to, so we will temporarily lay the Senator's amendment aside. I encourage my staff to meet with Senator SMITH's staff to see if we might work on language that will give this issue he raised a prominent position in the bill. We will seek a way to accept it in a bipartisan fashion and see if we can achieve an important issue that needs to be addressed.

Mr. President, I ask unanimous consent that we temporarily lay aside the Smith amendment.

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

AMENDMENTS NOS. 2938 AND 2939 EN BLOC

Mr. DODD. Mr. President, I have two amendments that we have cleared on both sides which I am going to offer. One is by Senator SARBANES and the other is an amendment by Senator SESSIONS. I think both may have other cosponsors. If they do, their names can be added later. I will briefly describe to the chair what these amendments do. Then I will call them up.

Senator SARBANE's proposal was included already in the House-passed Hoyer bill. It establishes a program to encourage college students to participate in the election process in the country. Among other things, the students work as poll workers and the like. It is one that I think our colleagues would consider to be a very worthwhile proposal. It would encourage students enrolled at institutions of higher education, including community colleges, to assist State and local governments in the administration of elections by serving as nonpartisan poll workers or assistants, and to encourage State and local governments to use the services of the students participating in the program. In carrying out the program, the commission shall develop materials, sponsor seminars and workshops, engage in advertising targeted at students, make grants. The idea is to get as many young people involved in the election process as possible. It is a worthwhile amendment.

Senator SESSIONS offers a similar approach—one that enjoys terrific support. I know one of the major newspapers in my State every year strongly advocates mock elections. Others, I know, around the country have called for them. We have actually authorized this program under the Elementary and Secondary Education Act. The problem has been that while we have authorized the funds, we have never appropriated any money for it. So the program has been sitting over at the Department of Education and never getting the backing at the local level to support this effort. Senator SESSIONS moves that program from the Department of Education to the new permanent commission we will be establishing with his bill. It becomes an obligation of the commission to see to it that we get these mock elections that Senator SESSIONS has called for. The National Student/Parent Mock Election is the proper title of the amendment. It would include simulated national elections at least 5 days before the actual election that permit participation by students and parents from each of the 50 States in the United States, its territories, the District of Columbia, and United States schools overseas, and consist of school forums and local cable call-in shows on the national issues to be voted upon in an ''issues forum''; speeches and debates before students and parents by local candidates.

This is a very laudable and it is regrettable we haven't done more with this. We need to do everything we can early on in education to involve young people in this process.

Despite the efforts of those who preceded us in this institution, who fought very hard to adopt the constitutional amendment that gave the right to vote to 18-year-olds, we all know that the weakest group of participants in the election process are younger voters. There are a lot of reasons for that. There has been a lot of discussion.

I am not suggesting these two amendments are going to be the complete answer, but I think they go a long way, to the extent we are willing to commit resources to do everything we can to engage people in the excitement of debate.

I am told after the debacle, if you will, of last year, of the 2000 election and the news accounts, the one positive that came out of all that was a heightened degree of interest of young people in the election process. Many became interested because of the nightly news stories.

I commend Senator SARBANES and Senator SESSIONS, cosponsors of these two amendments. I think they are worthwhile and add considerably to this product. I thank Senator MCCONNELL and others for agreeing to accept both of these proposals.

Mr. President, I send both amendments to the desk. I ask unanimous consent they be considered en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The legislative clerk read as follows:

The Senator from Connecticut [Mr. DODD], for Mr. SARBANES, proposes an amendment numbered 2938.

The Senator from Connecticut [Mr. DODD], for Mr. SESSIONS, proposes an amendment numbered 2939.

Mr. DODD. Mr. President, I ask unanimous consent that the reading of the amendments be dispensed with.

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

The amendments are as follows:

AMENDMENT NO. 2938

(Purpose: To establish the ''Help America Vote College Program'')

On page 68, between lines 17 and 18, insert the following:

SEC. ____. HELP AMERICA VOTE COLLEGE PROGRAM.

(a) ESTABLISHMENT OF PROGRAM.—

(1) IN GENERAL.—Not later than 1 year after the appointment of its members, the Election Administration Commission (in this section referred to as the ''Commission'') shall develop a program to be known as the ''Help America Vote College Program'' (in this section referred to as the ''Program'').

(2) PURPOSES OF PROGRAM.—The purpose of the Program shall be—

(A) to encourage students enrolled at institutions of higher education (including community colleges) to assist State and local governments in the administration of elections by serving as nonpartisan poll workers or assistants; and

(B) to encourage State and local governments to use the services of the students participating in the Program.

(b) ACTIVITIES UNDER PROGRAM.—

(1) IN GENERAL.—In carrying out the Program, the Commission (in consultation with the chief election official of each State) shall develop materials, sponsor seminars and workshops, engage in advertising targeted at students, make grants, and take such other actions as it considers appropriate to meet the purposes described in subsection (a)(2).

(2) REQUIREMENTS FOR GRANT RECIPIENTS.—In making grants under the Program, the Commission shall ensure that the funds provided are spent for projects and activities which are carried out without partisan bias or without promoting any particular point of view regarding any issue, and that each recipient is governed in a balanced manner which does not reflect any partisan bias.

(3) COORDINATION WITH INSTITUTIONS OF HIGHER EDUCATION.—The Commission shall encourage institutions of higher education (including community colleges) to participate in the Program, and shall make all necessary materials and other assistance (including materials and assistance to enable the institution to hold workshops and poll worker training sessions) available without charge to any institution which desires to participate in the Program.

(c) AUTHORIZATION OF APPROPRIATIONS.—In addition to any other funds authorized to be appropriated to the Commission, there are authorized to be appropriated to carry out this section such sums as may be necessary for fiscal year 2002 and each succeeding fiscal year.

AMENDMENT NO. 2939

(Purpose: To authorize the Election Administration Commission to award grants to the National Student/Parent Mock Election to enable it to carry out voter education activities for students and their parents)

On page 47, after line 19, insert the following:

Subtitle D—National Student/Parent Mock Election

SEC. 231. NATIONAL STUDENT/PARENT MOCK ELECTION.

(a) IN GENERAL.—The Election Administration Commission is authorized to award grants to the National Student/Parent Mock Election, a national nonprofit, nonpartisan organization that works to promote voter participation in American elections to enable it to carry out voter education activities for students and their parents. Such activities may—

(1) include simulated national elections at least 5 days before the actual election that permit participation by students and parents from each of the 50 States in the United States, its territories, the District of Columbia, and United States schools overseas; and

(2) consist of—

(A) school forums and local cable call-in shows on the national issues to be voted upon in an ''issues forum'';

(B) speeches and debates before students and parents by local candidates or stand-ins for such candidates;

(C) quiz team competitions, mock press conferences, and speech writing competitions;

(D) weekly meetings to follow the course of the campaign; or

(E) school and neighborhood campaigns to increase voter turnout, including newsletters, posters, telephone chains, and transportation.

(b) REQUIREMENT.—The National Student/Parent Mock Election shall present awards to outstanding student and parent mock election projects.

SEC. 232. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out the provisions of this subtitle $650,000 for fiscal year 2002 and such sums as may be necessary for each of the 6 succeeding fiscal years.

Mr. DODD. Mr. President, I ask unanimous consent that both amendments be adopted.

The PRESIDING OFFICER. Without objection, the amendments are agreed to en bloc.

The amendments (Nos. 2938 and 2939) were agreed to en bloc.

Mr. DODD. I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. DODD. Mr. President, we did a lot of work today. I know we are not done. I am hopeful by tomorrow we will complete this bill. We are working on a couple of amendments which I did not think could be worked out. It may be that we actually work out a couple of amendments that looked as if they clearly were headed for votes. We may have compromise language to accommodate Senators. Some Senators have withdrawn their amendments. Others have changed their amendments to studies, which the Senator from Kentucky and I are more than happy to bring into the fold and take a look at on the very important issues that have been raised.

I think we are very close to final passage. I do not want to overstate the case. I know the leaders want to get to the energy bill. Last week there was an understanding we would get to the Schumer-Wyden proposal and give Senator BOND plenty of opportunity to contest that amendment and to consider maybe some compromise. I say that again to try and encourage them to resolve this issue.

After the completion of the vote tomorrow, my hope is we can move to these remaining few amendments, go to third reading, and get to conference. We are not through, obviously. We have to get to conference with the House and work with the White House, obviously, to try to iron out any differences before we can bring back a conference report on election reform. Our work is hardly over, even with passage of this bill. That will be a major step forward. I thank all for their participation today.

AMENDMENT NO. 2865

Mr. GRASSLEY. Mr. President, in recent months, we in this country have been reminded of the sacrifices that are made every day for our Nation by the men and women serving in the U.S. Armed Forces. We owe a debt of gratitude to the brave individuals that are prepared to lay down their lives in defense of our liberty and the rights which we enjoy as citizens of the United States of America. One of the most fundamental rights we enjoy in a democratic society is the right to vote. No American should be unfairly denied this right, least of all the very men and women charged with defending our way of life. However, this is precisely what happened November 2000 in Florida. I am sure that many senators were as appalled as I was when I learned that military ballots received in Florida during the last election were targeted for rejection. Whether the votes of our servicemen and women were not counted because they failed to meet a state postmark requirement or because they arrived too late, it is essential that we do everything in our power to ensure that future ballots cast by military personnel overseas are delivered in time and in such a fashion that they will not be rejected.

Items mailed from one of our overseas military installations or one of our ships at sea is the responsibility of the Department of Defense until it can be delivered to the U.S. Postal Service. While all the blame for uncounted military ballots cannot be laid at the feet of the Department of Defense, it is only logical that we should fix any kinks in the military mail system so that State and local election officials have no reason to reject ballots cast by members of the armed forces stationed overseas. My amendment takes some common sense steps to improve the delivery of election mail under the responsibility of the Department of Defense.

To start, my amendment requires the Secretary of Defense to implement measures to ensure that absentee ballots collected at U.S. military facilities or vessels overseas are postmarked. The lack of a postmark or proof of mailing date was one of the excuses used in the Florida election to reject overseas absentee ballots cast by military personnel. Second, my amendment requires the Secretary of each military service to notify servicemembers stationed at an installation of the last date before a general election that absentee ballots should be mailed in order for them to arrive in time to state and local election officials back home. A soldier or sailor overseas can't know how long it will take from the time he or she drops a ballot in the mail until it arrives in their home State and guessing wrong could result in a late arrival and votes not being counted. Finally, my amendment requires the Secretary of Defense to report to Congress about the measures he will take to ensure the timely transmittal and postmarking of voting materials and identify the persons who will be responsible for implementing these measures. Any shortcomings in the handling of military mail are not because of poor intentions, but rather lack of accountability for failures in the system. The requirement of a report to Congress ensures accountability for the implementation of the measures Congress has spelled out for the proper handling of voting material.

I don't pretend that this amendment is the only solution to the problems that have surfaced with military overseas voting or that states shouldn't be asked to do more to ensure that military absentee ballots are treated fairly. But, shouldn't we do everything we can to make sure that the votes or our men and women in uniform arrive in the hands of election officials so they can be counted? My amendment seeks to do just that so that our forces overseas are able to enjoy the very rights they protect for those of us back home.

Mr. KOHL. Mr. President, I am pleased to offer my support to the election reform legislation we are considering today. The election of 2000 lay bare many problems in our election system and highlighted some of the barriers to voting which have kept too many from the polls over the years. If we are to eliminate these barriers and conduct federal elections which truly ensure equal access to the polls and protect voters' rights, as already required by law, we need to have consistent standards for voting systems and the administration of elections. And, if we are sincere about instituting reforms then it is not enough for us to set standards. We must also provide the funding to help implement these standards. Fortunately, the bipartisan substitute amendment to S. 565 authorizes $3.5 billion over the next five years for grants to states and localities to do just that.

While the Justice Department will have a prominent role in the implementation of this election reform legislation, the bill before us also creates a new federal agency, the Election Administration Commission. This Commission will administer voting system standards, provisional voting requirements, the establishment of computerized, statewide voter registration systems, and grant programs and it would assume the functions of the Office of Election Administration of the Federal Election Commission. The new Commission will conduct studies on election technology and administration and submit a report to Congress and the President with recommendations for administrative and legislative action.

I am especially pleased we are directing the Commission to study and make recommendations for us to consider future reforms because I believe that there are other reforms worth considering and implementing. One such reform I have advocated for many years now is to change our election day, and I was pleased to join with my colleagues in offering an amendment which addresses this issue.

Senators HOLLINGS, REID, and I offered an amendment which was adopted late yesterday which directs the Election Administration Commission to study the viability of changing the day for congressional and presidential elections from the first Tuesday in November to a holiday or the weekend, with the possibility of looking at Veterans Day or the first weekend in November. Last year, and earlier back in 1997, during the 105th Congress, I introduced legislation that would move federal elections to the weekend.

The legislation already directs the new Commission to study the feasibility and advisability of conducting elections for federal office on different days, at different places, and during different hours, including the advisability of establishing a uniform closing time and establishing election day as a federal holiday. Our amendment requires that they complete such a study within 6 months after the establishment of the Election Administration Commission.

Last year, the National Commission on Federal Election Reform, presented its recommendations to the President on how to improve the administration of elections in our country. One of the Commission's recommendations was that we move Election Day to a national holiday, in particular Veterans Day. As might have been expected, this proposal was not well received by veterans groups who rightly consider this a diminishment of their service and the day that historically has been designated to honor that service. While I agree with the Commission's goal of moving election day to a non-working day, and I am interested in exploring the possibility of moving election to an existing Federal holiday such as Veterans Day, I believe we can achieve all the benefits of holiday voting without offending our veterans by moving our elections to the weekend.

My weekend voting proposal, which I hope the Commission will consider in its study, would call for the polls to be open the same hours across the continental United States, addressing the challenge of keeping results on one side of the country, or even a State, from influencing voting in places where polls are still open. Moving elections to the weekend will expand the pool of buildings available for polling stations and people available to work at the polls, addressing the critical shortage of poll workers. Weekend voting also has the potential to increase voter turnout by giving all voters ample opportunity to get to the polls without creating a national holiday.

Weekend voting would have polls open nationwide for a uniform period of time on Saturday and Sunday. Polls in other time zones would also open and close at this time. Election officials could close polls during the overnight hours if they determine it would be inefficient to keep them open. Because the polls are open on Saturday and Sunday, they also would not interfere with religious observances.

Amidst all the discussion about election reform, there is growing support for uniform polling hours. The free-wheeling atmosphere surrounding election night in November 2000, with the networks calling the outcome of elections in States when polling places were still open in many places, and in some cases even in the very States being called, cannot be repeated. While it is difficult to determine the impact this information has on voter turnout, there is no question that it contributes to the popular sentiment that voting doesn't matter. At the end of the day, as we assess how to make our elections better, we are not only seeking to make voting more equitable, we are also looking for ways to engage Americans in our democracy.

Mr. President, I come from the business world where you had a perfect gauge of what the public thought of you and your products. If you turned a profit, you knew the public liked your product; if you didn't, you knew you needed to make changes. If customers weren't showing up when your store was open, you knew you had to change your store hours.

In essence, it's time for the American democracy to change its store hours. Since the mid-19th century, election day has been on the first Tuesday of November. Ironically, this date was selected because it was convenient for voters. Tuesdays were traditionally court day, and land-owning voters were often coming to town anyway.

Just as the original selection of our national voting day was done for voter convenience, we must adapt to the changes in our society to make voting easier for the regular family. Sixty percent of all households have two working adults. Since most polls in the United States are open only 12 hours, from 7 a.m. to 7 p.m., voters often have only one or two hours to vote. As we saw in this last election, even with our relatively low voter turnout, long lines in many polling places kept some waiting even longer than 1 or 2 hours. If voters have children, and are dropping them off at day care, or if they have a long work commute, there is just not enough time in a workday to vote.

We can do better by offering more flexible voting hours for all Americans, especially working families.

Since I introduced my weekend voting legislation in 1997, a number of States have been experimenting with novel ways to increase voter turnout and satisfaction. Oregon conducted the first Presidential elections completely by mail, resulting in impressive increases in voter turnout. Texas has implemented an early voting plan which also resulted in increased turnout. And California has relaxed restrictions on absentee voting, and even had weekend voting in some localities. Although there are security concerns that need to be ironed out, Internet voting has tremendous potential to transform the way we vote. In Arizona's Democratic primary 46 percent of all votes came via the Internet. The Defense Department coordinated a pilot program with several U.S. counties and the Federal Voting Assistance Program to have overseas voters, primarily military voters, cast their votes via the Internet. It is becoming increasingly clear that these new models can increase voter turnout, and voters are much more pleased with the additional convenience and ease with voting.

For decades we have seen a gradual decline in voter turnout. In 1952, about 63 percent of eligible voters came out to vote; that number dropped to 49 percent in the 1996 election. We saw a minor increase in the 2000 Presidential election with voter turnout at 51 percent of eligible voters, however, not a significant increase given the closeness of the election. Non-Presidential year voter turnout is even more abysmal.

Analysts point to a variety of reasons for this dropoff. Certainly, common sense suggests that the general decline in voter confidence in government institutions is one logical reason. However, I would like to point out, one survey of voters and nonvoters suggested that both groups are equally disgruntled with government.

Thus, we must explore ways to make our electoral process more user friendly. We must adjust our institutions to the needs of the American public of the 21st century. Our democracy has always had the amazing capacity to adapt to the challenges thrown before it, and we must continue to do so if our country is to grow and thrive.

Of 44 democracies surveyed, 29 of them allow their citizens to vote on holidays or the weekends. And in nearly every one of these nations, voter turnout surpasses our country's poor performance. We can do better. That is

why I believe we should consider weekend voting.

Mr. President, I recognize a change of this magnitude may take some time. But the many questions raised by our last election have given us a unique opportunity to reassess all aspects of voting in America. We finally have the momentum to accomplish real reform. How much lower should our citizens' confidence plummet before we adapt and create a more ''consumer-friendly'' polling system? How much more should voting turnout decline before we realize we need a change?

Weekend voting will not solve all of this democracy's problems, but it is a commonsense approach for adapting this grand democratic experiment of the 18th century to the American family's lifestyle of the 21st century.

I am pleased that the Senate saw fit to adopt our amendment and I am looking forward to hearing the views of the new Election Administration Commission on this matter.

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to a period for morning business, with Senators permitted to speak therein not to exceed 5 minutes each.

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

ENERGY POLICY

Mr. THOMAS. Mr. President, later this week I hope we will move on to our energy bill on which all of us have worked for so long, certainly recognizing that energy policy is one of the most important issues we will consider this year. Although we have the pressure of other bills—campaign reform and so on—I hope we move, as was promised, to energy later on this week so that we can move forward.

We need this policy out there. The President has put forth a policy. The House has passed a policy. We need to deal with the situation with regard to oil and gas, and of course the opportunity to increase our production domestically so we are not as reliant as we have become on foreign imports. We need to look, obviously, to a balanced bill and different energy sources such as renewables. We need to do more research in terms of coal, and clean coal, and using those resources which we have in abundance.

We haven't yet really, it seems to me, defined where we want to go, particularly with the electric component of energy, but I have to tell you that I think it is very important. People are certainly touched as much by electric energy as any other source. The issue to a large extent is transmission and transportation.

As we develop more and more opportunities to generate electricity, it has to be moved where the market is. Of course, selfishly, in my State, an energy-producing State, the problem is being able to move that energy to where the markets are.

I hope we will try to get together to act. I am afraid we are going to get all wrapped up in Enron, and so on, which has very little to do, frankly, with the energy aspect of it. But we can take a long look at that and take action that will help us more efficiently use those energies that are available.

HADASSAH INTERNATIONAL'S 90TH ANNIVERSARY

Mr. DASCHLE. Mr. President, we are all, by now, too familiar with reports of cowardly terrorist attacks in the streets of Jerusalem. With each of these terrible attacks, we also hear amazing stories of heroism.

I recently read a powerful account of the health care professionals who cared for the victims of the bombings on Ben Yehudah Street last December. It was written by Barbara Sofer, and it featured the work of the doctors and nurses of the Hadassah Hospital in Jerusalem who saved the lives of dozens of young people under the most trying circumstances.

Two things were clear from the account. First, the contributions of Hadassah members make an undeniable difference in improving lives around the world. Second, in our international war against terrorism, the compassion and dedication personified in Hadassah will defeat terrorists whose only interest is destruction.

Today Hadassah celebrates 90 years of excellence in health care and social justice. Hadassah started as a movement to bring health care to a poor people in a troubled land. It has become much, much more. Hadassah has energized women for nine decades. It helped build modern Israel. It has created world-renowned medical and education institutions in Israel, which provide trained medical experts not only for Israel, but for countries the world over. In fact, Hadassah-trained health professionals have responded to health care crises in Rwanda and Bosnia.

We have felt the impact of its excellent work right here in America, as well, on issues of concern to women and to the American Jewish community. Hadassah has over 300,000 members in 1500 chapters across our Nation, and its work has benefitted Americans of all backgrounds.

We are reminded day in and day out that there are forces who want to destroy Israel, weaken America and destabilize the world. But Israel is more secure, America stronger, and the world more stable because of the work of Hadassah. It is only fitting, therefore, that we celebrate Hadassah International's 90 years of excellence.

I extend my congratulations to Bonnie Lipton, National President of Hadassah, and the women who serve on the Hadassah Foundation's Board of Directors. To each of them, and to each of the 300,000 members in this country, I say, thank you.

Mr. SARBANES. Mr. President, this month, Hadassah, the Women's Zionist Organization of America, will celebrate its 90th Anniversary. Hadassah is a unique organization, which has distinguished itself in many arenas over nearly a century. With priorities that range from women's advocacy to developmental health care, Hadassah has consistently made significant contributions around the globe.

I take great pride in the Baltimorean, Henrietta Szold, who founded Hadassah in 1912. Henrietta Szold was a remarkable woman, a person not only of high principles, great intelligence and inexhaustible energy, but someone with the rare and precious ability to translate principles into reality. It was she who set out for Jerusalem in 1918 with staff and supplies for a 50-bed hospital. Today that hospital is known as the Hadassah Medical Organization in Jerusalem; it cares annually for more than 600,000 patients, sets standards for excellence in health care, teaching and research both in Israel and around the world, and opens its doors to everyone in need.

Henrietta Szold's greatest contribution may not have been her own devotion to her community, but the framework she instituted for Hadassah members under which they could carry on the principles that inspired her—service, generosity of spirit, human kindness, and commitment. Hadassah members have acted on these principles, over the past nine decades turning Hadassah into the largest women's group and largest Jewish membership organization in the United States, with nearly 1,650 chapters and a membership of over 300,000.

In Baltimore alone, Hadassah has contributed to health education and community outreach through a number of award-winning programs. These include Check it Out, a program to increase breast cancer awareness and prevention; Act Against Osteoporosis, a campaign to teach prevention and promote the early detection of osteoporosis; Prostate Cancer Awareness Program, a program to educate men about early detection and awareness of prostate cancer; and the 5K Race for Research, an annual race for breast and prostate cancer research. Hadassah has also contributed greatly to education and advocacy in Baltimore through programs like Reach Out and Read, a program in which volunteers read aloud to children in the pediatric offices at Sinai Hospital, Read, Write, Now! an elementary school tutoring program, and Lunch and Learn, a weekly women's study group. Baltimore Hadassah also offers a number of programs for Jewish youth, including Al Galgalim (Training Wheels), Wheeling On and Young Judaea, exceptional programs designed to foster an interest and devotion to Zionism and Jewish heritage.

The welcome evidence of Hadassah's efforts is everywhere around us. The work of Hadassah has contributed very

significantly to the vibrancy and vitality of Jewish life in America and Israel and has strengthened the bonds between our two countries. It has done this by expanding educational opportunities, funding advanced research and health care facilities, establishing youth programs and activities and defending democratic freedoms and social justice around the world.

It would be impossible to pay adequate tribute to all of Hadassah's achievements contributions over the years. But as Hadassah enters its tenth decade, I want to commend this organization for its broad and abiding commitments. In areas from humanitarian relief, education and women's health, to their partnership with Israel, Hadassah is always ready to lend a hand, open a door, or inspire a young mind. I look forward to celebrating many more years of Hadassah's impressive achievements.

Mr. LIEBERMAN. Mr. President, I rise today to congratulate Hadassah, the Women's Zionist Organization of America, who, in addition to having the privilege of sharing its name with my beautiful wife, have worked tirelessly over the past 90 years, leaving an indelible mark on Israel and the American Jewish community. From a small group of women who first gathered in February 1912, Hadassah has grown into the largest women's and largest Jewish membership organization in the United States. Today, comprised of 1500 chapters and more than 300,000 members, who can be found in every congressional district nationwide, Hadassah remains committed to the worthy mission of its founders: promoting education, health care, and social justice to Israel and American Jewish women and their families.

Today, I take a few moments to pay tribute to this institution on its 90th anniversary by sharing with my colleagues a little bit about its founder. Henrietta Szold was born in Baltimore, MD on December 21, 1860. The eldest of eight children, her father, Rabbi Benjamin Szold, raised Henrietta to be a scholar. After graduating high school, she taught French, German, botany, mathematics, and other subjects at the Misses Adam's School for Girls in Baltimore. At the same time, she taught bible history classes for adults and youth Sunday school classes at her father's synagogue. In 1893, she moved to Philadelphia to become the secretary-editor of the Jewish Publication Society. In 1902, after the death of her father, she moved to New York City with her mother where, in 1907, she joined the Hadassah Study Circle, a women's Zionist group.

In 1909–1910, Henrietta and her mother visited what was then known as Palestine—a trip that would change her life. Over the course of 6 months, she was moved by what she witnessed, especially the absence of basic medical care. Her mother suggested that Henrietta get her study group involved in health work in Palestine. Greatly affected by her mother's suggestion, Henrietta posed this idea to her group and, in February 1912, the Hadassah Chapter of the Daughters of Zion adapted this mission, dedicating themselves to the improvement of health care in Palestine and the promotion of Jewish education in the United States. Because they initially met on Purim, the group took the name of the holiday's central figure, Queen Esther, who's Hebrew name is ''Hadassah.''

Today, Hadassah's achievements in advancing health care are evident throughout Israel. Hadassah Medical Organization supports the most advanced medical center in the region, comprised of two hospitals, 90 outpatient clinics, and numerous health centers. Each year, the organization provides health care to over 600,000 patients a year and participates in global outreach programs to developing countries.

In the United States, Hadassah has taken on a broad range of initiatives on behalf of women and the Jewish community. From the Women's Health department's ''Check It Out'' breast cancer detection and awareness campaign to the family programs sponsored by the Jewish Education department Hadassah provides the American Jewish community with countless services and educational opportunities. Furthermore, the Government Relations Unit provides members and the general public with education and promotes widespread civic participation on public policy matters such as American-Israeli relations, church-state separation, and women's health.

Additionally, Hadassah funds and maintains four other major programs in Israel and the United States: Hadassah Israel Education Services which gives Israeli citizens vocational and technical training; Youth Aliya which provides disadvantaged Israeli and immigrant youth with education and housing; Young Judea, which helps American teenagers build connections to Israel and Jewish life through clubs, camps, and programs in Israel; and the Jewish National Fund which works to preserve Israel's ecology and natural resources.

Nine decades after a group of 38 women first met in New York City to establish a social action group, Hadassah has grown into a nationwide organization providing much needed services and support to Israelis and the American Jewish community. I am pround to wish them congratulations on their 90th anniversary and extend my appreciation for all their important work, which can best be summed up in the traditional words, ''Mazel tov.''

Mr. SMITH of Oregon. Mr. President, I rise today to honor the founding of Hadassah, the Women's Zionist Organization of America. Ninety years ago on the holiday of Purim, Henrietta Szold founded Hadassah, a volunteer women's humanitarian organization that is 300,000 members strong and one I am honored to have worked with on many an occasion. Hadassah's President, Bonnie Lipton has been a great leader and a friend.

The holiday of Purim celebrates the story of Esther, who saved the Jews from annihilation by the Persian King Ahasuerus. Esther was Ahasuerus' wife, and when she learned that Ahasuerus' advisor, Haman, convinced him to kill the Jews, at great personal risk she intervened to save the Jewish people. In celebration of this event, Esther, whose Jewish name was Hadassah, instructed the Jewish people to give gifts to the poor. It is appropriate that Henrietta Szold created an organization dedicated to Esther, Hadassah, and Purim: ensuring Jewish continuity and giving the gift of a better life to the poor.

Ms. Szold was inspired to create Hadassah when she learned of the conditions of impoverished Jews living in the slums of Turkish-ruled Jerusalem in 1912. By convincing nurses in New York to help in pre-state Israel, Henrietta Szold created a women's institution dedicated to public service and community responsibility. Hadassah continues today to help bring hope to the less-fortunate across the United States and abroad.

Through educational programs, including vocational training and exposure to the arts and athletics, Hadassah helps disadvantaged youth realize their dreams and potential. Hadassah's Youth Aliyah program offers teenagers from around the world who are struggling with depression solace, support and hope. Hadassah members also work with local elementary schools to help ensure that children are given every opportunity and helping hand to learn to read.

Hadassah offers a positive experience for its members and those who they help. They volunteer their time to assist in soup kitchens, nursing homes, day care centers, libraries, hospitals, clinics, domestic violence shelters, schools, and synagogues. Its members recognize the importance of mentoring and provide many opportunities for young women to learn about the importance of commitment, charity, leadership, community, and individualism, qualities of character that our children need to learn.

Beyond its charitable mission, Hadassah has been a key advocate of women's health issues and led efforts to warn Congress of the dangers of genetic testing. Best known for its medical facility in Jerusalem, Hadassah offers the most advanced medical care in the Middle East, to Jews and Arabs alike, and has helped build hospitals in the poorest of countries. Hadassah has been a leader in medical research, especially in women's health.

For years Hadassah was prevented from gaining special consultative status with the United Nations Economic and Social Council, ECOSOC. I am happy to say that Hadassah was finally admitted in May 2001. This ''status'' should have been a simple thing. ECOSOC oversees the World Health Organization, UNICEF, UNESCO, the

Commission on the Status of Women, and the Human Rights Commission. It seemed logical that Hadassah would gain this status, routinely given to many organizations, given its leadership for 90 years in medicine, education, welfare, and women's rights abroad. Hadassah, however, had to fight a long battle with the anti-Semitism present in the United Nations in order to gain this status.

I salute Hadassah for its 90 years of charity and leadership as a humanitarian organization both in America and Israel and look forward to continue to working closely with its membership.

Mrs. FEINSTEIN. Mr. President, today Hadassah, the Women's Zionist Organization of America, a wonderful organization that exemplifies a spirit of volunteerism and commitment to others is celebrating their 90th anniversary. With more than 300,000 members nationwide, Hadassah is one of the largest women's and the largest Jewish membership organization in America.

Hadassah was founded in 1912 by Henrietta Szold as a group of women ''interested in the promotion of Jewish institutions and enterprises in Palestine.'' What began as an attempt to provide health and social services to both Jews and Arabs in Palestine has grown into myriad undertakings.

Today, Hadassah's major activities in Israel and in the United States span the arenas of health, education, social services, and environmental preservation. For instance, the Hadassah Medical Organization supplies quality medical care to individuals in the Middle East, regardless of race, religion, or nationality. The Youth Aliya Program provides housing and support for disadvantaged and immigrant youth in Israel.

Additionally, the Jewish National Fund helps to build parks and preserve Israel's natural resources, while Young Judea helps U.S. teenagers build connections to Israel and Jewish life. In all of its endeavors, Hadassah has fulfilled its mission to promote a peaceful and prosperous Israel, ensure Jewish continuity, pursue social justice, and provide for the health, education, and well-being of individuals both in Israel and in America.

Over its 90 years of existence, Hadassah has touched the lives of millions of individuals in a tangible manner. In a time when the Middle East remains embroiled in controversy and violence, it is comforting to find a group whose commitment has not changed over time. Even today, Hadassah provides lessons that we can all learn from. I am proud my home state of California boasts more than 25,000 members, people devoted to improving the world around them. As a lifetime member, I would like to thank Hadassah for its efforts, and look forward to celebrating future milestones with them.

RETIREMENT OF MARIE E. MULLIS

Mr. REID. Mr. President, as chairman of the Select Committee on Ethics, it is my privilege to give public notice and honorable mention to the outstanding service that Marie Mullis has provided the committee and the Senate for the past 31 years.

Marie began her Senate career in 1971 as an employee of the predecessor to the Select Committee on Ethics. In 1977 she joined the staff of the Ethics Committee where she advanced from support staff, to executive assistant, to professional staff member. As a professional staff member for the past 14 years she has drawn from a reserve of institutional knowledge, experience, and wisdom to advise Senate staff about the Senate Code of Official Conduct. The committee commends her commitment to its work and is honored to have been the beneficiary of her loyal service over the years.

Despite the impact of her resignation, we—the committee members and committee staff who regard her highly—are pleased to see Marie move forward into retirement and receive reward for her faithful service to the United States Senate.

Thank you, Marie, for your hard work.

READ ACROSS AMERICA

Mrs. BOXER. Mr. President, since 1998, Americans have celebrated ''Read Across America'' in March to honor Dr. Seuss' birthday. Millions of Americans take part in this nationwide effort to promote reading among our children while paying tribute to Dr. Seuss' great legacy.

It is hard to imagine our childhoods without the delightful books of Dr. Seuss. Such classics as ''The Cat in the Hat and Green Eggs and Ham'' taught us life lessons we will never forget. My personal favorite is ''Oh, the Places You'll Go!'' because it encourages children to reach for their dreams. I loved reading the book to my children, and now read it to my grandson. I also enjoy reading it to students while visiting schools in California.

Schools throughout the Nation hold special events to celebrate ''Read Across America.'' This year, schools plan to have breakfasts of green eggs and ham, reading relays, birthday parties for Dr. Seuss, choral readings and museum exhibits. Celebrities and elected officials will join in the fun by reading books to children.

''Read Across America'' is a day to celebrate the joy of reading and a return to our childhood, but it also provides an opportunity to address a very important issue: children's literacy in the United States. It has been proven that if children read more at home, they will do better at school. ''Read Across America'' can help prepare our children for success.

I take great pride in celebrating the fifth anniversary of the National Education Association's ''Read Across America.'' Books introduce children to a wealth of knowledge and a world of imagination. Last year, celebrations took place in every State in the Nation, involving more than 35 million people. This year, NEA expects an even bigger turnout.

I extend my best wishes to participating schools, and encourage all Americans to get involved in this wonderful celebration of reading.

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 last 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 October 28, 1993 in Watsonville, CA. Four men with a rifle threatened a gay man and kicked in his apartment door. The attackers, Miguel Lopez, 23, Israel Lopez, 18, Cesar Fuentes, 18, and a 16-year-old were arrested 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.

SUPPORT FOR U.S. SERVICE MEMBERS SERVING IN OPERATION ENDURING FREEDOM

Mr. LEVIN. Mr. President, I rise today to pay tribute to the greatest source of strength of our military forces engaged in the war on terrorism—the support they receive from the American people. Over Thanksgiving, Senator WARNER and I traveled to Central Asia to visit with our soldiers, sailors, airmen and Marines serving in Operation Enduring Freedom. Nothing lifted our spirits more than sharing Thanksgiving with these wonderful troops. Nothing lifted their spirits more than our message that the American people totally support their mission and are deeply grateful for their service.

We have seen that support on display in countless ways in recent months. Americans from every corner of our country have reached into their hearts and reached out to our men and women in uniform, especially over the holidays. One particular story came to my attention that I think captures the American spirit at this time in history.

Just before Thanksgiving, Kasi Brannan of Covington, LA, decided to send a simple holiday card to her son, AT3 Eric Lepkowski, who was serving on the aircraft carrier USS *Theodore Roosevelt* in the Arabian Sea. When

family, friends, and members of the community learned of her effort, they wanted to add their wishes as well. When a television station and newspaper from New Orleans reported the story, people from all over Louisiana wanted to add their appreciation. And when other families and friends of sailors abroad the *Theodore Roosevelt* heard the news through the Internet and e-mail, they wanted to include wishes to their own husbands, wives, sons, brothers, sisters and friends. As the news spread across the Nation, even total strangers wrote in to express their thanks to our servicemen and women.

What started out as a simple holiday message to one sailor had quickly grown to a greeting card from all America—a 75-foot banner with more than 1,000 stars, each containing the holiday wishes from grateful Americans from nearly every state and at least three continents. Among them were several families from my home state of Michigan. Those wishes made all the difference to the 5,000 men and women of the *Theodore Roosevelt*, who displayed the banner in one of their hanger bays as a reminder of home and a daily inspiration.

I know my Senate colleagues will join me in celebrating the spirit of America's unity embodied in Kasi Brannan and all our military families who endure separation from their loved ones and who sacrifice in ways that most Americans will never know.

I know my Senate colleagues will join me in acknowledging the commitment of our senior military leaders to the morale and welfare of our forces, as evidenced in the efforts of Vice Chief of Naval Operations Admiral William Fallon and U.S. Fifth Fleet Commander Vice Admiral Charles Moore Jr. to quickly transport the 1,000-star banner to the *Theodore Roosevelt* in time for the holidays.

Finally, I know my Senate colleagues will also join me in honoring the service of AT3 Eric Lepkowski and all the brave, dedicated and skilled men and women serving in the armed forces to keep this Nation free.

Ms. LANDRIEU. Mr. President, I rise today to join my colleague from Michigan in thanking Kasi Brannen for her strong patriotism and undying support for our men and women deployed to the theater of conflict.

Kasi Brannen's son, AT3 Eric Lepkowski, serves aboard the aircraft carrier USS *Roosevelt* in the Arabian Sea. When she began assembling a Christmas card for him, she asked friends and family in her hometown of Covington, Louisiana, to contribute well wishes and greetings. Soon, word got out in Convington that she was going to send a card to the *Roosevelt* and messages poured in from all over town. Then word spread through the entire Northshore, and then to New Orleans, and to Baton Rouge, and then all over the country. Kasi's Christmas greetings to Eric became the opportunity for the entire country to send its thanks and their holiday blessings to all the men and women serving overseas to protect America. These messages came not just from Navy families, but from scores of Americans who wanted to express their support for our troops. A simple Christmas card turned into a 75 foot banner with over 1,000 messages on it.

Getting this banner to the men and women of the *Roosevelt* was no small feat. December had rolled around and people, known and unknown to Kasi, still desired to add their message to the banner. Kasi was wondering if she could get the package to the *Roosevelt* in time for Christmas. When the Navy found out about Ms. Brannan's project, the Vice Chief of Naval Operations, Admiral William J. Fallon, and the Commander of the Fifth Fleet, Vice Admiral Charles W. More, offered to transport the banner personally.

The 5,000 men and women serving aboard the *Roosevelt* received the banner in time for Christmas and delighted in reading the messages from home. We can only imagine the effect that these messages had on the sailors of the *Roosevelt*. When our sailors go on deployment, they live in cramped quarters and go without the usual creature comforts. This, combined with the isolation and loneliness of combat can take its toll and easily diminish morale. When one of our sailors receives a letter from home, it reconnects them with their families and friends and reminds them just what they are fighting for.

When our nation goes to war, it is fought on many fronts in many different ways. First and foremost, it is fought by the Soldiers, Sailors, Airmen, and Marines who are constantly in harm's way. But these men and women are fully supported by their families and friends at home. I think the spouses and children of all of our fighting men and women know their duty in keeping up morale, and they will follow through.

I am extremely proud of all fighting men and women from Louisiana. Our State is home to thousands of servicemembers, and they are part of the overall force which protects this great nation. I am also extremely proud of our citizens who support these men and women in uniform. The efforts of Kasi Brannen are truly superb and are deserving of great recognition.

I want to join my good friend from Michigan in praising Kasi Brannen and the hundreds of other Americans who contributed to her project. I also want to commend the Vice Chief of Naval Operations, Admiral William J. Fallon, and the Commander of the Fifth Fleet, Vice Admiral Charles W. More for their extraordinary efforts in keeping up the morale of our fighting men and women. I know that my colleagues in the Senate join me in commending the husbands, wives and family back home, our service men and women deployed abroad, and the commanders who lead them.

COMFIRMATION OF RICHARD J. LEON, UNITED STATES DISTRICT JUDGE FOR DC

Mr. DEWINE. Mr. President, I rise to pay tribute to Mr. Richard ''Dick'' J. Leon, the new U.S. District Judge for the District of Columbia. I have known Dick for many years, and I was pleased that the Senate unanimously confirmed him on February 14, 2002.

Dick has all the key qualities necessary to be a fine a District Judge. He is bright, thoughtful, and ethical. He is a personable individual, who cares deeply about the law. I first worked with Dick in 1987, when I was serving on the Senate/House Select Iran-contra Committee. He had been a distinguished Federal prosecutor for the Justice Department, when our ranking Republican on the committee, DICK CHENEY, hired him to serve as our deputy counsel. His performance on our staff was outstanding and his legal skills as an investigator, counselor, and examiner of witnesses were critical to the work of the select committee.

Dick Leon has distinguished himself as a counselor, handling complex criminal and civil litigation. But, his commitment to legal education is also noteworthy. Over his 28 year career, Dick has served in various positions helping teach others about law. He was a full-time law professor for 4 years at St. John's University Law School in New York, and he currently serves as an adjunct law professor at both the Georgetown University and Catholic University law schools in Washington, DC.

From time to time, Dick has been called to assist Congress with highly sensitive matters. Whether it has been counseling a bipartisan task force or serving on a congressional commission, he always has conducted himself with the utmost integrity. Dick Leon has earned the respect of both Republican and Democratic Members alike.

I have every confidence that Dick is fully prepared for the challenges of being a U.S. District Court Judge. I congratulate him on his new assignment and wish him; his wife, Christina; and their son, Nicholas, all the best.

IN RECOGNITION OF BRAVO COMPANY, FIRST BATTALION, TWENTY-THIRD MARINES

Ms. LANDRIEU. Mr. President, for more than two centuries, the U.S. Marine Corps has exemplified the highest virtues of loyalty, service, and sacrifice. From the walls of Tunn Tavern during the Revolution to the far reaches of the Pacific, from the jungles of Vietnam to the vast expanse of the Arabian desert, and from the walls of Camp Rhino and the sand of the Kandahar Airport to Guantanamo Bay, America's Marines have shown the world the meaning of ''Semper Fi.''

Through the long march of our history, few military organizations have been held in such high esteem as the

U.S. Marine Corps. Our Marine Corps is composed of men and women of great character. They are smart, tough, dedicated, and faithful, truly the best America has to offer. For 226 years, they have stood for all that is great about this Nation: honor, courage, and commitment. Their values, sense of courage, and quiet, steadfast character remain timeless and valuable commodities for a time in which our Nation faces the greatest challenge of a generation. I have seen our Marines in action, and I am confident that no obstacle can block their determined path to victory.

Through their great history, Marines have protected America's interests, struggled against our country's foes, and remained at the forefront of our nation's efforts to maintain global peace and stability. In hundreds of distant lands, from Nicaragua to Lebanon, from Saudi Arabia to Somalia, and from Afghanistan to Cuba, Marines restored and maintained order, aided people in distress, provided protection for the weak, and upheld the values that have come to define our country on the world stage. Many made the ultimate sacrifice in the service of their country, and we honor their memory.

I am proud to represent the State of Louisiana, a land which is steeped in Corps history. When the British attacked American forces on the fields of Chalmette outside of New Orleans, a contingent of Marines contributed to an ultimate American victory. This engagement came to be known as the Battle of New Orleans, and served as a powerful statement of American boldness on the battlefield.

It gives me great pride to have the city of New Orleans host the headquarters of the Fourth Marine Division which commands more than 104,000 Reserve Marines nationwide. I am truly grateful for the services that our reserves perform every month. A Marine Corps reservist serves his country an average of 36 days a year. These men and women are of a truly superior caliber, as they dedicate over a month of the year to national service while working hard in the private sector, getting an education, and raising their families.

I would like to extend my personal commendation to the Marines of Bravo Company, First Battalion, Twenty-third Marines as they conclude their deployment to Guantanamo Bay. I want to assure you that the members of the U.S. Senate and the Senate Committee on Armed Services are personally grateful for your service. Our Nation's freedom was won through the toil and sweat of thousands of volunteers who dropped their plows and left their families during the revolution. After they had proved themselves in the realm of battle, they went back to their fields and their families and created our civic institutions. You Marines are the rightful heirs to their tradition, and I trust that our Nation can rely on you to defend our freedom.

As we set out in this new century, the importance of our Marine Corps has never been more clear. Tomorrow, as today and for generations past, the razor sharp readiness of the United States Marine Corps serves as a beacon to America's friends and a warning to our enemies, promising swift action, great victories and richer traditions yet to come.

On this day, I offer my warmest gratitude to Bravo Company, First Battalion, Twenty-third Marines and all who wear the eagle, globe and anchor, and to the families who also serve by supporting them.

ADDITIONAL STATEMENTS

IN RECOGNITION OF DR. LEE TODD

• Mr. BUNNING. Mr. President, I rise today with great pride to ask my colleagues to join me in paying tribute to one of Kentucky's finest citizens, Dr. Lee Todd. On Friday, February 15, Dr. Lee Todd was officially inaugurated as the University of Kentucky's 11th President.

In 1968, Lee Todd completed the first stage of his relationship with the University of Kentucky when he received his Bachelor of Science degree in electrical engineering. After completing his undergraduate studies at UK, Dr. Todd earned his M.S. and Ph.D. degrees in electrical engineering from the Massachusetts Institute of Technology. During his time as a graduate student, he amazingly received six U.S. patents for his innovative work in the area of high-resolution display technology.

Dr. Todd's professional career officially began in 1974 when he embarked on the second stage of his UK relationship by becoming a professor of electrical engineering. During his nine-year tenure as a professor, Dr. Todd published various research articles spanning numerous topics, gave multiple conference presentations, and won several teaching accolades including the prestigious UK Alumni Association Great Teacher Award. He also served on the University Senate for seven years; served on the President's Advisory Committee that established the first Selective Admissions policy; and chaired the College of Engineering Dean Search Committee. In 1981, he temporarily left UK and founded Projectron, Inc., a manufacturing company specializing in the production of cathode ray tubes for the flight simulation industry. The Projectron picture they developed was successfully used in nearly 90 percent of commercial flight simulators as well as numerous military simulators.

Besides his work with Projectron, Inc., Dr. Todd has been significantly involved with various programs attempting to educate the Kentucky citizenry on the areas of economic development and technological advancement. He cofounded a not-for-profit organization called the Kentucky Science and Technology Corporation, which aims to increase university research capacity and develop science and technology education programs encouraging an entrepreneurial economy in the Commonwealth of Kentucky. He has been appointed to statewide committees related to education and economic development by various Governors, even serving as the chair for Governor Collins' Governor's Council on Science and Technology. He also is a proud member of UK's Engineering Hall of Distinction. Dr. Todd recognizes the rapid pace at which the country and the rest of the world is progressing and understands that Kentucky cannot afford to be left behind clinging to the ways of the past.

Throughout his entire life, Dr. Lee Todd has tirelessly and selflessly worked toward the betterment of Kentucky. He possesses the desired knowledge, vision, and strength to help further advance the University of Kentucky's standing in the academic as well as the athletic community. He has experienced what the University has to offer from the standpoint of a student, teacher, and now president. He is more than prepared to meet head on the various challenges involved in successfully managing UK.

I applaud Dr. Todd's lifelong commitment to the education of Kentucky's future political, economic, and social leaders. Finally, I thank him for accepting the challenge of leading the University of Kentucky into the 21st century.•

IN RECOGNITION OF OSCAR MICHEAUX

• Mr. TORRICELLI. Mr. President, I rise today to honor Oscar Micheaux, one of the pioneers of American film. Though Mr. Micheaux passed away over fifty years ago, the Fort Lee Film Commission has chosen to honor his historic contributions to the American film industry as part of its Black History Month celebrations.

In every age, in every walk of life, there is an individual who possesses the vision to move their craft forward in previously unimaginable ways. Oscar Micheaux opened a door for many visionary film makers who were too follow him. With the production of ''The Homesteader,'' Mr. Micheaux became the first African-American to produce a silent film. In 1931, his production, ''The Exile,'' became the first African-American ''talkie'' to be produced. He also holds the distinction of being the first African-American to have one of his films open in a white owned theater.

As a credit to his work, Oscar Micheaux has been honored for his work with a star on Hollywood's ''Walk of Fame''. As the Fort Lee Film Commission honors this groundbreaking individual, I wish to express my gratitude at being able to honor such an influential film producer. The film industry has truly been enriched for his contributions.•

CONGRATULATIONS AND THANKS TO BERTHA GLOTZBACH

• Mr. BROWNBACK. Mr. President, on April 23, 1941, the United States was at peace, although Europe and Asia were not. Citizen Kane was to open and be hailed as the best American film ever. A new baseball season was just underway and would see Joe Dimaggio hit safely in 56 straight games. On that day, Bertha Glotzback reported to work at the Department of Labor.

Here it is almost 61 years later and Ms. Glotzbach, a native of Topeka, KS, is ending her career in Government service. For most of her time in Government Ms. Glotzbach has worked as a secretary for the U.S. Agency for International Development and its predecessor agencies. Ms. Glotzbach was there almost at the creation—joining the Economic Cooperation Agency less then a year after it was establish to implement the Marshall Plan. Through the years she has worked diligently and tirelessly in a number of different offices within USAID, most often in the Office of the General Counsel.

Ms. Glotzbach is a special person—a person whose dedication and devotion to her work has demonstrated the best of what we should expect from public servants. Over the course of her valuable service to her country she has earned the respect and affection of all who have worked with her. She has made their lives easier by the way she has carried out her responsibilities. One expects nothing less from a Kansas native, but she shines above others.

On March 1, 2002, Ms. Glotzbach will retire. USAID and the country will lose a valuable civil servant. Bertha, we wish you well in your retirement. Thank you for over 60 years of dedicated service to this country. Your Nation is grateful.•

SPEAKER ROBERT HERTZBERG'S DEDICATION TO CALIFORNIA

• Mrs. BOXER. Mr. President, I am pleased to rise to reflect on the work of California Speaker Robert M. Hertzberg, who has left the post of Speaker after presiding over the Assembly for 2 extraordinary years.

Most of all, Bob Hertzberg will be remembered as a leader at a time of crisis, first with the State's energy crisis, and then the aftermath of the September 11 attacks.

When California came face-to-face with its energy crisis, Bob worked to identify the problems and craft legislation to solve them. Bob's leader ship and unwavering commitment helped California to avoid blackouts and control utility costs.

On September 11, we experienced events that changed our Nation forever. Bob Hertzberg swiftly established a State Task Force on the Impact of Terrorism on California to assess what California needed to do to protect itself from future terrorist attacks. The task force heard testimony from law enforcement officials, business leaders, economists and health officials, and drafted thorough reports for the State Legislature.

Bob Hertzberg is a leader to create a better future for our children. In 1998, he helped pass, with the help of former Speaker Antonio Villaraigosa, what was the largest school construction bond in America's history. The $9.2 billion bond included record funding for schools, colleges and universities. This funding helped construct more than 500 schools and modernize more than 2,000 existing schools throughout the State. On December 14, 2000, Bob introduced the Kindergarten, University, Public Education Facilities Bond Act of 2002, an even larger bond that would allocate $12 billion for the construction and modernization of elementary schools, colleges and universities. Similar to the previous measure, it would help schools meet the needs of a rapidly growing student population.

Bob Hertzberg is a great representative of the San Fernando Valley and a leader for all of California. He has been a strong leader when we needed it the most. I thank Bob for his great contributions to our State over the years, and wish him well in the future.•

NINETIETH ANNIVERSARY OF HADASSAH, THE WOMEN'S ZIONIST ORGANIZATION OF AMERICA

• Mr. HAGEL. Mr. President, I would like to take this opportunity to acknowledge the 90th anniversary of Hadassah, the Women's Zionist Organization of America.

With over 300,000 members and 1,500 chapters across the country, Hadassah is the largest Jewish women's membership organization in the United States. Hadassah's mission is to promote a prosperous and peaceful Israel, ensure Jewish continuity, pursue social justice, and provide for the health, education, and well-being of American Jewish women and their families.

I would also add that Hadassah plays a central role in reinforcing the close and intimate bonds of friendship, solidarity, and shared values between the United States and Israel.

Hadassah was founded in 1912 by educator and visionary Henrietta Szold, who had long been committed to the ideal of a Jewish homeland and the Jewish imperative for social justice. After her first visit to Palestine, Szold transformed her small women's study circle into a dynamic social action committee dedicated to meet the challenges of poverty, filth, and disease in Palestine. In 1913, two American nurses set up community health and maternity care stations in Jerusalem. These health centers became the foundation of Israel's medical infrastructure.

Today in Israel, Hadassah supports the most advanced medical center in the region, comprised of two hospitals, 90 outpatient clinics, and numerous community health centers. Hadassah Medical Organization, HMO, its flagship project, provides state-of-the-art health care to 600,000 patients a year regardless of race, religion, or creed, and often treats the most critically wounded in the region's ongoing conflicts.

Through the Congressionally-funded American Schools and Hospital Abroad, ASHA, program, HMO stands ready to serve American military troops should such a need ever arise. HMO sites have been visited by numerous heads of state, American Congressional delegations and administration officials, state and local leaders, and other public opinion makers.

In addition to Hadassah Medical Organization, Hadassah funds and maintains four other major programs in Israel and the United States:

Hadassah Israel Education Services, which provides cutting-edge technical training, retraining, and vocational guidance for all Israeli citizens;

Youth Aliya founded to bring children of the Holocaust to Palestine, now provides housing, education, and support to disadvantaged Israeli and immigrant youth;

Young Judaea, which includes clubs, camps, and programs for American teenagers to build connections to Israel and Jewish life; and

The Jewish National Fund, which supports the building of parks, plants and trees, and other initiatives to preserve Israel's ecology and natural resources.

As part of its global humanitarian commitment, Hadassah provides medical personnel and training and relief services during international health crises, including those in Bosnia-Herzegovina and Rwanda.

Throughout the United States, Hadassah members are engaged in a wide range of educational, advocacy, and community service initiatives. Hadassah's education services include women's health seminars and Hebrew language classes. Hadassah members also help to shape public opinion and policy through advocacy work on issues ranging from United States-Israel relations to first amendment protections to women's rights and health concerns. In communities across the United States, Hadassah members have also launched many projects aimed at improving the lives of women and their families. Hadassah's members are represented in every Congressional district in the United States.

Thank you, Mr. President, for this opportunity to acknowledge the contributions that Hadassah has made to the promotion of humanity, compassion, and community, in Israel, the United States, and worldwide.•

RECOGNITION OF NATIONAL BLUE RIBBON SCHOOLS IN MARYLAND

• Mr. SARBANES. Mr. President, I am proud to recognize the nine elementary schools throughout Maryland that were selected as Blue Ribbon School Award winners in 2001. These schools

are among only 264 elementary schools nationwide to be honored with this award, the most prestigious national school recognition for public and private schools.

According to the Department of Education, Blue Ribbons Schools have been judged to be particularly effective in meeting local, State, and national goals. These schools also display the qualities of excellence that are necessary to prepare our young people for the challenges of the next century. Blue Ribbon status is awarded to schools which have strong leadership; a clear vision and sense of mission that is shared by all connected with the school; high quality teaching; challenging, up-to-date curriculum; policies and practices that ensure a safe environment conducive to learning; a solid commitment to family involvement; evidence that the school helps students achieve high standards; and a commitment to share the best practices with other schools.

After a screening process by each State Department of Education, the Department of Defense Dependent Schools, the Bureau of Indian Affairs, and the Council for American Private Education, the Blue Ribbon School nominations were forwarded to the U.S. Department of Education. A panel of outstanding educators from around the country then reviewed the nominations, selected schools for site visits, and made recommendations to the Secretary of Education.

The designation as a Blue Ribbon School is a ringing endorsement of the successful practices that enable the students of these schools to succeed and achieve. Over the past few years, I have made a commitment to visit the Blue Ribbons Schools in my State and have always been delighted to see first hand the interaction between parents, teachers, and the community, which strongly contribute to the success of the school. As I complete my visits to each of these schools, I look forward to personally congratulating the students, teachers and staff for this exceptional accomplishment.

The nine winning Maryland elementary schools include:

Benfield Elementary School. Located in Anne Arundel County, Benfield Elementary was ranked 7th in Maryland on the Maryland School Performance Assessment Program, MSPAP, in 1996 and noted as one of the fastest improving schools in Maryland. The Baltimore Sun recently recognized Benfield's reading program as one of the most effective in the State. The Washington Post also recognized its character-building program, ''No Putdowns,'' as a valuable asset to the school community. Benfield was one of two elementary schools selected to send their experiments aboard the Space Shuttle *Atlantis* and also has two award winning after school programs focusing on science and Spanish language.

Beth Tfiloh Community School. Beth Tfiloh of Baltimore, MD, has dedicated itself to creating a vibrant educational community that touches the minds and hearts of Jewish children. The school's administration and leadership are committed to meeting the needs of each individual student through continued innovation, both as an institution of learning and as a guarantor of Jewish culture. The school has recently received recognition as a Good Neighbor School, Maryland Character Education School of the Year, and a Baltimore Business Journal Innovation in Technology School. Beth Tfiloh graduates have been accepted by the top colleges, universities, and religious seminaries in the United States and Israel and have assumed Jewish leadership roles on their college campuses and in their communities.

Bodkin Elementary School. Bodkin Elementary, located in Anne Arundel County, has had some of the highest test scores in Maryland over the past 2 years. The school has been awarded the Chesapeake Cup for outstanding participation with the Anne Arundel County Public Library and many of its staff members have earned State and county awards for their teaching skills. Bodkin's theme, ''A Recipe For Success,'' accurately reflects that the special ingredients of a supportive school community, enthusiastic teachers and eager learners work to make it an educational star.

Charlestown Elementary School. Charlestown Elementary strives to live up to its motto, ''Success for all students, whatever it takes.'' As a title I school, it successfully provides numerous programs for students of its rural community in Cecil County, including after-school enrichment programs, student support programs, and parent/student volunteers. Scores on the MSPAP have increased for the last 5 years. The committed staff, hard working students, and involved community all contribute to Charlestown's success.

Darnestown Elementary School. Darnestown Elementary is committed to an educational program that recognizes the unique value, needs, and talents of the individual student. Located in Gaithersburg, MD, Darnestown is a school with steadily increasing test scores. Over the past 4 years, Darnestown's composite MSPAP score has increased from 60 percent to 82 percent. The school has received Maryland's Recognition School monetary award for 2 consecutive years. The staff and community are also proud to be the first recipient of the Marriott ''Spirit to Serve'' award, recognizing Darnestown's involvement in numerous community service projects to support the homeless.

Fort Foote Elementary School. At Fort Foote Elementary, outstanding MSPAP test scores validate the academic achievement of the students, parents, and teachers. The children of this Fort Washington, MD, school embrace the concept of a Community of Caring through the school's nationally recognized character education program. With a 97 percent minority population, the school coordinates a kindergarten through Grade 6 program with an early childhood special education program and Head Start. Combining innovative assessment techniques such as the Comer School Development Program, team instructional planning, shared decisionmaking, and community partnerships have proven effective for total school success.

Ocean City Elementary School. Ocean City Elementary is located close to the resort town, for which it was named, in Ocean City, MD. the teachers and community strongly believe it is their responsibility to expand the number of life choices a child has upon graduation from high school. Ocean City has an excellent reputation of having high behavioral standards as well as reaching academic achievements that have been recognized statewide. The vision behind the school is to make all students academically successful, as well as productive members of society. The dedication of the students, teachers, and parents of Ocean City Elementary truly represents their school motto: I can be anything, I can learn anything if I believe in myself and work hard.

Saint Bernadette School. Saint Bernadette School, founded in 1947 by the parishioners of St. Bernadette Church, is located in Silver Spring, MD. Saint Bernadette's aims to educate the child completely, recognizing and nurturing the spiritual, intellectual, personal, social, physical, and cultural development of its students. The teachers realize that parents are the primary educators of their children and work with them for the well being of each child. The parents do an exemplary job of participating by volunteering in excess of 10,000 hours per year. Saint Bernadette's parents and students continue to distinguish themselves year after year, demonstrating that their dedication and commitment is a true formula for success.●

RECOGNITION OF CAROL CURTISS

● Mrs. HUTCHISON. Mr. President, I rise today to pay tribute to fellow Texan Carol Curtiss, who has recently made a truly remarkable and unprecedented achievement. She is a Merchant Mariner who is the first woman ever to earn both a Chief Engineer's license and an unlimited Master's license. The U.S. Coast Guard has determined that she is one of only three merchant mariners in the country to achieve both these distinctions. Those who complete and accomplish the rigorous training and sea time required for gaining such status, are forever known as Master Mariners.

Carol entered the U.S. Merchant Marine Academy at Kings Point, NY in 1976, which was the School's third year accepting women. She was attracted to the Merchant Marine Academy because of her love of travel, a love developed

as a child when her family lived overseas while her father served in the Air Force.

Women normally pursued careers on the deck side. However, Carol strove to be in the engine room, and decided to defy convention and maximize her talents in the Academy's arduous dual license program. Most participants in the dual program focus on a single department, deck or engine, but Carol earned her degree on a variety of technologies. She graduated as a Third Engineer and Third Mate in 1980, with honors.

Soon after, she became a member of the Marine Engineers' Beneficial Association and started a long and successful career sailing as both an engineer and mate, on a variety of vessel types. Last year, Carol earned her Master's license, enabling her to captain a ship of any size. This year, she gained entry to an even more elite group when she successfully earned her unlimited Chief Engineer's license.

In addition, Carol and her husband are both volunteer firefighters. At sea, Carol is the on-scene commander during all emergency situations. She felt that if she was accountable for training seamen how to fight fires, it would be best to have firsthand experience, not just training.

Carol has ascended to the pinnacle of her profession after two decades of seafaring, a rare achievement reserved for an exceptional person and first-class marine officer. I congratulate Carol for earning such a high and honorable status in her career and service.●

CALVIN JAMES

● Mr. ROBERTS. Mr. President, recently our State of Kansas lost a giant within our political system with the unexpected passing of our Republican National Committeeman, Calvin James of Jewell, KS.

All those involved in public service in Kansas, regardless of party, mourn his loss. Calvin James was a textbook study in the pursuit of politics for the public good, not personal gain

I endeavored to capture what Cal James has meant to his hometown, his State, and our nation and to his family and friends with an article and eulogy published in the Salina Journal last week. I extend the thoughts, prayers and best wishes of Calvin's many friends to Betty, his wife, and to his daughter Susan and her family. I ask the article be printed in the RECORD.

The article follows:

With the death last week of Republican National Committeeman Calvin James, Jewell, Kansas lost a giant of politics. He is remembered not only for what is good about Kansas politics, but also for what is great about Kansas communities.

For me, Calvin James was a mentor, a friend, my strongest supporter and my sharpest critic. He smoothed the ups and downs of winning and losing. He set a high standard, but he was gentle in reaching for it.

At his funeral Saturday, a warm February afternoon, the Methodist Church in Jewell overflowed with friends and family from across the state. Among those attending were a sitting governor and two former governors, two U.S. Senators, a Congressman, the Speaker of the House, the Secretary of State, legislators and political officials—a virtual who's who of the contemporary Kansas GOP.

It was the kind of gathering that happens only rarely in rural communities. It signifies the esteem in which Calvin James was held statewide.

Calvin was remembered for commitment to family, to his community and to his state. Quietly, behind the scene with his yellow legal pad, Calvin was a key advisor to governors, senators and congressmen. He believed strongly in the two-party political system and in the role political parties play in good government.

In an era of impersonal media campaigns, he was a people politician. He scouted candidates and recruited precinct committee men and committee women the old fashioned way—by getting in his car and driving from county seat to county seat and talking to people up and down main street.

He worked tirelessly in their campaigns and, once elected, he expected them to remain accountable to grassroots Kansas.

Calvin knew that to get the votes, you first had to count the votes. He was good at it. In his own race for National Committeeman he had the final vote counted exactly—the day before it was taken.

He believed in consensus, in detail and in organizations well run. As Republican Chairman in the first Congressional District of Western and Central Kansas, Calvin made the rounds by car and by phone every two years to build consensus ahead of party elections, which he expected to operate smoothly.

A few years ago in Great Bend, he was challenged by a delegate with different ideas: ''This appears to be a railroad operation,'' the delegate said.

''If it is, I am the conductor,'' Calvin retorted.

It is a direct result of Calvin's work over three decades that First District Republicans are more activist, more interested and more involved than their counterparts in other parts of the state.

Calvin was born in Jewell and he died there. He left only twice, once as a young man for a job in a larger Kansas community and once to serve in the Army in Korea. On that first job, in a drug store, African Americans were not to be served at the counter. Outraged, Calvin did so anyway—then walked out before he could be fired.

Calvin was once asked if he had considered moving to a larger community. ''Why?'' he answered, ''I have everything I need here.''

''Everything'' especially included his wife, Betty, and daughter, Susan.

He believed in the worth of Jewell and his family and neighbors and he worked to make the place better. From the school board to the church board, he applied the same energy he applied to politics.

The first stop for every new Methodist minister in Jewell was Calvin James, who ''educated'' him as to the proper way to draft, present and implement a church budget in order to build consensus and lower controversy.

He brought government officials to Jewell and Beloit to ''educate'' them on the need for low income housing, elderly housing, rural water infrastructure, highways and, lately, broadband internet capability.

He built James Clothing, with stores in Jewell and Beloit, selling in recent years to his younger partner and protege. He was a self-described ''rag merchant.''

In retail clothing as in retail politics, there are certain individuals you would rather not see walk through the front door.

Those are the folks, Calvin often said, who you must ''smother with the milk of human kindness'' in order to make the sale, secure the vote, cement the support.

Calvin James is a textbook study in the pursuit of politics for the public good, not personal gain. He did not get rich at it. He did not use his many connections to those in politics to accrue personal power.

Rather, he used it for the benefit of his community, his state and his nation.

That is a legacy worth renewing as the torch of political leadership passes to a new generation.●

TRIBUTE TO LILLIAN CIUFO

● Mr. TORRICELLI. Mr. President, I rise today to pay tribute to Lillian Ciufo, a New Jersey resident and distinguished member of the Fort Lee community, who will be honored as Person of the Year by the Fort Lee Rotary Club on March 3, 2002.

Lillian, a resident of River Vale, currently serves as an Executive Director of the Fort Lee Housing Authority. The Housing Authority plays an important role in Fort Lee, a community in New Jersey situated right on the Hudson River, directly across from Manhattan, with limited space but a fast growing population. As Executive Director, Lillian is responsible for operating public housing and administering rent subsidies for hundreds of low-income seniors and families.

Under Lillian's direction, the Fort Lee Housing Authority has enjoyed quite a renaissance. In the past five years that she has been Executive Director, over eight affordable housing projects have been constructed. Additionally, the housing authority has been nationally recognized for operating successful projects such as the Family Self Sufficiency Program, FSS, and an affordable child daycare program. The FSS program is a model which I truly believe all communities should examine closely as they look to solve their housing problems. The program provides career planning, job training, educational opportunities, home ownership opportunities and support services, while honoring personal dignity and one's self worth.

Among other notable distinctions, Lillian also serves as Vice President of Community Revitalization on the Board of trustees of the New Jersey Association of Housing and Redevelopment, a branch of the National Housing Organization, and as Treasurer of the Board of Trustees of Heightened Independent and Progress, an agency that serves the disabled.

It is my firm belief that Lillian will continue this fine tradition of community service in the years to come, and will serve with distinction as a tireless advocate on behalf of those in need of housing. As she continues her career as Executive Director of the Fort Lee Housing Authority, I look forward to further recognition of her outstanding work from both the Rotary club and other service organizations.●

CONGRATULATIONS TO DAVIESS COUNTY HIGH SCHOOL

• Mr. BUNNING. Mr. President, I stand today among my distinguished colleagues to congratulate the students, administration, and faculty of Daviess County High School for winning a Preparing America's Future Award from the U.S. Department of Education.

This recent accolade is just one in the line of many bestowed upon the diligent students and devout faculty of Daviess County High School. In 2001, the U.S. Department of Education selected Daviess County High School as a 1999–2000 National Blue Ribbon School shortly after the Commonwealth awarded them with a Kentucky Blue Ribbon award.

The prestigious Preparing America's Future prize is presented to six high schools throughout the entire nation that have taken significant strides in improving their academic standards for all students. Daviess County High School was among this elite group based specifically upon their reputation for excellence and a rigorous evaluation of their progress in 12 key school improvement strategies. The review showed above all else that the school is accurately meeting the needs and expectations of today's students. I would like to offer a special thanks to Principal Brad Stanley for his inspiring leadership and robust commitment to the education of our nation's and the Commonwealth's future. With this competent captain at the helm, Daviess County High School will surely experience smooth sailing ahead.

I hope Daviess County High is as proud of this accomplishment as I am. This award highly reflects upon not only the students and faculty but also the overall community and its dedication to its children. I thank you all for working towards a better educated Kentucky.•

TRIBUTE TO WILLIAM GRAHAM

• Mr. JEFFORDS. Mr. President, today I rise to recognize the outstanding public service contributions of Windham County Sheriff William Graham, who retired on Friday, February 1, 2002. For 33 years, Graham, who is now 70 years old, has run his department efficiently and with fiscal accountability to the taxpayers.

Since the attacks in New York City and at the Pentagon last September, many Americans have realized how important honest and hard-working law enforcement personnel are to our Nation and our communities. People from around the U.S. watched the police forces in New York and Virginia exhibit an integrity that all Americans appreciated. But I suspect that for the Vermonters of Windham County, in southern Vermont, they have always known this lesson: a trustworthy and reliable police department is indispensable to a community's health.

In 1969, William began his work as sheriff in a department in which he was the only full-time employee. Since then, the department has grown to 20 full-time and an equal number of part-time employees. In Vermont, sheriffs' departments are responsible for transporting prisoners to and from criminal courts and with the paperwork from civil cases. But it hasn't been the duties that have given this sheriff's department distinction. Instead, Sheriff Graham's lengthy time in office has given his constituents the reliable and competent public service they deserve.

Even before being selected sheriff, William worked as a state police trooper and a parole officer. All-in-all, his work in law enforcement has spanned 48 years. I wish Sheriff Graham all the success in his retirement that he enjoyed during his long career. And especially so during hunting season.•

TRIBUTE TO KARYN BYE

• Mr. SMITH of New Hampshire. Mr. President, I rise today to pay tribute to Karyn Bye of Hudson, Wisconsin, for winning a silver medal in the women's ice hockey event at the 2002 Winter Olympics in Salt Lake City, Utah.

I commend Karyn for her exemplary skills and talents as an ice hockey player on the United States team. The women's ice hockey team rose to the occasion representing the country with dedication and pride during a fiercely competitive series of games at the Winter Olympics.

Karyn was a member of the 1998 United States Olympic ice hockey team in Nagano, Japan, and she also participated in the World Championships in Minneapolis, Minnesota in 2001, Mississauga, Ontario, Canada in 2000 and Espoo and Vantaa, Finland in 1999. She is a six-time World Championship silver medalist who received an Outstanding Performance Award in 1994.

Karyn earned a bachelor's degree from the University of New Hampshire in physical education and was the Community Ambassador with Alana Blahoski for the Minnesota Wild team of the National Hockey League. She enjoys outdoor sports including camping, fishing and water skiing in addition to her passion for ice hockey.

On behalf of the citizens of New Hampshire and the country, I applaud Karyn's Olympic award. Through her focus and dedication to the sport of ice hockey, she has earned the Olympic silver medal and the respect of her peers and fellow countrymen. Congratulations for a job well done and best wishes as you pursue your goals and dreams as an accomplished athlete. It is truly an honor and a privilege to represent you in the U.S. Senate.•

TRIBUTE TO SARAH TUETING

• Mr. SMITH of New Hampshire. Mr. President, I rise today to pay tribute to Sarah Tueting of Winnetka, Illinois, for winning a silver medal in the women's ice hockey event at the 2002 Winter Olympics.

I commend Sarah for her exemplary skills and talents as an ice hockey player on the United States team. The women's ice hockey team rose to the occasion representing the country with dedication and pride during a fiercely competitive series of games at the Winter Olympics.

Sarah was the gold medal winning goalie on the 1998 United States Olympic ice hockey team in Nagano, Japan, and is a three-time silver medalist at the World Championships. Sarah played collegiate hockey at Dartmouth College in Hanover, New Hampshire. After playing in one ice hockey competition at the 1997 World Championships, she focused her efforts on the 1998 Olympic Winter games. She graduated from Dartmouth with a degree in neurobiology and her aspiration is to become a doctor when her ice hockey career ends.

On behalf of the citizens of New Hampshire and the country, I applaud Sarah's Olympic award. Through her focus and dedication to the sport of ice hockey, she has earned the Olympic silver medal and the respect of her peers and fellow countrymen. Congratulations for a job well done and best wishes as you pursue your goals and dreams as an accomplished athlete. It is truly an honor and a privilege to represent you in the U.S. Senate.•

TRIBUTE TO BODE MILLER

• Mr. SMITH of New Hampshire. Mr. President, I rise today to pay tribute to Bode Miller of Franconia, New Hampshire, for winning silver medals in the men's alpine combined event and the men's giant slalom event at the 2002 Winter Olympics in Salt Lake City, Utah.

I commend Bode for his exemplary skill and talent as he receives this prestigious award. An accomplished skier, Bode has won other important skiing competitions including the 1998 United States champion in the giant slalom and a bronze medal at the 2001 Giant Slalom World Cup in Val d'Isere, France. His silver medal represents Bode's first Olympic medal in his second Olympic games.

Bode is a 1996 alumni from the Carrabassett Valley Academy in Maine, who earned a place on the U.S. Ski Team by placing third in slalom at the 1996 U.S. National Championship at Sugarloaf, Maine. By 1998, he was on the World Cup circuit full time and, at age 21, made his Olympic debut in Nagano.

On behalf of the citizens of New Hampshire and the country, I wish to congratulate Bode for his Olympic award. There has been no United States dominance in the field of men's slalom events since 1983. Through his focus and dedication to the sport of skiing, Bode has earned the Olympic silver medal and the respect of his peers and fellow countrymen. We all wish you the very best as you pursue your goals and dreams as accomplished

athlete. It is truly an honor and a privilege to represent you in the U.S. Senate.●

TRIBUTE TO TRICIA DUNN

● Mr. SMITH of New Hampshire. Mr. President, I rise today to pay tribute to Tricia Dunn of Derry, New Hampshire, for winning a silver medal in the women's ice hockey event at the 2002 Winter Olympics in Salt Lake City, Utah.

I commend Tricia for her exemplary skills and achievements as an ice hockey player on the United States team. The women's ice hockey team rose to the occasion representing our country with dedication and pride during a fiercely competitive series of games during the Winter Olympics.

Tricia was a member of the 1998 United States Olympic ice hockey team in Nagano, Japan. She also participated in World Championship competitions in Espoo and Vantaa, Finland in 1999, Mississauga, Ontario, Canada in 2000, and Minneapolis, Minnesota in 2001. As a World Champion, she is a four-time silver medalists.

Tricia is a graduate of the University of New Hampshire who has played at two Three Nations Cups and was a member of the University of New Hampshire women's ice hockey team that defeated Providence College to win the 1996 Eastern Collegiate Athletic Conference Championship.

On behalf of the citizens of New Hampshire and the country, I wish to congratulate Tricia for her Olympic award. Through her focus and dedication to the sport of ice hockey, she has earned the Olympic silver medal and the respect of her peers and fellow countrymen. Congratulations for a job well done and best wishes as you pursue your goals and dreams as an accomplished athlete. It is truly an honor and a privilege to represent you in the U.S. Senate.●

TRIBUTE TO KATIE KING

● Mr. SMITH of New Hampshire. Mr. President, I rise today to pay tribute to Katie King of Salem, New Hampshire, for winning a silver medal in the women's ice hockey event at the 2002 Winter Olympics in Salt Lake City, Utah.

I commend Katie for her exemplary skill and talent as an ice hockey player on the United States team. The women's ice hockey team rose to the occasion representing our country with dedication and pride in a fiercely competitive series of match ups during the Winter Olympics.

Katie was a member of the 1998 United States Olympic ice hockey team which earned the first gold medal in Nagano. She was the third-leading scorer during the 2000–2001 national team season and also scored a goal and seven assists at the 2001 World Championships.

During her senior year at Brown University, Katie was named as the Eastern Collegiate Athletic Conference's Player of the Year and also lead the Brown University Bears to an Ivy League softball title.

On behalf of the citizens of New Hampshire and the country, I congratulate Katie for her Olympic award. Through her focus and dedication to the sport of ice hockey, Katie has earned the Olympic silver medal and the respect of her peers and fellow countrymen. Best wishes as you pursue your goals and dreams as an accomplished athlete. It is truly an honor and a privilege to represent you in the U.S. Senate.●

TRIBUTE TO TARA MOUNSEY

● Mr. SMITH of New Hampshire. Mr. President, I rise today to pay tribute to Tara Mounsey of Concord, New Hampshire, for winning a silver medal in the women's ice hockey event at the 2002 Winter Olympics in Salt Lake City, Utah.

I commend Tara for her exemplary skills and achievements as an ice hockey player on the United States team. The women's ice hockey team rose to the occasion representing the country with dedication and pride during a fiercely competitive series of games at the Winter Olympics.

Tara was a member of the 1998 United States Olympic ice hockey team in Nagano, Japan, and she also participated in the 1999 World Championships in Espoo and Vantaa, Finland. She is a two-time silver medalist in World Championship competition in 1997 and 1999.

Tara won a silver medal at the 1996 IIHF Pacific Women's Championship where she was named Outstanding Performer. She played collegiate hockey at Brown University and was named as the 1995–1996 New Hampshire Hockey Player of the Year, the only female to ever win the award.

On behalf of the citizens of New Hampshire and the country, I applaud Tara's Olympic award. Through her focus and dedication to the sport of ice hockey, she has earned the Olympic silver medal and the respect of her peers and fellow countrymen. Congratulations for a job well done and best wishes as you pursue your goals and dreams as an accomplished athlete. It is truly an honor and a privilege to represent you in the U.S. Senate.●

CONGRATULATIONS RUSSELLVILLE MIDDLE SCHOOL

● Mr. BUNNING. Mr. President, today I rise to congratulate the hard-working members of the Russellville Middle School academic team for winning their third straight district championship in the district Governor's Cup tournament.

The academic team won the contest with ease, soundly beating the rest of the field with their intellectual prowess. Russellville Middle School students impressively placed in every single event and captured First Place finishes in the categories of quick recall and future problem-solving. I ask my fellow colleagues to join me in specially recognizing Jonathan White, Ben Kees, and Nikki Koller for placing first in their individual categories. Throughout the school year, the Russellville team has diligently worked together towards achieving this goal and proved that teamwork leads to success.

I commend the Russellville Academic team for their commitment to their studies and applaud them on winning their third consecutive district Governor's Cup title. I wish them and all participating the best of luck in the upcoming regional tournament.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Evans, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 9:49 a.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 2356. An act to amend the Federal Election Campaign Act of 1971 to provide bipartisan campaign reform.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

H.R. 2356. An act to amend the Federal Election Campaign Act of 1971 to provide bipartisan campaign reform.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC–5501. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Notice 2001–64—Leave-based Donation Program'' received on February 20, 2002; to the Committee on Finance.

EC–5502. A communication from the Regulations Officer, Federal Highway Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revision of the Manual on

Uniform Traffic Control Devices; Accessible Pedestrian Signs'' (RIN2125–AE83) received on February 20, 2002; to the Committee on Environment and Public Works.

EC–5503. A communication from the Director of the Office of Federal Housing Enterprise Oversight, transmitting, pursuant to law, the report of a rule entitled ''Risk-Based Capital'' (RIN2550–AA23) received on February 20, 2002; to the Committee on Banking, Housing, and Urban Affairs.

EC–5504. A communication from the Assistant to the Board of Governors, Federal Reserve System, transmitting, pursuant to law, the report of a rule entitled ''Amendment to Regulation T (Credit by Brokers and Dealers); Foreign Margin Stock List'' received on February 20, 2002; to the Committee on Banking, Housing, and Urban Affairs.

EC–5505. A communication from the Director of the Office of Personnel Management, The Presidents' Pay Agent, transmitting, pursuant to law, a report relative to locality-based comparability payments to categories of positions that are in more than one executive agency; to the Committee on Governmental Affairs.

EC–5506. A communication from the Acting General Counsel, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, the report of a nomination confirmed for the position of Deputy Director, received on February 20, 2002; to the Committee on Governmental Affairs.

EC–5507. A communication from the Acting Director of the Office of Surface Mining, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Louisiana Regulatory Program'' (LA–021–FOR) received on February 21, 2002; to the Committee on Energy and Natural Resources.

EC–5508. A communication from the Acting Director of the Office of Surface Mining, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Kansas Regulatory Program'' (KS–022–FOR) received on February 21, 2002; to the Committee on Energy and Natural Resources.

EC–5509. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Animals Destroyed Because of Tuberculosis; Payment of Indemnity'' (Doc. No. 00–106–1) received on February 21, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5510. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Change in Disease Status of the Czech Republic Because of BSE'' (Doc. No. 01–062–1) received on February 21, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5511. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Phytophthora Ramorum; Quarantine and Regulations'' (Doc. No. 01–054–1) received on February 21, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5512. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Limited Ports of Entry for Pet Birds, Performing or Theatrical Birds, and Poultry and Poultry Products'' (Doc. No. 01–121–1) received on February 21, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5513. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Chronic Wasting Disease in Cervids; Payment of Indemnity'' (Doc. No. 00–108–1) received on February 21, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5514. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Karnal Bunt; Regulated Areas'' (Doc. No. 01–058–2) received on February 21, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5515. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Change in Disease Status of Germany, Italy, and Spain Because of BSE'' (Doc. No. 01–008–2) received on February 21, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5516. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Commercial Transportation of Equines to Slaughter'' (Doc. No. 98–074–2) received on February 21, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5517. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Karnal Bunt; Regulated Areas'' (Doc. No. 00–088–2) received on February 21, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5518. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Citrus Canker; Additions to Quarantined Areas'' (Doc. No. 00–036–3) received on February 21, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5519. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Karnal Bunt; Regulated Areas'' (Doc. No. 01–063–2) received on February 21, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5520. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Export Certification; Canadian Solid Wood Packing Materials Exported from the United States to China'' (Doc. No. 99–100–4) received on February 21, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5521. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Commuted Traveltime Periods; Overtime Services Relating to Imports and Exports'' (Doc. No. 01–111–1) received on February 21, 2002 ; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5522. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Imported Fire Ant; Additions to Quarantined Area'' (Doc. No. 01–081–1) received on February 21, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5523. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Change in Disease Status of the Netherlands and Northern Ireland with Regard to Foot-and-Mouth Disease'' (Doc. No. 01–031–3) received on February 21, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5524. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''States Approved to Received Stallions and Mares from CEM-Affected Regions; Rhode Island'' (Doc. No. 01–055–2) received on February 21, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5525. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Change in Disease Status of Japan with Regard to Foot-and-Mouth Disease'' (Doc. No. 01–010–2) received on February 21, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5526. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Hot Water Treatment for Limes'' (Doc. No. 99–081–2) received on February 21, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5527. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Interstate Movement of Swine Within a Production System'' (Doc. No. 98–023–2) received on February 21, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5528. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Prohibition of Beef from Argentina'' (Doc. No. 01–032–2) received on February 21, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5529. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Change in Disease Status of the Republic of San Marino and the Independent Principalities of Andorra and Monaco'' (Doc. No. 01–029–2) received on February 21, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5530. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Brucellosis in Cattle; State and Area Classification; Florida'' (Doc. No. 01–020–2) received on February 21, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5531. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Hot Water Treatment for Limes'' (Doc. No. 99–081–1) received on February 21, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5532. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Horses from Iceland; Quarantine Requirements'' (Doc. No. 00–010–2) received on February 21, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5533. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Change in Disease Status of France and Ireland with Regard to Foot-and-Mouth Disease'' (Doc. No. 01–031–2) received on February 21 , 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5534. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Mexican Hass Avocado Import Program'' (Doc. No. 00–003–4) received on February 21, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5535. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Oriental Fruit Fly; Designation of Quarantined Area'' (Doc. No. 01–102–1) received on February 21, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5536. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''States Approved to Receive Stallions and Mares from CEM-Affected Regions; Rhode Island'' (Doc. No. 01–055–1) received on February 21, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5537. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Change in Disease Status of Greece because of BSE'' (Doc. No. 01–065–1) received on February 21, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5538. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''District of Columbia; Movement of Plants and Plant Products'' (Doc. No. 00–085–2) received on February 21, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5539. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Mediterranean Fruit Fly; Addition to Quarantined Areas'' (Doc . No. 01–093–1) received on February 21, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5540. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Change in Disease Status of Slovakia and Slovenia because of BSE'' (Doc. No. 01–122–1) received on February 21, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5541. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Importation of Unshu Oranges from Kyushu and Honshu Islands, Japan'' (Doc. No. 99–099–2) received on February 21, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5542. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Asian Longhorned Beetle; Addition to Quarantined Areas'' (Doc . No. 01–092–1) received on February 21, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5543. A communication from the Director of the Policy Directives and Instructions Branch, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Termination of the Designation of Argentina as a Participant under the Visa Waiver Program'' (RIN1115–AB93) received on February 21, 2002; to the Committee on the Judiciary.

EC–5544. A communication from the Deputy Archivist of the United States, National Archives and Records Administration, transmitting, pursuant to law, the report of a rule entitled ''Research Room Procedures'' (RIN3095–AB01) received on February 25, 2002; to the Committee on Governmental Affairs.

EC–5545. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Pension Plan Etc., Cost-of-Living Adjustments for 2002'' (Notice 2001–84) received on February 19, 2002; to the Committee on Finance.

EC–5546. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Tax Treatment Regarding Options in Spin-Offs'' (Rev.Rul. 2002–1, 2002–2) received on February 19, 2002; to the Committee on Finance.

EC–5547. A communication from the Chief, Regulations Branch, United States Customs Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Civil Assets Forfeiture'' (RIN1515–AC69) received on February 25, 2002; to the Committee on Finance.

EC–5548. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality State Implementation Plans; Georgia: Control of Gasoline Sulfur and Volatility'' (FRL7148–4) received on February 25, 2002; to the Committee on Environment and Public Works.

EC–5549. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Minnesota'' (FRL7139–8) received on February 25, 2002; to the Committee on Environment and Public Works.

EC–5550. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Maryland Nitrogen Oxide Averaging Plan for Constellation Power Source Generation'' (FRL7144–5) received on February 25, 2002; to the Committee on Environment and Public Works.

EC–5551. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Delaware: Final Authorization of State Hazardous Waste Management Program Revision'' (FRL7149–9) received on February 25, 2002; to the Committee on Environment and Public Works.

EC–5552. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Interim Final Determination that the State of California Has Corrected Deficiencies and Stay of Sanctions, Kern County Air Pollution Control District'' (FRL7139–2) received on February 25, 2002; to the Committee on Environment and Public Works.

EC–5553. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Interim Final Determination that the State of California Has Corrected Deficiencies and Stay of Sanctions, San Joaquin Valley Unified Air Pollution Control District'' (FRL7146–1) received on February 25, 2002; to the Committee on Environment and Public Works.

EC–5554. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''National Emission Standards for Hazardous Air Pollutants from Natural Gas Transmission and Storage Facilities'' (FRL7148–7) received on February 25, 2002; to the Committee on Environment and Public Works.

EC–5555. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Revisions to the California State Implementation Plan, Bay Area Air Quality Management District'' (FRL7146–7) received on February 25, 2002; to the Committee on Environment and Public Works.

EC–5556. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Revisions to the California State Implementation Plan, Kern County Air Pollution Control District'' (FRL7139–1) received on February 25, 2002; to the Committee on Environment and Public Works.

EC–5557. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Revisions to the California State Implementation Plan, San Joaquein Valley Air Pollution Control District'' (FRL7145–8) received on February 25, 2002; to the Committee on Environment and Public Works.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. LEVIN for the Committee on Armed Services.

*Air Force nomination of Maj. Gen. Steven R. Polk.

*Air Force nomination of Maj. Gen. John R. Baker.

*Air Force nomination of Lt. Gen. Lance W. Lord.

Mr. LEVIN. Mr. President, for the Committee on Armed Services I report favorably the following nomination lists which were printed in the RECORDS on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

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

Army nomination of Leslie C. Smith II.

Air Force nomination of David E. Blum.

Air Force nominations beginning James C. Cooper II and ending John J. Kupko II, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on December 20, 2001.

Air Force nominations beginning Linda F. Jones and ending Robert J. King, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on January 23, 2002.

Air Force nomination of Dan Rose.

Air Force nominations beginning Douglas W. Knighton and ending Robert J. Semrad, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on January 23, 2002.

Air Force nominations beginning Richard E. Horn and ending Mark A. Weiner, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on January 23, 2002.

Army nominations beginning Franklin E. Limerick, Jr. and ending Gary J. Thorstenson, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on January 23, 2002.

Army nominations beginning Darlene S. Collins and ending Michael J. Wagner, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on January 23, 2002.

Air Force nominations beginning Vincent G. Debono, Jr. and ending Amy M. Rowe, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on January 28, 2002.

Air Force nominations beginning Kathryn L. Aasen and ending Justin N. Zumstein, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on January 28, 2002.

Air Force nominations beginning Melissa A. * Aerts and ending Richard M. Zwirko, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on January 28, 2002.

Air Force nominations beginning Todd E. Abbott and ending Stephen J. Zimmermann, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on January 28, 2002.

Army nominations beginning Gary J. Brockington and ending Donna M. Wright, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on January 28, 2002.

Marine Corps nominations beginning Robert J Abblitt and ending Carl J. Woods, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on January 28, 2002.

Marine Corps nominations beginning Donald A. Barnett and ending Nicolas

R. Wisecarver, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on January 28, 2002.

Air Force nominations beginning* Kirby D. Amonson and ending* Dalton P. Wilson, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on January 28, 2002.

Air Force nominations beginning Sandra G. Mathews and ending Margaret M. Nonnemacher, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on January 29, 2002.

Air Force nominations beginning Rebecca A. Dobbs and ending Max S. Kush, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on January 29, 2002.

Air Force nominations beginning Ernest H. Barnett and ending Ronald W. Schmidt, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on January 29, 2002.

Air Force nominations beginning Sandra H. Alford and ending Francis C. Zucconi, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on January 29, 2002.

Air Force nominations beginning Raul A. Aguilar and ending Gilbert L. Wergowske, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on January 29, 2002.

Air Force nominations beginning Larry W. Alexander and ending Claudia R. Ziebis, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on January 29, 2002.

Marine Corps nominations beginning Albert R Adler and ending Peter D. Zoretic, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on February 11, 2002.

Army nominations beginning Marian Amrein and ending Steven M Walters, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on February 15, 2002.

Navy nominations beginning Gregory W. Kirwan and ending Matthew M. Scott, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on February 5, 2002.

Navy nominations beginning Michael J. Adams and ending Scott A. Suozzi, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on February 5, 2002.

Navy nomination of John J. Whyte.

Navy nominations beginning Kelly V Ahlm and ending Thomas A Winter, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on February 11, 2002.

Navy nominations beginning Rene V Abadesco and ending Mark W Yates, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on February 11, 2002.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. DOMENICI:

S. 1964. A bill to direct the Secretary of the Interior to make a grant to the Hubbard Museum of the American West in Lincoln County, New Mexico; to the Committee on Energy and Natural Resources.

By Mr. WELLSTONE:

S. 1965. A bill to meet the mental health and substance abuse treatment needs of incarcerated children and youth; to the Committee on the Judiciary.

By Mr. BIDEN:

S. 1966. A bill to educate health professionals concerning substance abuse and addiction; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KERRY:

S. 1967. A bill to amend title XVIII of the Social Security Act to improve outpatient vision services under part B of the medicare program; to the Committee on Finance.

By Mr. HOLLINGS:

S. 1968. A bill to authorize the Secretary of Transportation to issue a certificate of documentation and coastwise trade endorsement for the vessel THE ISLANDER; to the Committee on Commerce, Science, and Transportation.

By Mr. HUTCHINSON (for himself, Mr. LOTT, and Mr. GREGG):

S. 1969. A bill to amend title I of the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to provide additional protections to participants and beneficiaries in individual account plans from excessive investment in employer securities and to promote the provision of retirement investment advice to workers managing their retirement income assets, and to amend the Securities Exchange Act of 1934 to prohibit insider trades during any suspension of the ability of plan participants or beneficiaries to direct investment away from equity securities of the plan sponsor; to the Committee on Health, Education, Labor, and Pensions.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. LOTT (for himself, Mr. DASCHLE, Mr. SMITH of New Hampshire, Mr. WARNER, Mr. ALLEN, Ms. SNOWE, Ms. COLLINS, and Mr. SPECTER):

S. Res. 212. A resolution expressing the condolences of the Senate to the family of Daniel Pearl; considered and agreed to.

ADDITIONAL COSPONSORS

S. 177

At the request of Mr. AKAKA, the name of the Senator from New Hampshire (Mr. GREGG) was added as a cosponsor of S. 177, a bill to amend the provisions of title 39, United States Code, relating to the manner in which pay policies and schedules and fringe benefit programs for postmasters are established.

S. 459

At the request of Mr. BUNNING, the name of the Senator from Idaho (Mr. CRAIG) was added as a cosponsor of S. 459, a bill to amend the Internal Revenue Code of 1986 to reduce the tax on vaccines to 25 cents per dose.

S. 743

At the request of Mr. REED, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 743, a bill to establish a medical education trust fund, and for other purposes.

S. 1030

At the request of Mr. CONRAD, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 1030, a bill to improve health care in rural areas by amending title XVIII of the Social Security Act and the Public Health Service Act, and for other purposes.

S. 1129

At the request of Mr. WARNER, the name of the Senator from Ohio (Mr.

VOINOVICH) was added as a cosponsor of S. 1129, a bill to increase the rate of pay for certain offices and positions within the executive and judicial branches of the Government, respectively, and for other purposes.

S. 1248

At the request of Mr. KERRY, the names of the Senator from Louisiana (Ms. LANDRIEU) and the Senator from New York (Mrs. CLINTON) were added as cosponsors of S. 1248, a bill to establish a National Housing Trust Fund in the Treasury of the United States to provide for the development of decent, safe, and affordable, housing for low-income families, and for other purposes.

S. 1278

At the request of Mrs. LINCOLN, the name of the Senator from Virginia (Mr. ALLEN) was added as a cosponsor of S. 1278, a bill to amend the Internal Revenue Code of 1986 to allow a United States independent film and television production wage credit.

S. 1482

At the request of Mr. HARKIN, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. 1482, a bill to consolidate and revise the authority of the Secretary of Agriculture relating to protection of animal health.

S. 1712

At the request of Mr. GRASSLEY, the name of the Senator from Kentucky (Mr. MCCONNELL) was added as a cosponsor of S. 1712, a bill to amend the procedures that apply to consideration of interstate class actions to assure fairer outcomes for class members and defendants , and for other purposes.

S. 1749

At the request of Mr. KENNEDY, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. 1749, a bill to enhance the border security of the United States, and for other purposes.

S. 1863

At the request of Mr. GRAHAM, the name of the Senator from Texas (Mr. GRAMM) was added as a cosponsor of S. 1863, a bill to amend the Internal Revenue Code of 1986 to clarify treatment for foreign tax credit limitation purposes of certain transfers of intangible property.

S. 1899

At the request of Mr. BROWNBACK, the name of the Senator from Oklahoma (Mr. NICKLES) was added as a cosponsor of S. 1899, a bill to amend title 18, United States Code, to prohibit human cloning.

S. 1911

At the request of Mr. INHOFE, the names of the Senator from Hawaii (Mr. AKAKA), the Senator from North Dakota (Mr. CONRAD), and the Senator from Mississippi (Mr. COCHRAN) were added as cosponsors of S. 1911, a bill to amend the Community Services block Grant Act to reauthorize national and regional programs designed to provide instructional activities for low-income youth.

S. 1917

At the request of Mr. BINGAMAN, his name was added as a cosponsor of S. 1917, a bill to provide for highway infrastructure investment at the guaranteed funding level contained in the Transportation Equity Act for the 21st Century.

At the request of Mr. JEFFORDS, the names of the Senator from Vermont (Mr. LEAHY), the Senator from Maryland (Mr. SARBANES), the Senator from New Jersey (Mr. TORRICELLI), the Senator from Michigan (Mr. LEVIN), the Senator from Florida (Mr. NELSON), the Senator from New York (Mr. SCHUMER), and the Senator from Louisiana (Ms. LANDRIEU) were added as cosponsors of S. 1917, supra.

S. 1934

At the request of Ms. MIKULSKI, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 1934, a bill to amend the Law Enforcement Pay Equity Act of 2000 to permit certain annuitants of the retirement programs of the United States Park Police and United States Secret Service Uniformed Division to receive the adjustments in pension benefits to which such annuitants would otherwise be entitled as a result of the conversion of members of the United States Park Police and United States Secret Service Uniformed Division to a new salary schedule under the amendments made by such Act.

S. 1961

At the request of Mr. GRAHAM, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 1961, a bill to improve financial and environmental sustainability of the water programs of the United States.

S.J. RES. 10

At the request of Mr. KENNEDY, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S.J. Res. 10, a joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for women and men.

S. RES. 209

At the request of Mr. SMITH of New Hampshire, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. Res. 209, a resolution to express the sense of the Senate regarding prenatal care for women and children.

AMENDMENT NO. 2907

At the request of Mr. ROBERTS, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of amendment No. 2907 intended to be proposed to S. 565, a bill to establish the Commission on Voting Rights and Procedures to study and make recommendations regarding election technology, voting, and election administration, to establish a grant program under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uniform and nondiscriminatory election technology and administration requirements for the 2004 Federal elections, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DOMENICI:

S. 1964. A bill to direct the Secretary of the Interior to make a grant to the Hubbard Museum of the American West in Lincoln County, New Mexico; to the Committee on Energy and Natural Resources.

Mr. DOMENICI. Mr. President, I am pleased to introduce this bill which authorizes the expansion of the Hubbard Museum of the American West in Lincoln County, NM. Specifically, this bill would allow the Secretary of Interior to make a grant of up to $4.5 million dollars to cover the Federal share of the museum's expansion.

The Hubbard Museum of the American West has been serving the public since 1993. Opened that year under the name of The Museum of the Horse, the museum welcomed 25,000 visitors in its first full year of operations. Current annual attendance is 130,000 visitors at three locations and one special event within Lincoln County.

As attendance and programs have grown, the museum no longer has the space or facilities to meet the needs of expanded exhibitions and programs. In addition, the Hubbard museum's recent affiliation with the Smithsonian Institute allows the museum to receive artifacts and other collections from the Smithsonian that can be exhibited for the benefit of the public. The Hubbard museum cannot fully serve the visitors or expand its exhibitions and programs without additional space.

The Hubbard Museum of the American West seeks to dramatically expand its facility in order to increase tourism and job development in Lincoln County, NM. This expansion will allow the museum to fully take advantage of its affiliate status with the Smithsonian, address additional needs for collection storage and collection preservation, through climate control, and will provide permanent jobs for an economically challenged region. Early estimates indicate that the project will bring 25 short-term construction jobs and 15 full time museum jobs to Lincoln County. In addition, the expanded tourist attraction will allow an estimated 100 additional jobs to be created throughout the community.

Lincoln County is consistently ranked in the bottom third for income levels in New Mexico, a State that is ranked at the bottom of most income level charts. The citizens of Lincoln and northern Otero counties include Native American, Hispanic Americans, and Anglo-American ethnic groups. It is estimated that one third of the new museum employees will come from each of these ethnic groups. Of special concern is the hiring of a Native American who will act as a curator for the

extensive Native American artifacts that the museum owns and cares for. The museum also plans to add Hispanic staff members to its visitor services division as Spanish speaking visitors make up an estimated 20 percent of the annual visitation. Additionally, the museum plans to work with the New Mexico Department of Labor to identify individuals who can be brought off welfare or less meaningful employment to work for the museum.

The Hubbard Museum has a long history of providing free consulting and operating help to museums and not-for-profit organizations in Lincoln County. It is a true asset and I am pleased to introduce a bill that will help continue these worthwhile efforts.

I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1964

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

SECTION 1. HUBBARD MUSEUM OF THE AMERICAN WEST, NEW MEXICO.

(a) IN GENERAL.—Subject to the availability of appropriations, the Secretary of the Interior shall make a grant to the Hubbard Museum of the American West in Lincoln County, New Mexico, to pay the Federal share of the cost of expanding the museum.

(b) FEDERAL SHARE.—The Federal share shall be 75 percent.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $4,500,000 for fiscal year 2003, to remain available until expended.

By Mr. WELLSTONE.

S. 1965. A bill to meet the mental health and substance abuse treatment needs of incarcerated children and youth; to the Committee on the Judiciary.

Mr. WELLSTONE. Mr. President, I rise today to reintroduce the Mental Health Juvenile Justice Act of 2002. As many of my colleagues know, increasing numbers of children with mental disorders are entering the juvenile justice system. Each year, more than one million children come into contact with the justice system, and twenty percent of those who are incarcerated have a serious mental illness. Many of these children are, in effect, dumped on the justice system because of cuts in mental health services in the community. These children are overwhelmingly poor, a disproportionate number are children of color, and most come from troubled homes.

Contrary to what many believe, most children who are locked up are not violent. Justice Department studies show that only one in twenty children in the juvenile system has committed a violent offense. Most children with mental disorders have committed minor, nonviolent offenses or status offenses, such as petty theft or skipping school. Still others have simply run away from home to escape physical or sexual abuse from parents or other adults. Whenever possible, these children should be diverted from the juvenile justice system and toward community-based services, including mental health and substance abuse treatment as needed. Because some children with mental disorders commit serious and violent offenses, it is not always possible to divert them from incarceration. Nevertheless, these children need treatment for their disorders to aid in their inevitable return to the community.

Children with mental illness are largely untreated in the current system, although this may contribute to the child's delinquency. The difficult and sometimes deplorable conditions that prevail in detention centers and youth prisons exacerbate the problems of these children. Mental health services both prevent them from committing delinquent offenses and from re-offending. If appropriate mental health care is not provided, our country will pay a higher price in repeated incarcerations, substance abuse, and even suicides.

The Mental Health Juvenile Justice Act of 2002, if enacted into law, will go a long way to help address the needs of these children. This measure outlines a comprehensive federal strategy for providing critical assistance to children with mental illness in our juvenile justice system. It would:

Train state judges, probation officers, and others on the identification and need for appropriate treatment of mental disorders and substance abuse, and on the use of community-based alternatives to placement in juvenile correctional facilities;

Provide block grant funds and competitive grants to the states and localities to develop mental health diversion programs for children who come into contact with the justice system, by strengthening the collaboration of community agencies serving troubled children, and to provide mental health treatment for incarcerated children with emotional disorders;

Establish a Federal Council on the Criminalization of Youth with Mental Disorders to report to Congress on proposed legislation to improve the treatment of mentally ill children who come into contact with the justice system; and

Remove the most damaging provisions of the Prison Litigation Reform Act of 1996, by giving back to the federal courts important tools to remedy abusive conditions in state facilities under which juvenile offenders and mentally ill prisoners are being held.

We can no longer ignore this tragedy. The neglect of youth with emotional disturbances in our prisons must end. We as a society have the moral obligation to see that they get the help they need.

By Mr. BIDEN.

S. 1966. A bill to educate health professionals concerning substance abuse and addiction; to the Committee on Health, Education, Labor, and Pensions.

Mr. BIDEN. Mr. President, I rise today to introduce legislation to address the problem of substance abuse in our country.

Last year the Robert Wood Johnson Foundation called substance abuse America's number one health problem. I don't think that overstates it.

Most of us know someone, a family member, maybe a neighbor, a colleague, or a friend, who is addicted to drugs or alcohol. In fact, 14 million people in this country abuse alcohol or are alcoholics. Nearly 15 million use drugs. And nearly four million are in need of treatment but not receiving it.

Drug and alcohol abuse has far reaching consequences. It exacerbates social ills. It's a public safety problem. It's a public health problem. It's a public expenditure problem. There is an undeniable correlation between substance abuse and crime. Eighty percent of the two million men and women behind bars today have a history of drug and alcohol abuse or addiction or were arrested for a drug-related crime. Illegal drugs are responsible for thousands of deaths each year. They fuel the spread of AIDS and Hepatitis C. They contribute to child abuse, domestic violence, and sexual assault. And we all pay the price.

It costs this Nation almost $276 billion in law enforcement, criminal justice expenses, medical bills, and lost earnings each year. That means that preventing and treating substance abuse makes sense. It makes good criminal justice sense. It makes public health sense. It makes budgetary sense. Not to mention the fact that it's the right thing to do.

Yet there remains a reluctance to recognize substance abuse as a health issue. There's a reluctance to accept addiction as a disease. It's a reluctance that has kept public policy from asserting that addicts should be in treatment. Whether addicts are in prison or out, it seems to me, treatment is the only legitimate choice.

Not only must we authorize it, we must take full advantage of the treatments that have been developed.

For too long, access to effective therapies, such as methadone and LAAM for heroin addiction, has been strangled by layers of bureaucracy and regulation. The result is that only 22 percent of opiate addicts are now receiving pharmaco-therapy treatment.

Yet, when I introduced a bill during the last Congress with Senators HATCH, LEVIN and MOYNIHAN to help improve access by allowing qualified doctors to prescribe certain anti-addiction drugs such as buprenorphine right from their offices, just like other medicines, the bill initially met with resistance.

But, because the facts about addiction are finally beginning to sink in, 69 percent of Americans now support treatment instead of jail as the primary focus for drug abusers, and because we were frustrated enough to be

persistent, the bill eventually passed and President Clinton signed it into law.

But it's not only about increasing access to treatment. It is also about moving treatment into the medical mainstream. Unless family doctors, nurses, physician assistants and social workers can identify addiction when they see it, unless they know how to intervene, we will never make any real progress.

That aspect of the challenge came into sharp focus for me when I read a report a few years ago by The National Center on Addiction and Substance Abuse at Columbia University, CASA.

That report said that fewer than one percent of doctors presented with the classic profile of an alcoholic older woman could diagnose it properly. Eighty-two percent mis-diagnosed it as depression, some treatments for which are dangerous when taken with alcohol. A follow-up study showed that 94 percent of primary care physicians fail to diagnose substance abuse when presented with the classic symptoms. And 41 percent of pediatricians fail to diagnose illegal drug use in teenage patients.

No one recognizes this problem better than the doctors themselves. Fewer than one in five, only 19 percent, feel confident about diagnosing alcoholism. And only 17 percent feel qualified to identify illegal drug use. Having said that, even if they diagnose it, most doctors don't believe that treatment works.

Among practitioners, as well as policy makers, we need to get the message out. It needs to be loud and clear. Addiction is a chronic relapsing disease, and as with other such diseases, while there may not be a cure, medical treatment can help control it.

The medical professionals have to be educated to recognize the signs of substance abuse and to pursue the effective therapies that are available. That is why I am introducing legislation to create a grant program to train medical professionals to prevent and recognize addiction and refer patients to treatment if they need it. Representative Patrick Kennedy will introduce companion legislation in the House of Representatives.

Like treatment, training works.

According to a study published in the Brown University Digest of Addiction Theory and Application, 91 percent of health professionals who took part in training on addiction at Boston University were using the techniques they learned one to five years later.

Every family doctor does not need to be an addiction specialist, but they do need to be able to recognize the signs. And they need to know what help is available.

It's another step, and, in my view, a crucial one, to help bridge the divide between research and practice. It will help chip away at the incredible substance abuse-related costs we face each year in human as well as monetary terms.

I hope that my colleagues will join me to support this important legislation. I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1966

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Health Professionals Substance Abuse Education Act''.

SEC. 2. FINDINGS AND PURPOSE.

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

(1) Illegal drugs and alcohol are responsible for thousands of deaths each year, and they fuel the spread of a number of communicable diseases, including AIDS and Hepatitis C, as well as some of the worst social problems in the United States, including child abuse, domestic violence, and sexual assault.

(2) There are an estimated 14,800,000 current drug users in America, more than 4,000,000 of whom are addicts. An estimated 14,000,000 Americans abuse alcohol or are alcoholic.

(3) There is a significant treatment gap in the United States. Nearly 4,000,000 drug users who are in need of immediate treatment are not receiving it. This includes more than 1,200,000 children ages 12 to 25. These numbers do not take into account the number of alcoholics in need of treatment.

(4) There are more than 28,000,000 children of alcoholics in America, almost 11,000,000 of whom are under 18 years of age. Countless other children are affected by substance abusing parents or other caretakers. Health professionals are uniquely positioned to help reduce or prevent alcohol and other drug-related impairment by identifying affected families and youth and by providing early intervention.

(5) Drug addiction is a chronic relapsing disease. As with other chronic relapsing diseases (such as diabetes, hypertension and asthma), there is no cure, although a number of treatments can effectively control the disease. According to an article published in the Journal of the American Medical Association, treatment for addiction works just as well as treatment for other chronic relapsing diseases.

(6) Drug treatment is cost effective, even when compared with residential treatment, the most expensive type of treatment. Residential treatment for cocaine addiction costs between $15,000 and $20,000 a year, a substantial savings compared to incarceration (costing nearly $40,000 a year), or untreated addiction (costing more than $43,000 a year). Also, in 1998, substance abuse and addiction accounted for approximately $10,000,000,000 in Federal, State, and local government spending simply to maintain the child welfare system. The economic costs associated with fetal alcohol syndrome were estimated at $1,900,000,000 for 1992.

(7) Many doctors and other health professionals are unprepared to recognize substance abuse in their patients or their families and intervene in an appropriate manner. Only 56 percent of residency programs have a required curriculum in preventing or treating substance abuse.

(8) Fewer than 1 in 5 doctors (only 19 percent) feel confident about diagnosing alcoholism, and only 17 percent feel qualified to identify illegal drug use.

(9) Most doctors who are in a position to make a diagnosis of alcoholism or drug addiction do not believe that treatment works (less than 4 percent for alcoholism and only 2 percent for drugs).

(10) According to a survey by the National Center on Addiction and Substance Abuse at Columbia University (referred to in this section as ''CASA''), 94 percent of primary care physicians and 40 percent of pediatricians presented with a classic description of an alcoholic or drug addict, respectively, failed to properly recognize the problem.

(11) Another CASA report revealed that fewer than 1 percent of doctors presented with the classic profile of an alcoholic older woman could diagnose it properly. Eighty-two percent misdiagnosed it as depression, some treatments for which are dangerous when taken with alcohol.

(12) Training can greatly increase the degree to which medical and other health professionals screen patients for substance abuse. It can also increase the manner by which such professionals screen children and youth who may be impacted by the addiction of a parent or other primary caretaker. Boston University Medical School researchers designed and conducted a seminar on detection and brief intervention of substance abuse for doctors, nurses, physician's assistants, social workers and psychologists. Follow-up studies reveal that 91 percent of those who participated in the seminar report that they are still using the techniques up to 5 years later.

(13) According to the National Clearinghouse for Alcohol and Drug Information, drug and alcohol abuse account for more than $400,000,000,000 in health care costs each year. Arming health care professionals with the information they need in order to intervene and prevent further substance abuse could lead to a significant cost savings.

(14) A study conducted by doctors at the University of Wisconsin found a $947 net savings patient in health care, accident, and criminal justice costs for each individual screened and, if appropriate, for whom intervention was made, with respect to alcohol problems.

(b) PURPOSE.—It is the purpose of this Act to—

(1) improve the ability of health care professionals to identify and assist their patients with substance abuse;

(2) improve the ability of health care professionals to identify and assist children and youth affected by substance abuse in their families; and

(3) help establish an infrastructure to train health care professionals about substance abuse issues.

SEC. 3. HEALTH PROFESSION EDUCATION.

(a) SECRETARY OF HEALTH AND HUMAN SERVICES.—The Secretary of Health and Human Services may enter into interagency agreements with the Health Resources Services Administration or the Substance Abuse and Mental Health Services Administration to enable each such Administration to carry out activities to train health professionals (who are generalists and not already specialists in substance abuse) so that they are competent to—

(1) recognize substance abuse in their patients or the family members of their patients;

(2) intervene, treat, or refer for treatment those individuals who are affected by substance abuse;

(3) identify and assist children of substance abusing parents; and

(4) serve as advocates and resources for community-based substance abuse prevention programs.

(b) USE OF FUNDS.—Amounts received under an interagency agreement under this section shall be used—

(1) with respect to the Health Resources and Services Administration, to support the

Association for Medical Education and Research in Substance Abuse (AMERSA) Interdisciplinary Project; and

(2) with respect to the Substance Abuse and Mental Health Services Administration, to support the Addiction Technology Transfer Centers counselor training programs to train other health professionals.

(c) COLLABORATION.—To be eligible to enter into an interagency agreement under this section the Health Resources and Services Administration or the Substance Abuse and Mental Health Services Administration shall demonstrate that such Administration will participate in interdisciplinary collaboration and collaborate with other nongovernmental organizations with respect to activities carried out under this section.

(d) EVALUATIONS.—The Health Resources and Services Administration and the Substance Abuse and Mental Health Services Administration shall conduct a process and outcome evaluation of the programs and activities carried out with funds received under this section, and shall provide semi-annual reports to the Secretary of Health Human Services and the Director of the Office of National Drug Control Policy.

(e) DEFINITIONS.—In this section—

(1) the term ''health professional'' means a doctor, nurse, physician assistant, nurse practitioner, social worker, psychologist, pharmacist, osteopath, or other individual who is licensed, accredited, or certified under State law to provide specified health care services and who is operating within the scope of such licensure, accreditation, or certification; and

(2) the terms ''doctor'', ''nurse'', ''physician assistant'', ''nurse practitioner'', ''social worker'', ''psychologist'', ''pharmacist'', and ''osteopath'' shall have the meanings given such terms for purposes of titles VII and VIII of the Public Health Service Act (42 U.S.C. 292 et seq and 296 et seq.).

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $5,500,000 for each of fiscal years 2002 through 2006, of which $1,000,000 in each such fiscal year shall be made available to the Substance Abuse and Mental Health Services Administration and $4,500,000 in each such fiscal year shall be made available to the Health Resources and Services Administration, to carry out this section. Amounts made available under this subsection shall be used to supplement and not supplant amounts being used on the date of enactment of this Act for activities of the types described in this section.

SEC. 4. SUBSTANCE ABUSE FACULTY FELLOWSHIP.

(a) ESTABLISHMENT.—The Secretary of Health and Human Services (referred to in this section as the ''Secretary'') shall establish and administer a substance abuse faculty fellowship program under which the Secretary shall provide assistance to eligible institutions to enable such institutions to employ individuals to serve as faculty and provide substance abuse training in a multidiscipline manner.

(b) ELIGIBILITY.—

(1) INSTITUTIONS.—To be eligible to receive assistance under this section, an institution shall—

(A) be an accredited medical school or nursing school, or be an institution of higher education that offers one or more of the following—

(i) an accredited physician assistant program;

(ii) an accredited nurse practitioner program;

(iii) a graduate program in pharmacy;

(iv) a graduate program in public health;

(v) a graduate program in social work; or

(vi) a graduate program in psychology; and

(B) prepare and submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

(2) INDIVIDUALS.—To be eligible to receive a fellowship from an eligible institution under this section, an individual shall prepare and submit to the institution an application at such time, in such manner, and containing such information as the institution may require.

(c) USE OF FUNDS.—

(1) IN GENERAL.—An eligible institution shall utilize assistance received under this section to provide one or more fellowships to eligible individuals. Such assistance shall be used to pay not to exceed 50 percent of the annual salary of the individual under such a fellowship for a 5-year period.

(2) FELLOWSHIPS.—Under a fellowship under paragraph (1), an individual shall—

(A) devote a substantial number of teaching hours to substance abuse issues (as part of both required and elective courses) at the institution involved during the period of the fellowship; and

(B) attempt to incorporate substance abuse issues into the required curriculum of the institution in a manner that is likely to be sustained after the period of the fellowship ends.

Courses described in this paragraph should by taught as part of several different health care training programs at the institution involved.

(3) EVALUATIONS.—The Secretary shall conduct a process and outcome evaluation of the programs and activities carried out with amounts appropriated under this section and shall provide semi-annual reports to the Director of the Office of National Drug Control Policy and the Secretary of Health and Human Services.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $3,500,000 for each of the fiscal years 2002 through 2006. Amounts made available under this subsection shall be used to supplement and not supplant amounts being used on the date of enactment of this Act for activities of the types described in this section.

SEC. 5. OVERSIGHT COMMITTEE.

(a) IN GENERAL.—The Director of the Office of National Drug Control Policy shall convene an interagency oversight committee, composed of representatives of the Health Resources and Services Administration, as well as the National Institute on Drug Abuse, the National Institute on Alcohol Abuse and Alcoholism, the Substance Abuse and Mental Health Services Administration, and the National Institute on Mental Health, and non-governmental organizations determined to be experts in the field of substance abuse, to receive updates concerning and coordinate the Federal activities funded under this Act and the activities of various Federal agencies, toward the goal of educating health professionals about substance abuse.

(b) MEETINGS.—The interagency oversight committee established under subsection (a) shall meet at least twice each year at the call of the Director of the Office of National Drug Control Policy.

By Mr. HOLLINGS:

S. 1968. A bill to authorize the Secretary of Transportation to issue a certificate of documentation and coastwise trade endorsement for the vessel *The Islander*; to the Committee on Commerce, Science, and Transportation.

Mr. HOLLINGS. Mr. President, I am introducing a bill today to direct that the vessel *The Islander*, Official Number SC9279BJ, be accorded coastwise trading privileges and be issued a certificate of documentation under section 12103 of title 46, of the U.S. Code.

The Islander is a commuter launch vessel that is intended for commercial use. It is 40 feet in length, and 13 feet in breadth, has a draw of 3 and one half feet, and is self-propelled.

The vessel was purchased by Robert ''Scott'' Fales of Charleston, South Carolina, who purchased it with the intention of using it for the transportation of passengers. However, proof of the origin of this vessel is unknown, and it did not meet the requirements for coastwise license endorsement in the United States. Such documentation is mandatory to enable the owner to use the vessel for its intended purposes. The ship was bought from a boatyard and was built by the Wyman Company. Although records show that the Wyman Companies were based in New Haven, CT, Mr. Fales has been unable to provide conclusive proof that the vessel was U.S. built. He has invested a considerable amount of money in the vessel, and without a Jones Act waiver for the ship, he will be forced to sell it.

Mr. Fales is seeking this waiver because his plans to use the vessel for the transportation of passengers. This usage will not adversely affect the coastwise trade in the U.S. waters. If he is granted this waiver, it is his intention the comply fully with U.S. documentation and safety requirements.

By Mr. HUTCHINSON (for himself, Mr. LOTT, and Mr. GREGG):

S. 1969. A bill to amend title I of the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to provide additional protections to participants and beneficiaries in individual account plans from excessive investment in employer securities and to promote the provision of retirement investment advice to workers managing their retirement income assets, and to amend the Securities Exchange Act of 1934 to prohibit insider trades during any suspension of the ability of plan participants or beneficiaries to direct investment away from equity securities of the plan sponsor; to the Committee on Health, Education, Labor, and Pensions.

Mr. HUTCHINSON. Mr. President, today I am introducing legislation along with Senator LOTT and Senator GREGG which will protect the security of American workers retirement plans without chilling their growth. The Pension Security Act of 2002 is based on President Bush's proposal for pension reform made earlier this month. The President's proposal enhances protections for the 401(k) investments of 42 million American workers by providing individuals with better information about their accounts and significantly more control over their funds.

The success of private pension plans has transformed worker retirement in America. Today, because of these

plans, the majority of retirees can experience the comfortable retirement that was once available only to few. But as the Enron situation has shown us, there are flaws in the system. When Enron stock plummeted 98.8 percent in one year, thousands of workers lost their retirement nesteggs.

What could have prevented such massive losses? For some workers, better information about the wisdom of a diversified investment strategy would have prevented such heavy investment in company stock.

Our bill will give employees better investment information in two ways. First, it will require plans to send quarterly benefits statement to plan participants. This statement will include easy-to-understand information about the importance of a well-balanced and diversified portfolio and the risk of holding a substantial portion of the portfolio in one security. Second, our bill amends complex and outdated laws, although intended to protect workers retirement funds, actually prevent them from obtaining affordable financial advice. This legislation will help employers to provide their workers with access to professional investment advice. This benefit would require full disclosure of any fees or potential conflicts and put strict safeguards in place to ensure that workers receive advice solely in their best interests.

What else could have prevented the loss of so many Enron employees' retirement savings? Many were unable to control what was in their portfolio. Even when they wanted to sell off their company stock, they could not. Our bill addresses this problem as well. Under our proposal, workers could no longer be locked into a portfolio half-filled with company stock until retirement age. Rather, employees would be allowed to control 100 percent of their investment once they have participated in their plan for three years.

Some Enron employees could not diversify their stock when they wanted to because of the well-publicized ''black-out'' or ''lockdown'' period. The Department of Labor is investigating several aspects of the practice of instituting black-out periods for necessary record-keeping adjustments and improvements. However, what has become obvious is that this practice needs legislative guidance. Our bill provides that guidance by requiring 30 days prior notice of any black-out period and codifying definitions associated with the practice. We are also proposing another measure to give workers more control over their investments. During these black-out periods, the law will place the entire burden of liability on the plan. This means that the plan providers would be personally liable for losses to the place caused by a breech of fiduciary duty, and this will be a powerful incentive to keep black-out periods as short as possible.

One of the most infuriating spectacles of the Enron disaster was the Enron executives selling off their own personal shares of company stock while employees were prevented from doing the same during the black-out period. This was unconscionable, and our bill will put a stop to it. If this bill is enacted, what is good for the goose will be good for the gander. If workers cannot control their retirement investments due to a black-out period, neither can the company's owners, directors or officers purchase, acquire, transfer or sell company stock. That change will be a major incentive for companies to keep the necessary periods of time when employees do not control their investments as short as possible.

The proposal we are introducing here today will give workers better information, more choice in their investment options, and more security with their retirement funds. In order to prevent a knee-jerk reaction to the Enron tragedy, which could cause more harm than good, the President has given us a plan which makes retirement savings more secure while also preserving the ability of individuals to make their own choices, based on their own situation, when investing for their retirement. This bill not only preserves this right, it enhances it.

Finally I would like to thank my colleagues Senator GREGG and Senator LOTT for joining me in introducing this bill. This bill is important, and we will work tirelessly to see that America's workers and their retirement security are protected. I thank the President for his leadership on this issue and I commend Congressmen JOHN BOEHNER and SAM JOHNSON for introducing this bill in the House.

I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1969

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Pension Security Act of 2002''.

SEC. 2. IMPROVED DISCLOSURE OF PENSION BENEFIT INFORMATION BY INDIVIDUAL ACCOUNT PLANS.

(a) PENSION BENEFIT STATEMENTS REQUIRED ON PERIODIC BASIS.—

(1) IN GENERAL.—Subsection (a) of section 105 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1025) is amended by inserting ''and, in the case of an applicable individual account plan, shall furnish at least quarterly to each plan participant (and to each beneficiary with a right to direct investments),'' after ''who so requests in writing,''.

(2) INFORMATION REQUIRED FROM INDIVIDUAL ACCOUNT PLANS.—Section 105 of such Act (29 U.S.C. 1025) is amended by adding at the end the following new subsection:

''(e)(1) The quarterly statements required under subsection (a) shall include (together with the information required in subsection (a)) the following:

''(A) the value of investments allocated to the individual account, including the value of any assets held in the form of employer securities, without regard to whether such securities were contributed by the plan sponsor or acquired at the direction of the plan or of the participant or beneficiary, and an explanation of any limitations or restrictions on the right of the participant or beneficiary to direct an investment; and

''(B) an explanation, written in a manner calculated to be understood by the average plan participant, of the importance, for the long-term retirement security of participants and beneficiaries, of a well-balanced and diversified investment portfolio, including a discussion of the risk of holding substantial portions of a portfolio in the security of any one entity, such as employer securities.''.

(3) DEFINITION OF APPLICABLE INDIVIDUAL ACCOUNT PLAN.—Section 3 of such Act (29 U.S.C. 1002) is amended by adding at the end the following new subsection:

''(42) The term 'applicable individual account plan' means any individual account plan, except that such term does not include an employee stock ownership plan (within the meaning of section 4975(e)(7) of the Internal Revenue Code of 1986) unless there are any contributions to such plan (or earnings thereunder) held within such plan that are subject to subsection (k)(3) or (m)(2) of section 401 of the Internal Revenue Code of 1986.''.

(b) CIVIL PENALTIES FOR FAILURE TO PROVIDE QUARTERLY BENEFIT STATEMENTS.—Section 502 of such Act (29 U.S.C. 1132) is amended—

(1) in subsection (a)(6), by striking ''(5), or (6)'' and inserting ''(5), (6), or (7)'';

(2) by redesignating paragraph (7) of subsection (c) as paragraph (8); and

(3) by inserting after paragraph (6) of subsection (c) the following new paragraph:

''(7) The Secretary may assess a civil penalty against any plan administrator of up to $1,000 a day from the date of such plan administrator's failure or refusal to provide participants or beneficiaries with a benefit statement on at least a quarterly basis in accordance with section 105(a).''.

SEC. 3. PROTECTION FROM SUSPENSIONS, LIMITATIONS, OR RESTRICTIONS ON ABILITY OF PARTICIPANT OR BENEFICIARY TO DIRECT OR DIVERSIFY PLAN ASSETS.

(a) IN GENERAL.—Section 101 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1021) is amended—

(1) by redesignating the second subsection (h) as subsection (j); and

(2) by inserting after the first subsection (h) the following new subsection:

''(i) NOTICE OF SUSPENSION, LIMITATION, OR RESTRICTION ON ABILITY OF PARTICIPANT OR BENEFICIARY TO DIRECT INVESTMENTS IN INDIVIDUAL ACCOUNT PLAN.—

''(1) IN GENERAL.—In the case of an applicable individual account plan, the administrator shall notify participants and beneficiaries of any action that would have the affect of suspending, limiting, or restricting the ability of participants or beneficiaries to direct or diversify assets credited to their accounts.

''(2) NOTICE REQUIREMENTS.—

''(A) IN GENERAL.—The notices described in paragraph (1) shall—

''(i) be written in a manner calculated to be understood by the average plan participant and shall include the reasons for the suspension, limitation, or restriction, an identification of the investments affected, and the expected period of the suspension, limitation, or restriction, and

''(ii) be furnished at least 30 days in advance of the action suspending, limiting, or restricting the ability of the participants or beneficiaries to direct or diversify assets.

''(B) EXCEPTION TO 30-DAY NOTICE REQUIREMENT.—In any case in which—

''(i) a fiduciary of the plan determines, in writing, that a deferral of the suspension, limitation, or restriction would violate the requirements of subparagraph (A) or (B) of section 404(a)(1), or

''(ii) the inability to provide the 30-day advance notice is due to circumstances beyond the reasonable control of the plan administrator,

subparagraph (A)(ii) shall not apply, and the notice shall be furnished as soon as reasonably possible under the circumstances.

''(3) CHANGES IN EXPECTED PERIOD OF SUSPENSION, LIMITATION, OR RESTRICTION.—If, following the furnishing of the notice pursuant to this subsection, there is a change in the expected period of the suspension, limitation, or restriction on the right of a participant or beneficiary to direct or diversify assets, the administrator shall provide affected participants and beneficiaries advance notice of the change. Such notice shall meet the requirements of paragraph (2)(A)(i) in relation to the extended suspension, limitation, or restriction.''.

(b) CIVIL PENALTIES FOR FAILURE TO PROVIDE NOTICE.—Section 502 of such Act (as amended by section 2(b)) is amended—

(1) in subsection (a)(6), by striking ''(6), or (7)'' and inserting ''(6), (7), or (8)'';

(2) by redesignating paragraph (8) of subsection (c) as paragraph (9); and

(3) by inserting after paragraph (7) of subsection (c) the following new paragraph:

''(8) The Secretary may assess a civil penalty against any person of up to $100 a day from the date of the person's failure or refusal to provide notice to participants and beneficiaries in accordance with section 101(i). For purposes of this paragraph, each violation with respect to any single participant or beneficiary, shall be treated as a separate violation.''.

(c) INAPPLICABILITY OF RELIEF FROM FIDUCIARY LIABILITY DURING SUSPENSION OF ABILITY OF PARTICIPANT OR BENEFICIARY TO DIRECT INVESTMENTS.—Section 404(c)(1) of such Act (29 U.S.C. 1104(c)(1)) is amended—

(1) in subparagraph (B), by inserting before the period the following: '', except that this subparagraph shall not apply for any period during which the ability of a participant or beneficiary to direct the investment of assets in his or her individual account is suspended by a plan sponsor or fiduciary''; and

(2) by adding at the end the following:

''Any limitation or restriction that may govern the frequency of transfers between investment vehicles shall not be treated as a suspension referred to in subparagraph (B) to the extent such limitation or restriction is disclosed to participants or beneficiaries through the summary plan description or materials describing specific investment alternatives under the plan.''.

SEC. 4. LIMITATIONS ON RESTRICTIONS OF INVESTMENTS IN EMPLOYER SECURITIES.

(a) AMENDMENTS TO THE EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974.—Section 407 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1107) is amended by adding at the end the following new subsection:

''(g)(1) An applicable individual account plan may not acquire or hold any employer securities with respect to which there is any restriction on divestment by a participant or beneficiary on or after the date on which the participant has completed 3 years of participation (as defined in section 204(b)(4)) under the plan or (if the plan so provides) 3 years of service (as defined in section 203(b)(2)) with the employer.

''(2) For purposes of paragraph (1), the term 'restriction on divestment' includes—

''(A) any failure to offer at least 3 diversified investment options in which a participant or beneficiary may direct the proceeds from the divestment of employer securities, and

''(B) any restriction on the ability of a participant or beneficiary to choose from all otherwise available investment options in which such proceeds may be so directed.''.

(b) AMENDMENTS TO THE INTERNAL REVENUE CODE OF 1986.—

(1) IN GENERAL.—Subsection (a) of section 401 of the Internal Revenue Code of 1986 (relating to requirements for qualification) is amended by inserting after paragraph (34) the following new paragraph:

''(35) LIMITATIONS ON RESTRICTIONS UNDER APPLICABLE DEFINED CONTRIBUTION PLANS ON INVESTMENTS IN EMPLOYER SECURITIES.—

''(A) IN GENERAL.—A trust forming a part of an applicable defined contribution plan shall not constitute a qualified trust under this subsection if the plan acquires or holds any employer securities with respect to which there is any restriction on divestment by a participant or beneficiary on or after the date on which the participant has completed 3 years of participation (as defined in section 411(b)(4)) under the plan or (if the plan so provides) 3 years of service (as defined in section 411(a)(5)) with the employer.

''(B) DEFINITIONS.—For purposes of subparagraph (A)—

''(i) APPLICABLE DEFINED CONTRIBUTION PLAN.—The term 'applicable defined contribution plan' means any defined contribution plan, except that such term does not include an employee stock ownership plan (as defined in section 4975(e)(7)) unless there are any contributions to such plan (or earnings thereunder) held within such plan that are subject to subsections (k)(3) or (m)(2).

''(ii) RESTRICTION ON DIVESTMENT.—The term 'restriction on divestment' includes—

''(I) any failure to offer at least 3 diversified investment options in which a participant or beneficiary may direct the proceeds from the divestment of employer securities, and

''(II) any restriction on the ability of a participant or beneficiary to choose from all otherwise available investment options in which such proceeds may be so directed.''.

(2) CONFORMING AMENDMENT.—Section 401(a)(28)(B) of such Code (relating to diversification of investments) is amended by adding at the end the following new clause:

''(v) EXCEPTION.—This subparagraph shall not apply to an applicable defined contribution plan (as defined in paragraph (35)(B)(i)).''.

SEC. 5. PROHIBITED TRANSACTION EXEMPTION FOR THE PROVISION OF INVESTMENT ADVICE.

(a) AMENDMENTS TO THE EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974.—

(1) EXEMPTION FROM PROHIBITED TRANSACTIONS.—Section 408(b) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1108(b)) is amended by adding at the end the following new paragraph:

''(14)(A) Any transaction described in subparagraph (B) in connection with the provision of investment advice described in section 3(21)(A)(ii), in any case in which—

''(i) the investment of assets of the plan is subject to the direction of plan participants or beneficiaries,

''(ii) the advice is provided to the plan or a participant or beneficiary of the plan by a fiduciary adviser in connection with any sale, acquisition, or holding of a security or other property for purposes of investment of plan assets, and

''(iii) the requirements of subsection (g) are met in connection with the provision of the advice.

''(B) The transactions described in this subparagraph are the following:

''(i) the provision of the advice to the plan, participant, or beneficiary;

''(ii) the sale, acquisition, or holding of a security or other property (including any lending of money or other extension of credit associated with the sale, acquisition, or holding of a security or other property) pursuant to the advice; and

''(iii) the direct or indirect receipt of fees or other compensation by the fiduciary adviser or an affiliate thereof (or any employee, agent, or registered representative of the fiduciary adviser or affiliate) in connection with the provision of the advice or in connection with a sale, acquisition, or holding of a security or other property pursuant to the advice.''.

(2) REQUIREMENTS.—Section 408 of such Act is amended by adding at the end the following new subsection:

''(g) REQUIREMENTS RELATING TO PROVISION OF INVESTMENT ADVICE BY FIDUCIARY ADVISERS.—

''(1) IN GENERAL.—The requirements of this subsection are met in connection with the provision of investment advice referred to in section 3(21)(A)(ii), provided to an employee benefit plan or a participant or beneficiary of an employee benefit plan by a fiduciary adviser with respect to the plan in connection with any sale, acquisition, or holding of a security or other property for purposes of investment of amounts held by the plan, if—

''(A) in the case of the initial provision of the advice with regard to the security or other property by the fiduciary adviser to the plan, participant, or beneficiary, the fiduciary adviser provides to the recipient of the advice, at a time reasonably contemporaneous with the initial provision of the advice, a written notification (which may consist of notification by means of electronic communication)—

''(i) of all fees or other compensation relating to the advice that the fiduciary adviser or any affiliate thereof is to receive (including compensation provided by any third party) in connection with the provision of the advice or in connection with the sale, acquisition, or holding of the security or other property,

''(ii) of any material affiliation or contractual relationship of the fiduciary adviser or affiliates thereof in the security or other property,

''(iii) of any limitation placed on the scope of the investment advice to be provided by the fiduciary adviser with respect to any such sale, acquisition, or holding of a security or other property,

''(iv) of the types of services provided by the fiduciary adviser in connection with the provision of investment advice by the fiduciary adviser, and

''(v) that the adviser is acting as a fiduciary of the plan in connection with the provision of the advice,

''(B) the fiduciary adviser provides appropriate disclosure, in connection with the sale, acquisition, or holding of the security or other property, in accordance with all applicable securities laws,

''(C) the sale, acquisition, or holding occurs solely at the direction of the recipient of the advice,

''(D) the compensation received by the fiduciary adviser and affiliates thereof in connection with the sale, acquisition, or holding of the security or other property is reasonable, and

''(E) the terms of the sale, acquisition, or holding of the security or other property are at least as favorable to the plan as an arm's length transaction would be.

''(2) STANDARDS FOR PRESENTATION OF INFORMATION.—The notification required to be

provided to participants and beneficiaries under paragraph (1)(A) shall be written in a clear and conspicuous manner and in a manner calculated to be understood by the average plan participant and shall be sufficiently accurate and comprehensive to reasonably apprise such participants and beneficiaries of the information required to be provided in the notification.

''(3) EXEMPTION CONDITIONED ON CONTINUED AVAILABILITY OF REQUIRED INFORMATION ON REQUEST FOR 1 YEAR.—The requirements of paragraph (1)(A) shall be deemed not to have been met in connection with the initial or any subsequent provision of advice described in paragraph (1) to the plan, participant, or beneficiary if, at any time during the provision of advisory services to the plan, participant, or beneficiary, the fiduciary adviser fails to maintain the information described in clauses (i) through (iv) of subparagraph (A) in currently accurate form and in the manner described in paragraph (2) or fails—

''(A) to provide, without charge, such currently accurate information to the recipient of the advice no less than annually,

''(B) to make such currently accurate information available, upon request and without charge, to the recipient of the advice, or

''(C) in the event of a material change to the information described in clauses (i) through (iv) of paragraph (1)(A), to provide, without charge, such currently accurate information to the recipient of the advice at a time reasonably contemporaneous to the material change in information.

''(4) MAINTENANCE FOR 6 YEARS OF EVIDENCE OF COMPLIANCE.—A fiduciary adviser referred to in paragraph (1) who has provided advice referred to in such paragraph shall, for a period of not less than 6 years after the provision of the advice, maintain any records necessary for determining whether the requirements of the preceding provisions of this subsection and of subsection (b)(14) have been met. A transaction prohibited under section 406 shall not be considered to have occurred solely because the records are lost or destroyed prior to the end of the 6-year period due to circumstances beyond the control of the fiduciary adviser.

''(5) EXEMPTION FOR PLAN SPONSOR AND CERTAIN OTHER FIDUCIARIES.—

''(A) IN GENERAL.—Subject to subparagraph (B), a plan sponsor or other person who is a fiduciary (other than a fiduciary adviser) shall not be treated as failing to meet the requirements of this part solely by reason of the provision of investment advice referred to in section 3(21)(A)(ii) (or solely by reason of contracting for or otherwise arranging for the provision of the advice), if—

''(i) the advice is provided by a fiduciary adviser pursuant to an arrangement between the plan sponsor or other fiduciary and the fiduciary adviser for the provision by the fiduciary adviser of investment advice referred to in such section,

''(ii) the terms of the arrangement require compliance by the fiduciary adviser with the requirements of this subsection, and

''(iii) the terms of the arrangement include a written acknowledgment by the fiduciary adviser that the fiduciary adviser is a fiduciary of the plan with respect to the provision of the advice.

''(B) CONTINUED DUTY OF PRUDENT SELECTION OF ADVISER AND PERIODIC REVIEW.—Nothing in subparagraph (A) shall be construed to exempt a plan sponsor or other person who is a fiduciary from any requirement of this part for the prudent selection and periodic review of a fiduciary adviser with whom the plan sponsor or other person enters into an arrangement for the provision of advice referred to in section 3(21)(A)(ii). The plan sponsor or other person who is a fiduciary has no duty under this part to monitor the specific investment advice given by the fiduciary adviser to any particular recipient of the advice.

''(C) AVAILABILITY OF PLAN ASSETS FOR PAYMENT FOR ADVICE.—Nothing in this part shall be construed to preclude the use of plan assets to pay for reasonable expenses in providing investment advice referred to in section 3(21)(A)(ii).

''(6) DEFINITIONS.—For purposes of this subsection and subsection (b)(14)—

''(A) FIDUCIARY ADVISER.—The term 'fiduciary adviser' means, with respect to a plan, a person who is a fiduciary of the plan by reason of the provision of investment advice by the person to the plan or to a participant or beneficiary and who is—

''(i) registered as an investment adviser under the Investment Advisers Act of 1940 (15 U.S.C. 80b–1 et seq.) or under the laws of the State in which the fiduciary maintains its principal office and place of business,

''(ii) a bank or similar financial institution referred to in section 408(b)(4),

''(iii) an insurance company qualified to do business under the laws of a State,

''(iv) a person registered as a broker or dealer under the Securities Exchange Act of 1934 (15 U.S.C. 78a et seq.),

''(v) an affiliate of a person described in any of clauses (i) through (iv), or

''(vi) an employee, agent, or registered representative of a person described in any of clauses (i) through (v) who satisfies the requirements of applicable insurance, banking, and securities laws relating to the provision of the advice.

''(B) AFFILIATE.—The term 'affiliate' of another entity means an affiliated person of the entity (as defined in section 2(a)(3) of the Investment Company Act of 1940 (15 U.S.C. 80a–2(a)(3))).

''(C) REGISTERED REPRESENTATIVE.—The term 'registered representative' of another entity means a person described in section 3(a)(18) of the Securities Exchange Act of 1934 (15 U.S.C. 78c(a)(18)) (substituting the entity for the broker or dealer referred to in such section) or a person described in section 202(a)(17) of the Investment Advisers Act of 1940 (15 U.S.C. 80b–2(a)(17)) (substituting the entity for the investment adviser referred to in such section).''.

(b) AMENDMENTS TO THE INTERNAL REVENUE CODE OF 1986.—

(1) EXEMPTION FROM PROHIBITED TRANSACTIONS.—Subsection (d) of section 4975 of the Internal Revenue Code of 1986 (relating to exemptions from tax on prohibited transactions) is amended—

(A) in paragraph (14), by striking ''or'' at the end;

(B) in paragraph (15), by striking the period at the end and inserting ''; or''; and

(C) by adding at the end the following new paragraph:

''(16) any transaction described in subsection (f)(7)(A) in connection with the provision of investment advice described in subsection (e)(3)(B), in any case in which—

''(A) the investment of assets of the plan is subject to the direction of plan participants or beneficiaries,

''(B) the advice is provided to the plan or a participant or beneficiary of the plan by a fiduciary adviser in connection with any sale, acquisition, or holding of a security or other property for purposes of investment of plan assets, and

''(C) the requirements of subsection (f)(7)(B) are met in connection with the provision of the advice.''.

(2) ALLOWED TRANSACTIONS AND REQUIREMENTS.—Subsection (f) of such section 4975 (relating to other definitions and special rules) is amended by adding at the end the following new paragraph:

''(7) PROVISIONS RELATING TO INVESTMENT ADVICE PROVIDED BY FIDUCIARY ADVISERS.—

''(A) TRANSACTIONS ALLOWABLE IN CONNECTION WITH INVESTMENT ADVICE PROVIDED BY FIDUCIARY ADVISERS.—The transactions referred to in subsection (d)(16), in connection with the provision of investment advice by a fiduciary adviser, are the following:

''(i) the provision of the advice to the plan, participant, or beneficiary;

''(ii) the sale, acquisition, or holding of a security or other property (including any lending of money or other extension of credit associated with the sale, acquisition, or holding of a security or other property) pursuant to the advice; and

''(iii) the direct or indirect receipt of fees or other compensation by the fiduciary adviser or an affiliate thereof (or any employee, agent, or registered representative of the fiduciary adviser or affiliate) in connection with the provision of the advice or in connection with a sale, acquisition, or holding of a security or other property pursuant to the advice.

''(B) REQUIREMENTS RELATING TO PROVISION OF INVESTMENT ADVICE BY FIDUCIARY ADVISERS.—The requirements of this subparagraph (referred to in subsection (d)(16)(C)) are met in connection with the provision of investment advice referred to in subsection (e)(3)(B), provided to a plan or a participant or beneficiary of a plan by a fiduciary adviser with respect to the plan in connection with any sale, acquisition, or holding of a security or other property for purposes of investment of amounts held by the plan, if—

''(i) in the case of the initial provision of the advice with regard to the security or other property by the fiduciary adviser to the plan, participant, or beneficiary, the fiduciary adviser provides to the recipient of the advice, at a time reasonably contemporaneous with the initial provision of the advice, a written notification (which may consist of notification by means of electronic communication)—

''(I) of all fees or other compensation relating to the advice that the fiduciary adviser or any affiliate thereof is to receive (including compensation provided by any third party) in connection with the provision of the advice or in connection with the sale, acquisition, or holding of the security or other property,

''(II) of any material affiliation or contractual relationship of the fiduciary adviser or affiliates thereof in the security or other property,

''(III) of any limitation placed on the scope of the investment advice to be provided by the fiduciary adviser with respect to any such sale, acquisition, or holding of a security or other property,

''(IV) of the types of services provided by the fiduciary adviser in connection with the provision of investment advice by the fiduciary adviser, and

''(V) that the adviser is acting as a fiduciary of the plan in connection with the provision of the advice,

''(ii) the fiduciary adviser provides appropriate disclosure, in connection with the sale, acquisition, or holding of the security or other property, in accordance with all applicable securities laws,

''(iii) the sale, acquisition, or holding occurs solely at the direction of the recipient of the advice,

''(iv) the compensation received by the fiduciary adviser and affiliates thereof in connection with the sale, acquisition, or holding of the security or other property is reasonable, and

''(v) the terms of the sale, acquisition, or holding of the security or other property are at least as favorable to the plan as an arm's length transaction would be.

''(C) STANDARDS FOR PRESENTATION OF INFORMATION.—The notification required to be provided to participants and beneficiaries under subparagraph (B)(i) shall be written in a clear and conspicuous manner and in a manner calculated to be understood by the average plan participant and shall be sufficiently accurate and comprehensive to reasonably apprise such participants and beneficiaries of the information required to be provided in the notification.

''(D) EXEMPTION CONDITIONED ON MAKING REQUIRED INFORMATION AVAILABLE ANNUALLY, ON REQUEST, AND IN THE EVENT OF MATERIAL CHANGE.—The requirements of subparagraph (B)(i) shall be deemed not to have been met in connection with the initial or any subsequent provision of advice described in subparagraph (B) to the plan, participant, or beneficiary if, at any time during the provision of advisory services to the plan, participant, or beneficiary, the fiduciary adviser fails to maintain the information described in subclauses (I) through (IV) of subparagraph (B)(i) in currently accurate form and in the manner required by subparagraph (C), or fails—

''(i) to provide, without charge, such currently accurate information to the recipient of the advice no less than annually,

''(ii) to make such currently accurate information available, upon request and without charge, to the recipient of the advice, or

''(iii) in the event of a material change to the information described in subclauses (I) through (IV) of subparagraph (B)(i), to provide, without charge, such currently accurate information to the recipient of the advice at a time reasonably contemporaneous to the material change in information.

''(E) MAINTENANCE FOR 6 YEARS OF EVIDENCE OF COMPLIANCE.—A fiduciary adviser referred to in subparagraph (B) who has provided advice referred to in such subparagraph shall, for a period of not less than 6 years after the provision of the advice, maintain any records necessary for determining whether the requirements of the preceding provisions of this paragraph and of subsection (d)(16) have been met. A transaction prohibited under subsection (c)(1) shall not be considered to have occurred solely because the records are lost or destroyed prior to the end of the 6-year period due to circumstances beyond the control of the fiduciary adviser.

''(F) EXEMPTION FOR PLAN SPONSOR AND CERTAIN OTHER FIDUCIARIES.—A plan sponsor or other person who is a fiduciary (other than a fiduciary adviser) shall not be treated as failing to meet the requirements of this section solely by reason of the provision of investment advice referred to in subsection (e)(3)(B) (or solely by reason of contracting for or otherwise arranging for the provision of the advice), if—

''(i) the advice is provided by a fiduciary adviser pursuant to an arrangement between the plan sponsor or other fiduciary and the fiduciary adviser for the provision by the fiduciary adviser of investment advice referred to in such section,

''(ii) the terms of the arrangement require compliance by the fiduciary adviser with the requirements of this paragraph,

''(iii) the terms of the arrangement include a written acknowledgment by the fiduciary adviser that the fiduciary adviser is a fiduciary of the plan with respect to the provision of the advice, and

''(iv) the requirements of part 4 of subtitle B of title I of the Employee Retirement Income Security Act of 1974 are met in connection with the provision of such advice.

''(G) DEFINITIONS.—For purposes of this paragraph and subsection (d)(16)—

''(i) FIDUCIARY ADVISER.—The term 'fiduciary adviser' means, with respect to a plan, a person who is a fiduciary of the plan by reason of the provision of investment advice by the person to the plan or to a participant or beneficiary and who is—

''(I) registered as an investment adviser under the Investment Advisers Act of 1940 (15 U.S.C. 80b–1 et seq.) or under the laws of the State in which the fiduciary maintains its principal office and place of business,

''(II) a bank or similar financial institution referred to in subsection (d)(4),

''(III) an insurance company qualified to do business under the laws of a State,

''(IV) a person registered as a broker or dealer under the Securities Exchange Act of 1934 (15 U.S.C. 78a et seq.),

''(V) an affiliate of a person described in any of subclauses (I) through (IV), or

''(VI) an employee, agent, or registered representative of a person described in any of subclauses (I) through (V) who satisfies the requirements of applicable insurance, banking, and securities laws relating to the provision of the advice.

''(ii) AFFILIATE.—The term 'affiliate' of another entity means an affiliated person of the entity (as defined in section 2(a)(3) of the Investment Company Act of 1940 (15 U.S.C. 80a–2(a)(3))).

''(iii) REGISTERED REPRESENTATIVE.—The term 'registered representative' of another entity means a person described in section 3(a)(18) of the Securities Exchange Act of 1934 (15 U.S.C. 78c(a)(18)) (substituting the entity for the broker or dealer referred to in such section) or a person described in section 202(a)(17) of the Investment Advisers Act of 1940 (15 U.S.C. 80b–2(a)(17)) (substituting the entity for the investment adviser referred to in such section).''.

SEC. 6. INSIDER TRADES DURING PENSION PLAN SUSPENSION PERIODS PROHIBITED.

Section 16 of the Securities Exchange Act of 1934 (15 U.S.C. 78p) is amended by adding at the end the following new subsection:

''(h) INSIDER TRADES DURING PENSION PLAN SUSPENSION PERIODS PROHIBITED.—

''(1) PROHIBITION.—It shall be unlawful for any such beneficial owner, director, or officer of an issuer, directly or indirectly, to purchase (or otherwise acquire) or sell (or otherwise transfer) any equity security of such issuer (other than an exempted security), during any pension plan suspension period with respect to such equity security.

''(2) REMEDY.—Any profit realized by such beneficial owner, director, or officer from any purchase (or other acquisition) or sale (or other transfer) in violation of this subsection shall inure to and be recoverable by the issuer irrespective of any intention on the part of such beneficial owner, director, or officer in entering into the transaction.

''(3) RULEMAKING PERMITTED.—The Commission may issue rules to clarify the application of this subsection, to ensure adequate notice to all persons affected by this subsection, and to prevent evasion thereof.

''(4) DEFINITIONS.—For purposes of this subsection—

''(A) PENSION PLAN SUSPENSION PERIOD.—The term 'pension plan suspension period' means, with respect to an equity security, any period during which the ability of a participant or beneficiary under an applicable individual account plan maintained by the issuer to direct the investment of assets in his or her individual account away from such equity security is suspended by the issuer or a fiduciary of the plan. Such term does not include any limitation or restriction that may govern the frequency of transfers between investment vehicles to the extent such limitation and restriction is disclosed to participants and beneficiaries through the summary plan description or materials describing specific investment alternatives under the plan.

''(B) APPLICABLE INDIVIDUAL ACCOUNT PLAN.—The term 'applicable individual account plan' has the meaning provided such term in section 3(42) of the Employee Retirement Income Security Act of 1974.''.

SEC. 7. EFFECTIVE DATES AND RELATED RULES.

(a) IN GENERAL.—Except as provided in subsection (b), the amendments made by sections 2, 3, 4, and 6 shall apply with respect to plan years beginning on or after January 1, 2003.

(b) SPECIAL RULE FOR COLLECTIVELY BARGAINED PLANS.—In the case of a plan maintained pursuant to 1 or more collective bargaining agreements between employee representatives and 1 or more employers ratified on or before the date of the enactment of this Act, subsection (a) shall be applied to benefits pursuant to, and individuals covered by, any such agreement by substituting for ''January 1, 2003'' the date of the commencement of the first plan year beginning on or after the earlier of—

(1) the later of—

(A) January 1, 2004, or

(B) the date on which the last of such collective bargaining agreements terminates (determined without regard to any extension thereof after the date of the enactment of this Act), or

(2) January 1, 2005.

(c) PLAN AMENDMENTS.—If the amendments made by sections 2, 3, and 4 of this Act require an amendment to any plan, such plan amendment shall not be required to be made before the first plan year beginning on or after January 1, 2005, if—

(1) during the period after such amendments made by this Act take effect and before such first plan year, the plan is operated in accordance with the requirements of such amendments made by this Act, and

(2) such plan amendment applies retroactively to the period after such amendments made by this Act take effect and before such first plan year.

(d) AMENDMENTS RELATING TO INVESTMENT ADVICE.—The amendments made by section 5 shall apply with respect to advice referred to in section 3(21)(A)(ii) of the Employee Retirement Income Security Act of 1974 or section 4975(c)(3)(B) of the Internal Revenue Code of 1986 provided on or after January 1, 2003.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 212—EXPRESSING THE CONDOLENCES OF THE SENATE TO THE FAMILY OF DANIEL PEARL

Mr. LOTT (for himself, Mr. DASCHLE, Mr. SMITH of New Hampshire, Mr. WARNER, Mr. ALLEN, Ms. SNOWE, Ms. COLLINS, and Mr. SPECTER) submitted the following resolution; which was considered and agreed to:

S. RES. 212

Whereas Daniel Pearl was a highly respected journalist with keen insight into world affairs;

Whereas Daniel Pearl's high standards of integrity and his quest for knowledge were a credit to his profession;

Whereas in his reporting, Daniel Pearl made a significant contribution to our Nation through his thoughtful analysis of current events;

Whereas in his conduct, Daniel Pearl embodied the American ideal of a free and vigorous press;

Whereas America's war against terrorism is in defense of our fundamental Constitutional principles, including defense of our First Amendment liberties;

Whereas barbaric acts were committed against a citizen of the United States; and

Whereas the United States is determined to vigorously pursue and punish the perpetrators of this unjustified taking of human life: Now, therefore, be it

Resolved, That the Senate—

(1) mourns the death of Daniel Pearl and expresses its condolences to his wife, unborn child, and family; and

(2) salutes Daniel Pearl for his principled and fearless pursuit of journalistic excellence.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2927. Mr. MCCONNELL (for Mr. GRAMM (for himself and Mrs. HUTCHISON)) proposed an amendment to the bill S. 565, to establish the Commission on Voting Rights and Procedures to study and make recommendations regarding election technology, voting, and election administration, to establish a grant program under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uniform and nondiscriminatory election technology and administration requirements for the 2004 Federal elections, and for other purposes.

SA 2928. Mr. DODD (for Mrs. FEINSTEIN) proposed an amendment to the bill S. 565, supra.

SA 2929. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill S. 565, supra; which was ordered to lie on the table.

SA 2930. Mr. NICKLES submitted an amendment intended to be proposed by him to the bill S. 565, supra; which was ordered to lie on the table.

SA 2931. Mr. DODD (for Mrs. FEINSTEIN) proposed an amendment to the bill S. 565, supra.

SA 2932. Mr. HATCH (for himself, Mr. ENSIGN and Mr. BURNS) submitted an amendment intended to be proposed by him to the bill S. 565, supra; which was ordered to lie on the table.

SA 2933. Mr. SMITH of New Hampshire submitted an amendment intended to be proposed by him to the bill S. 565, supra.

SA 2934. Mr. HATCH (for himself, Mr. DODD, Mr. ENSIGN, Mr. BURNS, and Mr. THOMAS) proposed an amendment to the bill S. 565, supra.

SA 2935. Mr. HATCH (for himself, Mr. LEAHY, and Ms. CANTWELL) proposed an amendment to the bill S. 565, supra.

SA 2936. Mr. HATCH submitted an amendment intended to be proposed by him to the bill S. 565, supra.

SA 2937. Mr. SCHUMER (for himself, Mr. WYDEN, Mr. BINGAMAN, Ms. CANTWELL, Mrs. CLINTON, Mr. DURBIN, Mr. HOLLINGS, Mr. KERRY, and Mrs. MURRAY) proposed an amendment to the bill S. 565, supra.

SA 2938. Mr. DODD (for Mr. SARBANES) proposed an amendment to the bill S. 565, supra.

SA 2939. Mr. DODD (for Mr. SESSIONS) proposed an amendment to the bill S. 565, supra.

TEXT OF AMENDMENTS

SA 2927. Mr. MCCONNELL (for Mr. GRAMM (for himself and Mrs. HUTCHISON)) proposed an amendment to the bill S. 565, to establish the Commission on Voting Rights and Procedures to study and make recommendations regarding election technology, voting, and election administration, to establish a grant program under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uniform and nondiscriminatory election technology and administration requirements for the 2004 Federal elections, and for other purposes; as follows:

On page 68, between lines 17 and 18, insert the following:

SEC. 402. STATE RESPONSIBILITY TO GUARANTEE MILITARY VOTING RIGHTS.

(a) REGISTRATION AND BALLOTING.—Section 102 of the Uniformed and Overseas Absentee Voting Act (42 U.S.C. 1973ff–1), as amended by section 1606(a)(1) of the National Defense Authorization Act for Fiscal Year 2002 (Public Law 107–107; 115 Stat. 1278), is amended—

(1) by inserting ''(a) ELECTIONS FOR FEDERAL OFFICES.—'' before ''Each State shall—''; and

(2) by adding at the end the following:

''(b) ELECTIONS FOR STATE AND LOCAL OFFICES.—Each State shall—

''(1) permit absent uniformed services voters to use absentee registration procedures and to vote by absentee ballot in general, special, primary, and runoff elections for State and local offices; and

''(2) accept and process, with respect to any election described in paragraph (1), any otherwise valid voter registration application from an absent uniformed services voter if the application is received by the appropriate State election official not less than 30 days before the election.''.

(b) CONFORMING AMENDMENT.—The heading for title I of such Act is amended by striking **''FOR FEDERAL OFFICE''**.

SA 2928. Mr. DODD (for Mrs. FEINSTEIN) proposed an amendment to the bill S. 565, to establish the Commission on Voting Rights and Procedures to study and make recommendations regarding election technology, voting, and election administration, to establish a grant program under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uniform and nondiscriminatory election technology and administration requirements for the 2004 Federal elections, and for other purposes; as follows:

On page 54, between lines 23 and 24, insert the following:

''(K) the technical feasibility of providing voting materials in 8 or more languages for voters who speak those languages and who are limited English proficient; and''.

SA 2929. Ms. LANDRIEU submitted an amendment to be proposed by her to the bill S. 565, to establish the Commission on voting Rights and Procedures to study and make recommendations regarding election technology, voting, and election administration, to establish a grant program under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uniform and nondiscriminatory election technology and administration requirements for the 2004 Federal elections, and for other purposes; which was ordered to lie on the table; as follows:

On page 39, strike lines 3 through 13, and insert the following:

(b) FEDERAL SHARE.—The Federal share of the costs shall be—

(1) in the case of a State or locality that is in the highest ⅓ of all States or localities with respect to the percentage of individuals residing in such State or locality whose income does not exceed the poverty line, as determined based on the 2000 Decennial Census and any supplemental survey thereto, 90 percent;

(2) in the case of a State or locality that is in the middle ⅓ of all States or localities with respect to the percentage of individuals residing in such State or locality whose income does not exceed the poverty line, as determined based on the 2000 Decennial Census and any supplemental survey thereto, 80 percent; and

(3) in the case of a State or locality that is in the lowest ⅓ of all States or localities with respect to the percentage of individuals residing in such State or locality whose income does not exceed the poverty line, as determined based on the 2000 Decennial Census and any supplemental survey thereto, 70 percent.

On page 45, strike lines 8 through 18, and insert the following:

(b) FEDERAL SHARE.—The Federal share of the costs shall be—

(1) in the case of a State or locality that is in the highest ⅓ of all States or localities with respect to the percentage of individuals residing in such State or locality whose income does not exceed the poverty line, as determined based on the 2000 Decennial Census and any supplemental survey thereto, 90 percent;

(2) in the case of a State or locality that is in the middle ⅓ of all States or localities with respect to the percentage of individuals residing in such State or locality whose income does not exceed the poverty line, as determined based on the 2000 Decennial Census and any supplemental survey thereto, 80 percent; and

(3) in the case of a State or locality that is in the lowest ⅓ of all States or localities with respect to the percentage of individuals residing in such State or locality whose income does not exceed the poverty line, as determined based on the 2000 Decennial Census and any supplemental survey thereto, 70 percent.

SA 2930. Mr. NICKLES submitted an amendment intended to be proposed by him to the bill S. 565, to establish the Commission on Voting Rights and Procedures to study and make recommendations regarding election technology, voting and election administration, to establish a grant program under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uniform and nondiscriminatory election technology and administration requirements for the 2004 Federal elections,

and for other purposes; which was ordered to lie on the table; as follows:

On page 18, between lines 7 and 8, insert the following:

(4) SECURITY AND CONFIDENTIALITY OF VOTER INFORMATION.—In implementing the requirements of this subsection, each State shall take the steps necessary to ensure that the computerized list is secure and that any voter information contained in such list is available—

(A) only to the appropriate State and local election officials; and

(B) only for the purpose of implementing and maintaining the list in accordance with this subsection.

SA 2931. Mr. DODD (for Mrs. FEINSTEIN) proposed an amendment to the bill S. 565, to establish the Commission on Voting Rights and Procedures to study and make recommendations regarding election technology, voting, and election administration, to establish a grant program under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uniform and nondiscriminatory election technology and administration requirements for the 2004 Federal elections, and for other purposes; as follows:

On page 14, between lines 2 and 3, insert the following:

The appropriate State or local official shall establish and maintain reasonable procedures necessary to protect the security, confidentiality, and integrity of personal information collected, stored, or otherwise used by the free access system established under paragraph (6)(B). Access to information about an individual provisional ballot shall be restricted to the individual who cast the ballot.

SA 2932. Mr. HATCH (for himself, Mr. ENSIGN, and Mr. BURNS) submitted an amendment intended to be proposed by him to the bill S. 565, to establish the Commission on Voting Rights and Procedures to study and make recommendations regarding election technology, voting, and election administration, to establish a grant program under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uniform and nondiscriminatory election technology and administration requirements for the 2004 Federal elections, and for other purposes; which was ordered to lie on the table; as follows:

On page 22, after line 25, insert the following:

SEC. 105. COMPLIANCE WITH ELECTION TECHNOLOGY AND ADMINISTRATION REQUIREMENTS CONDITIONED ON FUNDING.

Notwithstanding any other provision of this title, no State or locality shall be required to meet a requirement of this title prior to the date on which funds are appropriated at the full authorized level contained in section 209.

SA 2933. Mr. SMITH of New Hampshire submitted an amendment intended to be proposed by him to the bill S. 565, to establish the Commission on Voting Rights and Procedures to study and make recommendations regarding election technology, voting, and election administration, to establish a grant program under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uniform and nondiscriminatory election technology and administration requirements for the 2004 Federal elections, and for other purposes; as follows:

On page 68, between lines 17 and 18, insert the following:

SEC. ___. PROHIBITION ON BROADCAST OF CERTAIN FALSE AND UNTIMELY INFORMATION ON FEDERAL ELECTIONS.

Part I of title III of the Communications Act of 1934 (47 U.S.C. 301 et seq.) is amended by inserting after section 315 the following new section:

"SEC. 315A. PROHIBITION ON BROADCAST OF CERTAIN FALSE AND UNTIMELY INFORMATION ON FEDERAL ELECTIONS.

"(a) FALSE INFORMATION ON LOCATION AND OPERATING HOURS OF POLLING PLACES.—A licensee who, on the day of a Federal election, knowingly broadcasts using a facility covered by the license any false information concerning the location or time of operation of a polling place designated by the appropriate State authorities for use by electors in such election shall be fined not more than $10,000,000, imprisoned not more than five years, or both.

"(b) UNTIMELY RESULTS OF EXIT POLLS.—A licensee who, on the day of a Federal election, knowingly broadcasts using a facility covered by the license the results of an exit poll or election projection taken within a jurisdiction covered by the license as an actual election result before all polling places in the jurisdiction designated by appropriate State authorities for use by electors in such election have closed shall be fined not more than $10,000,000, imprisoned not more than five years, or both.".

SA 2934. Mr. HATCH (for himself, Mr. DODD, Mr. ENSIGN, Mr. BURNS, and Mr. THOMAS) proposed an amendment to the bill S. 565, to establish the Commission on Voting Rights and Procedures to study and make recommendations regarding election technology, voting, and election administration, to establish a grant program under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uniform and nondiscriminatory election technology and administration requirements for the 2004 Federal elections, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. . SENSE OF THE SENATE ON COMPLIANCE WITH ELECTION TECHNOLOGY AND ADMINISTRATION REQUIREMENTS.

It is the sense of the Senate that full funding shall be provided to each State and locality to meet the requirements relating to compliance with election technology and administration pursuant to this Act.

SA 2935. Mr. HATCH (for himself, Mr. LEAHY, and Ms. CANTWELL) proposed an amendment to the bill S. 565, to establish the Commission on Voting Rights and Procedures to study and make recommendations regarding election technology, voting, and election administration, to establish a grant program under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uniform and nondiscriminatory election technology and administration requirements for the 2004 Federal elections, and for other purposes; as follows:

On page 68, strike lines 3 and 4, and insert the following:

Subtitle C—Advisory Committee on Electronic Voting and the Electoral Process

SEC. 321. ESTABLISHMENT OF COMMITTEE.

(a) ESTABLISHMENT.—There is established the Advisory Committee on Electronic Voting and the Electoral Process (in this subtitle referred to as the "Committee").

(b) MEMBERSHIP.—

(1) COMPOSITION.—The Committee shall be composed of 16 members as follows:

(A) FEDERAL REPRESENTATIVES.—Four representatives of the Federal Government, comprised of the Attorney General, the Secretary of Defense, the Director of the Federal Bureau of Investigation, and the Chairman of the Federal Election Commission, or an individual designated by the respective representative.

(B) INTERNET REPRESENTATIVES.—Four representatives of the Internet and information technology industries (at least 2 of whom shall represent a company that is engaged in the provision of electronic voting services on the date on which the representative is appointed, and at least 2 of whom shall possess special expertise in Internet or communications systems security).

(C) STATE AND LOCAL REPRESENTATIVES.—Four representatives from State and local governments (2 of whom shall be from States that have made preliminary inquiries into the use of the Internet in the electoral process).

(D) PRIVATE SECTOR REPRESENTATIVES.—Four representatives not affiliated with the Government (2 of whom shall have expertise in election law, and 2 of whom shall have expertise in political speech).

(2) APPOINTMENTS.—Appointments to the Committee shall be made not later than the date that is 30 days after the date of enactment of this Act and such appointments shall be made in the following manner:

(A) SENATE MAJORITY LEADER.—Two individuals shall be appointed by the Majority Leader of the Senate, of whom 1 shall be an individual described in paragraph (1)(B) and 1 shall be an individual described in paragraph (1)(C).

(B) SENATE MINORITY LEADER.—Two individuals shall be appointed by the Minority Leader of the Senate, of whom 1 shall be an individual described in paragraph (1)(B) and 1 shall be an individual described in paragraph (1)(C).

(C) SPEAKER OF THE HOUSE.—Two individuals shall be appointed by the Speaker of the House of Representatives, of whom 1 shall be an individual described in paragraph (1)(B) and 1 shall be an individual described in paragraph (1)(C).

(D) HOUSE MINORITY LEADER.—Two individuals shall be appointed by the Minority Leader of the House of Representatives, of whom 1 shall be an individual described in paragraph (1)(B) and 1 shall be an individual described in paragraph (1)(C).

(E) SENATE MAJORITY AND HOUSE MINORITY JOINTLY.—Two individuals described in paragraph (1)(D) shall be appointed jointly by the Majority Leader of the Senate and the Minority Leader of the House of Representatives.

(F) HOUSE MAJORITY AND SENATE MINORITY JOINTLY.—Two individuals described in paragraph (1)(D) shall be appointed jointly by the Speaker of the House of Representatives and the Minority Leader of the Senate.

(3) DATE.—The appointments of the members of the Committee shall be made not later than the date that is 30 days after the date of enactment of this Act.

(c) PERIOD OF APPOINTMENT; VACANCIES.—Members shall be appointed for the life of the Committee. Any vacancy in the Committee shall not affect its powers, but shall be filled in the same manner as the original appointment.

(d) INITIAL MEETING.—Not later than 30 days after the date on which all of the members of the Committee have been appointed, the Committee shall hold its first meeting.

(e) MEETINGS.—

(1) IN GENERAL.—The Committee shall meet at the call of the Chairperson or upon the written request of a majority of the members of the Committee.

(2) NOTICE.—Not later than the date that is 14 days before the date of each meeting of the Committee, the Chairperson shall cause notice thereof to be published in the Federal Register.

(3) OPEN MEETINGS.—Each Committee meeting shall be open to the public.

(f) QUORUM.—Eight members of the Committee shall constitute a quorum, but a lesser number of members may hold hearings.

(g) CHAIRPERSON.—The Committee shall select a Chairperson from among its members by a majority vote of the members of the Committee.

(h) ADDITIONAL RULES.—The Committee may adopt such other rules as the Committee determines to be appropriate by a majority vote of the members of the Committee.

SEC. 322. DUTIES OF THE COMMITTEE.

(a) STUDY.—

(1) IN GENERAL.—The Committee shall conduct a thorough study of issues and challenges, specifically to include the potential for election fraud, presented by incorporating communications and Internet technologies in the Federal, State, and local electoral process.

(2) ISSUES TO BE STUDIED.—The Committee may include in the study conducted under paragraph (1) an examination of—

(A) the appropriate security measures required and minimum standards for certification of systems or technologies in order to minimize the potential for fraud in voting or in the registration of qualified citizens to register and vote;

(B) the possible methods, such as Internet or other communications technologies, that may be utilized in the electoral process, including the use of those technologies to register voters and enable citizens to vote online, and recommendations concerning statutes and rules to be adopted in order to implement an online or Internet system in the electoral process;

(C) the impact that new communications or Internet technology systems for use in the electoral process could have on voter participation rates, voter education, public accessibility, potential external influences during the elections process, voter privacy and anonymity, and other issues related to the conduct and administration of elections;

(D) whether other aspects of the electoral process, such as public availability of candidate information and citizen communication with candidates, could benefit from the increased use of online or Internet technologies;

(E) the requirements for authorization of collection, storage, and processing of electronically generated and transmitted digital messages to permit any eligible person to register to vote or vote in an election, including applying for and casting an absentee ballot;

(F) the implementation cost of an online or Internet voting or voter registration system and the costs of elections after implementation (including a comparison of total cost savings for the administration of the electoral process by using Internet technologies or systems);

(G) identification of current and foreseeable online and Internet technologies for use in the registration of voters, for voting, or for the purpose of reducing election fraud, currently available or in use by election authorities;

(H) the means by which to ensure and achieve equity of access to online or Internet voting or voter registration systems and address the fairness of such systems to all citizens; and

(I) the impact of technology on the speed, timeliness, and accuracy of vote counts in Federal, State, and local elections.

(b) REPORT.—

(1) TRANSMISSION.—Not later than 20 months after the date of enactment of this Act, the Committee shall transmit to Congress and the Election Administration Commission established under section 301, for the consideration of such bodies, a report reflecting the results of the study required by subsection (a), including such legislative recommendations or model State laws as are required to address the findings of the Committee.

(2) APPROVAL OF REPORT.—Any finding or recommendation included in the report shall be agreed to by at least ⅔ of the members of the Committee serving at the time the finding or recommendation is made.

(3) INTERNET POSTING.—The Election Administration Commission shall post the report transmitted under paragraph (1) on the Internet website established under section 303(a)(5).

SEC. 323. POWERS OF THE COMMITTEE.

(a) HEARINGS.—

(1) IN GENERAL.—The Committee may hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Committee considers advisable to carry out this subtitle.

(2) OPPORTUNITIES TO TESTIFY.—The Committee shall provide opportunities for representatives of the general public, State and local government officials, and other groups to testify at hearings.

(b) INFORMATION FROM FEDERAL AGENCIES.—The Committee may secure directly from any Federal department or agency such information as the Committee considers necessary to carry out this subtitle. Upon request of the Chairperson of the Committee, the head of such department or agency shall furnish such information to the Committee.

(c) POSTAL SERVICES.—The Committee may use the United States mails in the same manner and under the same conditions as other departments and agencies of the Federal Government.

(d) GIFTS.—

(1) IN GENERAL.—The Committee may accept, use, and dispose of gifts or donations of services or property.

(2) UNUSED GIFTS.—Gifts or grants not used at the expiration of the Committee shall be returned to the donor or grantor.

SEC. 324. COMMITTEE PERSONNEL MATTERS.

(a) COMPENSATION OF MEMBERS.—Each member of the Committee shall serve without compensation.

(b) TRAVEL EXPENSES.—The members of the Committee shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Committee.

(c) STAFF.—

(1) IN GENERAL.—The Chairperson of the Committee may, without regard to the civil service laws and regulations, appoint and terminate an executive director and such other additional personnel as may be necessary to enable the Committee to perform its duties. The employment of an executive director shall be subject to confirmation by the Committee.

(2) COMPENSATION.—The Chairperson of the Committee may fix the compensation of the executive director and other personnel without regard to chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates, except that the rate of pay for the executive director and other personnel may not exceed the rate payable for level V of the Executive Schedule under section 5316 of such title.

(3) PERSONNEL AS FEDERAL EMPLOYEES.—

(A) IN GENERAL.—The executive director and any personnel of the Committee who are employees shall be employees under section 2105 of title 5, United States Code, for purposes of chapters 63, 81, 83, 84, 85, 87, 89, and 90 of that title.

(B) MEMBERS OF COMMITTEE.—Subparagraph (A) shall not be construed to apply to members of the Committee.

(d) DETAIL OF GOVERNMENT EMPLOYEES.—Any Federal Government employee may be detailed to the Committee without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

(e) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The Chairperson of the Committee may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals which do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of such title.

SEC. 325. TERMINATION OF THE COMMITTEE.

The Committee shall terminate 90 days after the date on which the Committee transmits its report under section 322(b)(1).

SEC. 326. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated to carry out this subtitle not less than $2,000,000 from the funds appropriated under section 307.

(b) AVAILABILITY.—Any sums appropriated under the authorization contained in this subtitle shall remain available, without fiscal year limitation, until expended.

TITLE IV—CRIMINAL PENALTIES; MISCELLANEOUS

SEC. 401. REVIEW AND REPORT ON ADEQUACY OF EXISTING ELECTORAL FRAUD STATUTES AND PENALTIES.

(a) REVIEW.—The Attorney General shall conduct a review of existing criminal statutes concerning election offenses to determine—

(1) whether additional statutory offenses are needed to secure the use of the Internet for election purposes; and

(2) whether existing penalties provide adequate punishment and deterrence with respect to such offenses.

(b) REPORT.—The Attorney General shall submit a report to the Judiciary Committees of the Senate and the House of Representatives on the review conducted under subsection (a) together with such recommendations for legislative and administrative action as the Attorney General determines appropriate.

SEC. 402. OTHER CRIMINAL PENALTIES.

SA 2936. Mr. HATCH submitted an amendment intended to be proposed by him to the bill S. 565, to establish the Commission on Voting Rights and Procedures to study and make recommendations regarding election technology, voting, and election administration, to establish a grant program under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uniform and nondiscriminatory election technology and administration requirements for the 2004 Federal elections, and for other purposes; as follows:

On page 68, between lines 17 and 18, insert the following:

SEC. ___. MAKING THE PROVISIONS OF THE VOTING RIGHTS ACT OF 1965 PERMANENT.

(a) PERMANENCY OF PRECLEARANCE REQUIREMENTS.—Section 4(a)(8) of the Voting Rights Act of 1965 (42 U.S.C. 1973b(a)(8)) is amended to read as follows:

''(8) The provisions of this section shall not expire.''.

(b) PERMANENCY OF BILINGUAL ELECTION REQUIREMENTS.—Section 203(b)(1) of the Voting Rights Act of 1965 (42 U.S.C. 1973aa–1a(b)(1)) is amended by striking ''Before August 6, 2007, no covered State'' and insert ''No covered State''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of enactment of this Act.

SA 2937. Mr. SCHUMER (for himself, Mr. WYDEN, Mr. BINGAMAN, Ms. CANTWELL, Mrs. CLINTON, Mr. DURBIN, Mr. HOLLINGS, Mr. KERRY, and Mrs. MURRAY) proposed an amendment to the bill S. 565, to establish the Commission on Voting Rights and Procedures to study and make recommendations regarding election technology, voting, and election administration, to establish a grant program under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uniform and nondiscriminatory election technology and administration requirements for the 2004 Federal elections, and for other purposes; as follows:

Beginning on page 18, line 8, strike through page 19, line 24, and insert the following:

(b) REQUIREMENTS FOR VOTERS WHO REGISTER BY MAIL.—

(1) IN GENERAL.—Notwithstanding section 6(c) of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg–4(c)) and subject to paragraphs (3) and (4), a State shall, in a uniform and nondiscriminatory manner, require an individual to meet the requirements of paragraph (2) if—

(A) the individual has registered to vote in a jurisdiction by mail; and

(B) the individual has not previously voted in an election for Federal office in that State.

(2) REQUIREMENTS.—

(A) IN GENERAL.—An individual meets the requirements of this paragraph if the individual—

(i) in the case of an individual who votes in person—

(I) presents to the appropriate State or local election official a current and valid photo identification;

(II) presents to the appropriate State or local election official a copy of a current utility bill, bank statement, Government check, paycheck, or other Government document that shows the name and address of the voter;

(III) provides written affirmation on a form provided by the appropriate State or local election official of the individual's identity; or

(IV) provides a signature or personal mark for matching with the signature or personal mark of the individual on record with a State or local election official; or

(ii) in the case of an individual who votes by mail, submits with the ballot—

(I) a copy of a current and valid photo identification;

(II) a copy of a current utility bill, bank statement, Government check, paycheck, or other Government document that shows the name and address of the voter; or

(III) provides a signature or personal mark for matching with the signature or personal mark of the individual on record with a State or local election official.

(B) PROVISIONAL VOTING.—An individual who desires to vote in person, but who does not meet the requirements of subparagraph (A)(i), may cast a provisional ballot under section 102(a).

(3) IDENTITY VERIFICATION BY SIGNATURE OR PERSONAL MARK.—In lieu of the requirements of paragraph (1), a State may require each individual described in such paragraph to provide a signature or personal mark for the purpose of matching such signature or mark with the signature or personal mark of that individual on record with a State or local election official.

On page 68, strike lines 19 and 20, and insert the following:

(a) IN GENERAL.—Nothing in this Act may be construed to authorize

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SA 2938. Mr. DODD (for Mr. SARBANES) proposed an amendment to the bill S. 565, to establish the Commission on Voting Rights and Procedures to study and make recommendations regarding election technology, voting, and election administration, to establish a grant program under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uniform and nondiscriminatory election technology and administration requirements for the 2004 Federal elections, and for other purposes; as follows:

On page 68, between lines 17 and 18, insert the following:

SEC. ___. HELP AMERICA VOTE COLLEGE PROGRAM.

(a) ESTABLISHMENT OF PROGRAM.—

(1) IN GENERAL.—Not later than 1 year after the appointment of its members, the Election Administration Commission (in this section referred to as the ''Commission'') shall develop a program to be known as the ''Help America Vote College Program'' (in this section referred to as the ''Program'').

(2) PURPOSES OF PROGRAM.—The purpose of the Program shall be—

(A) to encourage students enrolled at institutions of higher education (including community colleges) to assist State and local governments in the administration of elections by serving as nonpartisan poll workers or assistants; and

(B) to encourage State and local governments to use the services of the students participating in the Program.

(b) ACTIVITIES UNDER PROGRAM.—

(1) IN GENERAL.—In carrying out the Program, the Commission (in consultation with the chief election official of each State) shall develop materials, sponsor seminars and workshops, engage in advertising targeted at students, make grants, and take such other actions as it considers appropriate to meet the purposes described in subsection (a)(2).

(2) REQUIREMENTS FOR GRANT RECIPIENTS.—In making grants under the Program, the Commission shall ensure that the funds provided are spent for projects and activities which are carried out without partisan bias or without promoting any particular point of view regarding any issue, and that each recipient is governed in a balanced manner which does not reflect any partisan bias.

(3) COORDINATION WITH INSTITUTIONS OF HIGHER EDUCATION.—The Commission shall encourage institutions of higher education (including community colleges) to participate in the Program, and shall make all necessary materials and other assistance (including materials and assistance to enable the institution to hold workshops and poll worker training sessions) available without charge to any institution which desires to participate in the Program.

(c) AUTHORIZATION OF APPROPRIATIONS.—In addition to any other funds authorized to be appropriated to the Commission, there are authorized to be appropriated to carry out this section such sums as may be necessary for fiscal year 2002 and each succeeding fiscal year.

SA 2939. Mr. DODD (for Mr. SESSIONS) proposed an amendment to the bill S. 565, to establish the Commission on Voting Rights and Procedures to study and make recommendations regarding election technology, voting, and election administration, to establish a grant program under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uniform and nondiscriminatory election technology and administration requirements for the 2004 Federal elections, and for other purposes; as follows:

On page 47, after line 19, insert the following:

Subtitle D—National Student/Parent Mock Election

SEC. 231. NATIONAL STUDENT/PARENT MOCK ELECTION.

(a) IN GENERAL.—The Election Administration Commission is authorized to award

grants to the National Student/Parent Mock Election, a national nonprofit, nonpartisan organization that works to promote voter participation in American elections to enable it to carry out voter education activities for students and their parents. Such activities may—

(1) include simulated national elections at least 5 days before the actual election that permit participation by students and parents from each of the 50 States in the United States, its territories, the District of Columbia, and United States schools overseas; and

(2) consist of—

(A) school forums and local cable call-in shows on the national issues to be voted upon in an ''issues forum'';

(B) speeches and debates before students and parents by local candidates or stand-ins for such candidates;

(C) quiz team competitions, mock press conferences, and speech writing competitions;

(D) weekly meetings to follow the course of the campaign; or

(E) school and neighborhood campaigns to increase voter turnout, including newsletters, posters, telephone chains, and transportation.

(b) REQUIREMENT.—The National Student/Parent Mock Election shall present awards to outstanding student and parent mock election projects.

SEC. 232. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out the provisions of this subtitle $650,000 for fiscal year 2002 and such sums as may be necessary for each of the 6 succeeding fiscal years.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. DODD. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on Tuesday, February 26, 2002, at 10 a.m., to conduct an oversight hearing on ''Accounting and Investor Protection Issues Raised by Enron and Other Public Companies: Oversight of the Accounting Profession, Audit Quality and Independence, and Formulation of Accounting Principles.''

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. DODD. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet on Tuesday, February 26, 2002, at 9:30 a.m., on the collapse of the Enron Corporation.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. DODD. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Tuesday, February 26, at 9 a.m., to conduct a hearing. The purpose of the hearing is to receive testimony on the nomination of Raymond L. Orbach to be Director of the Office of Science, Department of Energy.

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

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. DODD. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet on Tuesday, February 26, 2002, at 9:30 a.m., to conduct a hearing that will focus on S. 1961, the Water Investment Act, a bill to improve the financial and environmental sustainability of the water programs of the United States.

The Committee will also receive testimony on the following legislation:

S. 252: A bill to amend the Federal Water Pollution Control Act to authorize appropriations for State water pollution control revolving funds, and for other purposes.

S. 285: A bill to amend the Federal Water Pollution Control Act to authorize the use of State revolving loan funds for construction of water conservation and quality improvements

S. 503: A bill to amend the Safe Water Act to provide grants to small public drinking water system.

S. 1044: A bill to amend the Federal Water Pollution Control Act to provide assistance for nutrient removal technologies to States in the Chesapeake Bay watershed.

The hearing will be held in SD–406.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. DODD. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet for a hearing on Gerald Reynolds, of Missouri, to be Assistant Secretary for Civil Rights, Department of Education during the session of the Senate on Tuesday, February 26, 2002, at 3:30 p.m.

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

COMMITTEE ON INDIAN AFFAIRS

Mr. DODD. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet on Tuesday, February 26, 2002, at 10 a.m., in room 106 of the Dirksen Senate Building to conduct an oversight hearing on the management of Indian trust funds.

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

COMMITTEE ON THE JUDICIARY

Mr. DODD. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a hearing on ''Judicial Nominations'' on Tuesday, February 26, 2002, at 10 a.m., in Dirksen room 226.

Tentative Witness List

Panel I: Senators Ted Stevens; Arlen Specter; Frank Murkowski; Phil Gramm; Jon Kyl; Rick Santorum; and Congressman Ruben Hinojosa.

Panel II: D. Brooks Smith to the U.S. Court of Appeals for the Third Circuit.

Panel III: Ralph Beistline to be U.S. District Court Judge for the District of Alaska; David Charles Bury to be U.S. District Court Judge for the District of Arizona; and Randy Crane to be U.S. District Court Judge for the Southern District of Texas.

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

SUBCOMMITTEE ON TECHNOLOGY, TERRORISM, AND GOVERNMENT INFORMATION

Mr. DODD. Mr. President, I ask unanimous consent that the Committee on the Judiciary Subcommittee on Technology, Terrorism and Government Information be authorized to meet to conduct a hearing on ''Securing our Ports Against Terror: Technology, Resources and Homeland Defense'' on Tuesday, February 26, 2002, at 3:15 p.m., in Dirksen 226.

Witness List

Panel I: Capt. William G. Schubert, Maritime Administrator, Department of Transportation; Bonni G. Tischler, Assistant Commissioner, Office of Fields Operations, Customs Service; and Rear Admiral Kenneth T. Venuto, Director of Operations Policy, Coast Guard.

Panel II: Richard Steinke, Chairman of the Board, American Association of Port Authorities, and Executive Director, Port of Long Beach, Long Beach, CA; F. Amanda DeBusk, Former Assistant Secretary for Export Enforcement, Commerce Department, and Former Commissioner, Interagency Commission on Crime and Security in U.S. Seaports, Washington, DC; Kim E. Petersen, Executive Director, Maritime Security Council, Fort Lauderdale, FL; Rob Quartel, Chairman and CEO, FreightDesk Technologies, Inc., and Former Member, Federal Maritime Commission, McLean, VA; and Charles Upchurch, President & CEO, SGS Global Trade Solutions, Inc., and Representative, Global Alliance for Trade Efficiency, New York, NY.

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

EXPRESSING CONDOLENCES TO THE FAMILY OF DANIEL PEARL

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 212, which was submitted earlier today by Senators LOTT and DASCHLE.

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

The legislative clerk read as follows:

A resolution (S. Res. 212) expressing the condolences of the Senate to the family of Daniel Pearl.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Mr. President, I ask unanimous consent that the resolution and the preamble be agreed to, the motion to reconsider be laid upon the table, and any statements relating to the resolution be printed in the RECORD.

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

The resolution (S. Res. 212) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

ENCOURAGING NEGOTIATED SETTLEMENT OF TRIBAL CLAIMS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 316, S. 1857.

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

The legislative clerk read as follows:

A bill (S. 1857) to encourage the negotiated settlement of tribal claims.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Indian Affairs with an amendment to strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SETTLEMENT OF TRIBAL CLAIMS.

(a) IN GENERAL.—Notwithstanding any other provision of law, for purposes of determining the date on which an Indian tribe received a reconciliation report for purposes of applying a statute of limitations, any such report provided to or received by an Indian tribe in response to section 304 of the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4044) shall be deemed to have been received by the Indian tribe on December 31, 1999.

(b) STATEMENT OF PURPOSE.—Subsection (a) is solely intended to provide recipients of reconciliation reports with the opportunity to postpone the filing of claims, or to facilitate the voluntary dismissal of claims, to encourage settlement negotiations with the United States.

Mr. REID. Mr. President, I ask unanimous consent that the committee substitute be agreed to; the bill, as amended, be read the third time and passed; the motion to reconsider be laid upon the table; and any statements relating to the bill be printed in the RECORD.

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

The committee amendment in the nature of a substitute was agreed to.

The bill (S. 1857), as amended, was read the third time and passed.

MEASURE READ THE FIRST TIME—H.R. 2356

Mr. REID. Mr. President, I understand H.R. 2356, which was just received from the House, is at the desk. I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill for the first time.

The legislative clerk read as follows:

A bill (H.R. 2356) to amend the Federal Election Campaign Act of 1971 to provide bipartisan campaign reform.

Mr. REID. Mr. President, I now ask for its second reading and object to my own request on behalf of my colleagues on the Republican side of the aisle.

The PRESIDING OFFICER. The bill will receive its second reading on the next legislative day.

ORDERS FOR WEDNESDAY, FEBRUARY 27, 2002

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until the hour of 9:30 a.m. on Wednesday, February 27. I further ask unanimous consent that on Wednesday, immediately following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day; further, that the Senate resume consideration of the election reform bill.

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

PROGRAM

Mr. REID. Mr. President, the Senate will vote at 10 a.m. in relation to the Schumer-Wyden amendment.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 8:36 p.m., adjourned until Wednesday, February 27, 2002, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate February 26, 2002:

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

ROBERT WATSON COBB, OF MARYLAND, TO BE INSPECTOR GENERAL, NATIONAL AERONAUTICS AND SPACE ADMINISTRATION, VICE ROBERTA L. GROSS.

MAJOR GENERAL CHARLES F. BOLDEN, JR., UNITED STATES MARINE CORPS, TO BE DEPUTY ADMINISTRATOR OF THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION, VICE JAMES R. THOMPSON, JR., RESIGNED.

DEPARTMENT OF STATE

OTTO J. REICH, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF STATE (WESTERN HEMISPHERE AFFAIRS), VICE PETER F. ROMERO, TO WHICH POSITION HE WAS APPOINTED DURING THE RECESS OF THE SENATE FROM DECEMBER 20, 2001, TO JANUARY 23, 2002.

MICHAEL ALAN GUHIN, OF MARYLAND, A CAREER MEMBER OF THE SENIOR EXECUTIVE SERVICE, FOR THE RANK OF AMBASSADOR DURING TENURE OF SERVICE AS U.S. FISSILE MATERIAL NEGOTIATOR.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIG. GEN. GEORGE P. TAYLOR JR., 0000

IN THE ARMY

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADES INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIGADIER GENERAL JEFFREY L. GIDLEY, 0000
BRIGADIER GENERAL JERRY W. GRIZZLE, 0000
BRIGADIER GENERAL GUS L. HARGETT JR., 0000
BRIGADIER GENERAL PHILLIP E. OATES, 0000
BRIGADIER GENERAL WALTER A. PAULSON, 0000
BRIGADIER GENERAL CLAUDE A. WILLIAMS, 0000

To be brigadier general

COLONEL RONALD I. BOTZ, 0000
COLONEL DAVID P. BURFORD, 0000
COLONEL JAMES E. FLETCHER, 0000
COLONEL ALAN K. FRY, 0000
COLONEL KENNETH D. HISLOP, 0000
COLONEL LAUGHLIN H. HOLLIDAY, 0000
COLONEL HAL E. HUNTER III, 0000
COLONEL DONALD O. KOONCE, 0000
COLONEL ROBERT A. MARTINEZ, 0000
COLONEL JOSEPH G. MATERIA, 0000
COLONEL THOMAS J. SHAILOR, 0000
COLONEL ROGER L. SHIELDS, 0000
COLONEL PERRY G. SMITH, 0000
COLONEL THOMAS J. SULLIVAN, 0000
COLONEL JOHN J. WEEDEN, 0000
COLONEL MITCHELL M. WILLOUGHBY, 0000
COLONEL PATRICK D. WILSON, 0000
COLONEL TIMOTHY J. WRIGHT, 0000

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral

REAR ADM. (LH) LINDA J. BIRD, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral

REAR ADM. (LH) DENNIS M. DWYER, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral

REAR ADM. (LH) RICHARD A. MAYO, 0000
REAR ADM. (LH) DONALD C. ARTHUR JR., 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral

REAR ADM. (LH) RICHARD E. BROOKS, 0000
REAR ADM. (LH) EVAN M. CHANIK JR., 0000
REAR ADM. (LH) BARRY M. COSTELLO, 0000
REAR ADM. (LH) KIRKLAND H. DONALD, 0000
REAR ADM. (LH) MARK J. EDWARDS, 0000
REAR ADM. (LH) JOSEPH E. ENRIGHT, 0000
REAR ADM. (LH) JAMES B. GODWIN III, 0000
REAR ADM. (LH) JOHN M. KELLY, 0000
REAR ADM. (LH) MICHAEL G. MATHIS, 0000
REAR ADM. (LH) GEORGE E. MAYER, 0000
REAR ADM. (LH) JOHN G. MORGAN JR., 0000
REAR ADM. (LH) ERIC T. OLSON, 0000
REAR ADM. (LH) ANN E. RONDEAU, 0000
REAR ADM. (LH) FREDERIC R. RUEHE, 0000
REAR ADM. (LH) JOHN D. STUFFLEBEEM, 0000
REAR ADM. (LH) WILLIAM D. SULLIVAN, 0000
REAR ADM. (LH) GERALD L. TALBOT JR., 0000
REAR ADM. (LH) HAMLIN B. TALLENT, 0000
REAR ADM. (LH) JAMES M. ZORTMAN, 0000

IN THE ARMY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

DEWITT T BELL JR., 0000
SAMUEL E BIRKY, 0000
RICHARD W BOWER, 0000
FLOYD V CHANDLER, 0000
RONALD L COBB, 0000
GEORGE D FORTENBERRY, 0000
GROVER C GLENN III, 0000
HARRY C GRUBBS, 0000
MATTHEW B HORNE, 0000
JOHN D JOHNSON, 0000
RANDALL A KOCHERSPERGER, 0000
MARK E LARSON, 0000
GERALDINE D MANNING, 0000
DANNY W MARKSBERRY, 0000
GLEN A NEWTON, 0000
WILLIAM O NISBET JR., 0000
JOSEPH ORLANDI, 0000
BERRIS D SAMPLES, 0000
JOHN A VIGILANTI, 0000
LEMUEL F WADE, 0000
CLARENCE M WALKER, 0000
FRANK E WISMER III, 0000
JON M WRIGHT, 0000

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

BOBBIE A. BELL, 0000
ROSS B. DEBLOIS, 0000
DAVID J. WELLINGTON, 0000

CONFIRMATIONS

Executive nominations confirmed by the Senate February 26, 2002:

THE JUDICIARY

ROBERT E. BLACKBURN, OF COLORADO, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF COLORADO.

CINDY K. JORGENSON, OF ARIZONA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF ARIZONA.

EXTENSIONS OF REMARKS

TRIBUTE TO MR. KEN DAVID, VETERAN SERVICE OFFICER FOR LIMESTONE COUNTY

HON. ROBERT E. (BUD) CRAMER, JR.

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2002

Mr. CRAMER. Mr. Speaker, I rise today to pay tribute to a distinguished citizen and soldier on the occasion of his retirement from the post of Veteran Service Officer for Limestone County, in my district.

Ken David served his country honorably, first in Vietnam, and later in the Persian Gulf during Operation Desert Storm. For the past ten years, he has been invaluable in assisting other veterans of Limestone County with a wide range of needs and requests.

Ken is a highly motivated and community oriented individual. Several years ago, he founded the Limestone County Veterans Museum and Archives. Ken organized and guided a committee of dedicated volunteers, and worked tirelessly himself, to renovate the historic depot in Athens, Alabama, where many Limestone County veterans disembarked for a war in years past. The museum is now a resource for veterans, their families, school groups, and the public, where they can learn about the tremendous sacrifice of North Alabama residents who proudly served their country in wartime during the 20th Century.

I want to thank Ken today for his immeasurable contribution of time, energy, and enthusiasm on behalf of his fellow veterans and neighbors. I also want to congratulate Ken and his family, and wish him the best during his well-deserved rest in retirement.

IN HONOR OF VONETTA FLOWERS, RECIPIENT OF AN OLYMPIC GOLD MEDAL

HON. EARL F. HILLIARD

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2002

Mr. HILLIARD. Mr. Speaker, I rise today to honor and pay tribute to Vonetta Flowers, a gold medalist in the women's bobsled event during the nineteenth Winter Olympiad in Park City Utah. On Tuesday, February 19, 2002, Ms. Flowers became the first African American to win a Winter Olympic Gold Medal.

Vonetta's journey to Olympic triumph is one that is analogous to that of many other famous tract stars who have come before her. While competing at the 2000 Olympic track and field trials in the long jump event, she saw a flyer for the bobsled team. As a lark she decided to try out and quickly mastered the six-event test that includes sprinting, jumping, and throwing a shot thus earning her a trial on the Olympic bobsled track. With only 2 weeks of training on how to push a bobsled, Vonetta and her teammate broke the world start record in October 2000. Later that season the team won four World medals and finished the year ranked third in the world.

A 4-year letter winner at the University of Alabama at Birmingham (UAB), Ms. Flowers is a seven time NCAA All American. During her college career she competed in long jump, triple jump, 100 meters, 200 meters and relay teams. She competed in the 2000 Olympic trials in long jump, where she finished 12th. She also won a Gold Medal at the 1994 Olympic festival in the long jump. Currently, Vonetta is an assistant track coach at UAB.

A native of Birmingham, AL, Vonetta attended Jackson-Olin High School where she was an All-State basketball player and member of the Birmingham Striders Track Club. She is married to Mr. Johnny Mack Flowers and is the daughter of Jimmie and Barbara Jeffrey.

Today, I ask my colleagues to join me in honoring Vonetta Flowers for her monumental achievement and superior athletic performance.

PAYING TRIBUTE TO THE ROYAL COLLEGE OF PHYSICIANS AND SURGEONS

HON. MIKE ROGERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2002

Mr. ROGERS of Michigan. Mr. Speaker, I rise today to pay tribute to the Royal College of Physicians and Surgeons of the USA for their prestigious service. The Royal College was created in 1984 and is located in Detroit, MI.

The Royal College of Physicians and Surgeons, an international organization, longs to provide continuing medical education to physicians and surgeons around the world. The Royal College campuses spread around the globe in Canada, England, Ireland, Australia, and South Africa. The College prides itself on its commitment to the science and arts of medicine and surgery. Further, the College is supported by private organizations, however it receives its charters from individual governments.

Therefore, Mr. Speaker, I respectfully ask my colleagues to join me in paying tribute to the renowned organization, the Royal College of Physicians and Surgeons as they celebrate their 20 years of service.

A TRIBUTE TO HADASSAH ON THEIR 90TH ANNIVERSARY

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2002

Mr. LANTOS. Mr. Speaker, I invited my colleagues to join me in commending and paying tribute to Hadassah—the Women's Zionist Organization of America, on the occasion of its 90th Anniversary. This extraordinary organization, founded in February 1912 by Henrietta Szold, has worked throughout its nine decades to ensure the unity of the Jewish people.

Hadassah's American activities cover the map from Anchorage, Alaska, to San Juan, Puerto Rico, and from Honolulu, Hawaii, to Bangor, Maine. In more than 800 communities around the United States, Hadassah volunteers undertake programs and activities that change and improve people's lives. These include the ''Check it Out'' breast cancer detection and awareness campaign and sponsoring Jewish family programs across the country. Members of Hadassah are also on the forefront of important public policy debates on a diverse range of issues including, women's health, church-state separation, and U.S.-Israel relations.

Mr. Speaker, the wonderful work of Hadassah does not stop at our nation's borders. The organization's greatest achievement is its network of world-renowned medical and educational institutions in Israel. The Hadassah Medical Organization in Jerusalem provides the highest quality of health care to more than 600,000 people a year. Since 1984, the Hadassah Medical Organization has also been involved in global outreach programs to other countries, particularly those in Africa. Included in these initiatives are new treatments for eye diseases, AIDS education, post-natal care and public health.

Numbering more than 300,000 throughout the United States, the devoted membership of Hadassah embodies the spirit of volunteerism and community service. These women are our mothers, daughters, sisters, wives and aunts.

Mr. Speaker, I invite our colleagues to join me in paying tribute to Hadassah—this outstanding community service organization—and its many dedicated members, who have made outstanding contributions to our nation and to peoples throughout the world over the past 90 years.

DEFENSE BUDGET STATEMENT

HON. CYNTHIA A. McKINNEY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2002

Ms. MCKINNEY. Mr. Speaker, on Wednesday, February 6th, Secretary of Defense Donald Rumsfeld testified before the House Armed Services Committee and asked for a record increase in defense spending. He pointed to the brave new world post-September 11th as justification for the largest hike in defense spending in 20 years. Sadly, Secretary Rumsfeld thinks that the brave new world of post-September gives us amnesia about 9/11 and the events before 9/11. He also mistakenly believes that all of his destabilizing proposals can be justified as a reasoned response to 9/11. An incredibly, both

the Vice President and the President placed calls to TOM DASCHLE asking that the fog of ignorance around the events prior to and the day of 9/11 not be lifted.

The fact, however, is that September 11 was not a failure of our nation's defenses. Rather, September 11 was a colossal intelligence failure—a failure to act on timely and accurate warnings predicting massive terrorist attacks against our nation. The LA Times and other leading press agencies have identified some of these missed warnings. And this was not the first time that our intelligence agencies have let us down. The same failure to act on critical warnings happened with respect to the terror attacks against our embassies in Africa.

Even the CIA, the FBI and other senior Capitol Hill figures all now agree that there were serious lapses in the handling of perishable and highly significant warnings preceding the September 11th attacks. But instead of examining what went wrong with respect to these warnings and then trying to prevent it from ever happening again, President Bush and Vice President CHENEY now seek to actually prevent the Congress from investigating these and other events surrounding September 11th. Indeed, Senator RICHARD SHELBY, a member of the Senate Intelligence Committee told CNN: ''It was a real massive failure . . . In my judgment too many bureaucratic failures, not enough coordination between the Agencies.'' The active efforts to prevent a Congressional investigation into the events surrounding September 11 not only violate the principles of good government but are an affront to the memories of all those who perished in the September 11 attacks. But sadly, the Administration now chooses to direct us on a path of war while refusing to allow us to know how we got there.

I have been asked by my constituents to explain to them why and how September 11 happened. Indeed, the whole world community continues to search for answers to those exact questions. That cannot be done if the Executive Branch will not cooperative with the Legislative Branch in answering important questions about what was known before, during, and after the tragedies in New York and Pennsylvania and Washington, DC. Why doesn't the Executive Branch want us to know answers to these questions? Is there something that they don't want the American public to know?

Instead of working with the Congress to search for answers to these questions the Administration has now become obsessed with finding ways to expand the U.S. military budget. The White House is now using our new War Against Terror as a means of siphoning public attention away from the events surrounding September 11th in order to generate widespread support for the largest increase in defense spending in a generation. The Administration has even identified a dubious ''axis of evil'' to further justify this increased spending.

The President has requested an increase of $48.1 billion in defense spending. Sadly, many commenters have already pointed out that his father stands to personally gain immense profits from the President's proposals because of the former President's relationship with The Carlyle Group, a leading defense conglomerate. One particular defense contract, for the development and purchase of a mobile howitzer, the Crusader, exists with the Carlyle Group. Though the company has received millions for this, the Crusader is too hefty to transport, has not yet reached its production phase despite years of engineering and re-engineering, and is far from fulfilling its purpose or need.

In his testimony before the Congress Wednesday, Secretary of Defense Donald Rumsfeld said that America can afford this increase just fine. This comes after defense spending snared a whopping 62 percent of all new spending for the year 2002. This accounting is specious, as Rumsfeld himself noted on the eve of September 11th, that ''according to some estimates we cannot track $2.3 trillion in transactions.'' Increased spending should occur under no circumstances without increased financial accountability. Does Arthur Anderson keep the Pentagon's books?

Rumsfeld's trick of throwing bones to would-be critics in the form of pay raises for the troops should not obscure the fact that the bulk of this budget hike goes not for pay raises, but for expensive gadgets such as missile defense, three new, separate fighter planes and space-based lasers. Of the $48.1 billion requested in more funding, less than 5 percent of that increase is for soldier pay raises. And let us not forget that the President's first act in this war on terrorism was to waive the high-deployment overtime pay for our troops who are on the front line of this war.

I might remind Mr. President that we still have veterans from the Vietnam war suffering from the ill effects of Agent Orange, we still have Vietnam veterans impoverished and sleeping on the streets of our Nation's Capital, we still have veterans from the Gulf War suffering the ill effects of Gulf War syndrome and we still have service men and women in our armed forces living on food stamps and residing in poor housing. How in good conscience can the Secretary of Defense come before this Committee and ask for yet more money for aircraft, ships and missiles and not adequately address these critical issues concerning the personal welfare of our veterans and serving men and women?

Sadly, however, at the same time that the President proposes the largest defense spending hike in 20 years, his budget also proposes to cut funds for programs that bridge the digital divide, reducing funds for highway construction and urban development and cutting funding for the EPA by $300 million. And despite the down-turned economic situation, the President has also proposed to cut back on job training, assistance for low income home heating, and rural housing and utility improvements. Moreover, funds to cleanup the Savannah River Site nuclear weapons complex are sliced, and abroad, international food aid and peacekeeping funds are also shrunk.

At $379.3 billion, the President's proposal will not tell us how just a few months ago during the trial of suspects charged with initially bombing the World Trade Center in 1993, a suspect told U.S. officials that bin Laden's group was trying to make war on the United States and in particular would bomb an embassy, yet we did nothing and lost hundreds of lives in Nairobi and Dar Es Salaam. Nor will this budget explain the Mossad warning of a major terrorist force of 200 individuals entering the U.S., which apparently again fell on deaf ears. What of the supposed warning to German police by an Iranian in Hamburg of an impending attack on the U.S. using hijacked planes? And nor will this budget illuminate for us who performed the unusual stock trades on the Friday and Monday before September 11th, but has since decided not to pick up the tidy profit that was made. The U.S. Government is now being sued by survivors of the African embassy blasts because it has become clear that the United States had ample warning but chose to do nothing rather than prevent the loss of life. Given the prior warnings, insider stock trades, and convoluted financial interrelationships, September 11th represents yet another wasted chance to save innocent lives.

The most shocking aspect of the President's request involves the New Defense Strategy to be implemented now. Secretary Rumsfeld testified that a major role now for the U.S. military will be to occupy an opponent's capital and replace his regime. In as much as the Secretary has identified some 60 countries, including our own, that host terror cells, and publicly stated his intention to ''drain the swamp,'' we can only surmise that the U.S. military is now in the business of taking over capitals around the world and replacing regimes . . . starting with Washington, DC.

IN MEMORY OF LOWELL F. RUPP

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2002

Ms. KAPTUR. Mr. Speaker, today I rise to pay homage to a man of my district, Lowell F. Rupp, who passed from this life on Monday, January 7, 2002 at the youthful age of 73. Mr. Rupp was a long-time and much loved civic and business leader in Fulton County, Ohio.

Born on a family farm still operational in Fulton County, Mr. Rupp eventually purchased the farm from his father. He produced corn, soybeans, and wheat, selling the seed as well. Even though I came to know him through politics, for me the picture of Mr. Rupp remains with the land, for he was a farmer in his very soul.

Entering German Township politics, he ''sought elective office out of a love for people and a desire to make a difference in their lives.'' That, indeed, he did. After serving for ten years as a German Township Trustee, Mr. Rupp was elected a Fulton County Commissioner. He served in that position for sixteen years, retiring at the end of his final term in 1994. His tenure as commissioner brought a great deal to the residents of Fulton County: he most assuredly did make a difference in their lives, improving their livelihoods, bringing positive progress to the county and always moving forward. Under his stewardship, the Fulton County Courthouse Plaza, a new county health department building and senior centers in four regions of the county were established. He helped to obtain expansion for water lines into the county and improvements to its fairgrounds.

Those who worked with Mr. Rupp in pursuit of projects benefiting the county—myself included—found him to be a most able and honorable man. One of his colleagues describes him as a ''rock-ribbed Republican'' who never let partisanship get in the way of doing the best job he could for the public good and noted, ''He was a gentleman to work with. We were both opinionated and agreed to disagree.'' Mr. Rupp practiced a style of politics

from which all could take a lesson, and though driven to achieve what he thought was right, still understood the art of compromise.

A man of great yet quiet faith who lived his beliefs, Mr. Rupp was a lifelong member of the Evangelical Mennonite Church. He was also a member of Gideons International and the Archbold Rotary.

Lowell Rupp and his wife Ardith celebrated nearly 53 years of marriage together. As deeply as he surely loved his family, words can do little to assuage the grief felt now by Mrs. Rupp, their children Beverly, Pamela, Bruce, Larry, and Leslie, sister, brother, and grandchildren. May the tangible legacy he leaves behind in what his public service gave to his community help them as they find their way now. Lowell Rupp's memory, his talent, his energy, and his service are the gifts he has left to his family, and to us. While we are saddened at his passing, we are grateful for his life.

TRIBUTE TO THE WOMEN'S AUXILIARY OF THE RIVERSIDE VETERANS, INC.

HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2002

Mr. PASCRELL. Mr. Speaker, I am honored to take this opportunity to salute the Women's Auxiliary of the Riverside Veterans, Inc., from my hometown of Paterson, NJ. On Sunday, October 21, 2001 the post celebrated a proud moment, its 50th Anniversary.

Having spent my formative years in the Riverside section of Paterson, exercising my ability to honor this group in the permanent record of the greatest democracy ever known, is all the more special.

After our Nation's triumph in the Second World War, our heroes from the Riverside section of Paterson returned home and decided to form, under the guiding hand of founder Tony Tirri, the Riverside Veterans Inc., in 1946. Many of these brave men lived and fought together in the same combat units, forging unbreakable bonds that served as the base of this organization.

Mr. Speaker, everyone in this chamber knows it was the collective effort and resolve of our entire country that carried us to decisive victory in 1945. The Riverside Veterans were more than cognizant of this fact, as they took the initiative in rewarding the women who served their country on the homefront. In 1951, the decision was made to form a women's auxiliary.

Under the leadership of the first year officers—President Mary DeNova, Vice President Addie Pacilio, Secretary Dorothy Tirri, Treasurer Dorothy Malizia, Chaplain Pearl Plavan, Service Officer Rosa Palotta, Mistress-At-Arms Connie Barone, and Executive Board members Angie Tateo, Betty Natoli, Julie Cosgrove, and Delma Cuccinello—the highest standards of charity, family values, and community awareness were set for the Women's Auxiliary's of the Riverside Veterans, Inc.

As a lifelong resident and former Mayor of Paterson, I cannot think of another organization that better embodies its motto, ''The Post That Cares,'' than the Riverside Veterans Auxiliary. My revered predecessor in Congress, the Hon. Robert A. Roe, succinctly said it best stating. ''It would be difficult indeed to find a more dedicated or hard working group of women than the auxiliary of the Riverside Veterans.''

I would like to recognize the exceptional current leadership of this venerable institution: President Delma Cuccinello, whose husband Louis is the Commander of Riverside Veterans Inc., Vice President Janet Rigamonti, Secretary Catherine Spina, Treasurer Ruth Gallo, Chaplain Jean Carini, Service Officer Irma Cantilla, Mistress-At-Arms Ann Cirasuolo and Executive Board members Clover Glloriande, Bette Natoli, Dolly Gorga, Ida Ponte, and Holly Hintzen. These current leaders have carried on the noble precedents set by the founding members.

Mr. Speaker, I ask that you join our colleagues, the City of Paterson, veterans across the nation, and me in recognizing the outstanding and invaluable service of the Women's Auxiliary of the Riverside Veterans Inc.

TRIBUTE TO 125 YEARS OF COMMUNITY SERVICE BY THE FITCHBURG SPORTSMEN'S CLUB

HON. JOHN W. OLVER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2002

Mr. OLVER. Mr. Speaker, I rise today in recognition of the valuable service of the Fitchburg Sportsmen's Club of Fitchburg, Massachusetts, located in north Worcester County at the eastern end of my district. On March 4, 2002, the Fitchburg Sportsmen's Club will hold its 125th annual banquet celebrating a long and impressive record of serving the local community.

The Fitchburg Sportsmen's Club first met in the late 19th century to organize sportsmen, hold competitions and promote responsible gun ownership. Since then, the Club has continued these activities, and its members have used the Club as a platform to discuss important issues affecting gun owners and the public. There is evidence that the Club originated for the purpose of supporting laws to preserve and protect fish and game, thereby helping to maintain the environmental integrity of the Commonwealth. The Club has also worked with local law enforcement and community leaders to promote gun safety, provide instruction for gun owners, and promote responsible gun etiquette.

Through its varied activities, the Sportsmen's Club has proven to be an influential and beneficial voice in the city of Fitchburg. As the Club reflects on its past accomplishments, I encourage its members to continue their role as instructors and community organizers.

TRIBUTE TO CATHOLIC HIGH SCHOOL OF HUNTSVILLE, AL

HON. ROBERT E. (BUD) CRAMER, JR.

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2002

Mr. CRAMER. Mr. Speaker, I rise today to recognize Catholic High School in Huntsville, AL, as it kicks off its annual ''Community Service Day.'' Today, Catholic High seniors will go out into the community to volunteer their time and hard work throughout Huntsville.

Part of Catholic High School's mission statement is ''to serve the families of our Catholic parishes and the wider community.'' They pledge to guide students into loving service of others through activities such as ''Community Service Day.'' Catholic High School has a student faith development initiative that includes giving back to their community through service and outreach, and becoming more aware of the needs of others. Every year, students are required to spend 100 hours volunteering in the Community.

Mr. Speaker, I want to commend Catholic High School and each member of its senior class for their strong commitment to serving others. This kind of outreach is extremely beneficial to the Huntsville community as well as to each student as they grow and learn about what it means to reach out to those who are in need. I wish them the best and sincerely thank them as they go out today to serve our community.

A TRIBUTE TO AN AMERICAN HERO—REAR ADMIRAL HERSCHEL GOLDBERG

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2002

Mr. LANTOS. Mr. Speaker, it is with a heavy heart that I rise today and pay tribute to a dear friend and true American patriot, Rear Admiral Herschel Goldberg, who recently passed away at his San Mateo home.

Rear Admiral Goldberg was born in Highland, Kansas and raised in St. Joseph, Missouri before graduating from the U.S. Naval Academy in 1935. After a year at the Navy Finance and Supply School, Rear Admiral Goldberg was transferred to the U.S. Navy supply corps. During World War II he was stationed in the South Pacific. He served as the Supply Officer of the Navy bases at Bora Bora and Guadalcanal before being promoted to Commanding Officer of the Naval Supply Depot in Noumea, New Caledonia. Mr. Speaker, it was at Noumea, where Rear Admiral Goldberg did what he described as the, ''most soul satisfying thing I've done in my entire career.'' By racially integrating his 2,000 enlisted men work force, Rear Admiral Goldberg advanced the cause of racial equality.

After the war, Rear Admiral Goldberg received his MBA from Harvard Business School and then served as Logistics Planning Officer on General Eisenhower's NATO staff. After being promoted to Rear Admiral, U.S. Navy Supply Corps, he was appointed by President Lyndon Johnson to Chief of the Bureau of Supplies and Accounts and Paymaster General of the Navy. In 1966 he became the first commander to be officially named Chief of Supply Corps, were he played a dominate role in the continued development of a strong, centrally coordinated and fully integrated supply system that was essential for the maintenance and preservation of the United States as a global naval power. For his extraordinary service to the Navy Rear Admiral Goldberg was awarded both the Distinguished Service Medal and the Legion of Merit.

I had the pleasure on having Rear Admiral Goldberg serve on my Service Academy Nominations board since I was elected to Congress in 1980. I urge all my colleagues to join me in wishing Rear Admiral Goldberg the traditional naval parting for a fallen naval officer, farewell and following seas.

IN RECOGNITION OF MR. DONALD ''MAC'' McLAUGHLIN

HON. JOEL HEFLEY

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2002

Mr. HEFLEY. Mr. Speaker, I rise today to recognize Mr. Donald ''Mac'' McLaughlin. After 61 years of service to his country, Mr. McLaughlin is retiring.

He began his career in 1940 as a cadre in the 10th Mountain Division at Fort Carson in Colorado Springs. He went on to become a member of the 82nd Airborne Division and a parachute jumper for the regimented combat team. After a combat jump in Holland in 1943 and the end of World War II in 1945, he returned home. Mr. McLaughlin separated from the Army that year and began his service with the Air Force in food services.

Twenty-six years later, Mr. McLaughlin retired from active duty as a chief master sergeant, but his service to our Nation did not end there. He was hired by the Air Force Academy athletic department as a concessions manager where he devoted many long hours to ensure that Falcon Stadium and its patrons were accommodated.

This man knows the true meaning of service to his country and I am proud to have him as a constituent. I congratulate him on his long and rewarding career and wish him well as he enters retirement.

IN HONOR OF THE LOWER EAST SIDE PEOPLE'S FEDERAL CREDIT UNION

HON. JERROLD NADLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2002

Mr. NADLER. Mr. Speaker, I rise today to congratulate the Lower East Side People's Federal Credit Union (LESPFCU) on the occasion of the grand opening of its Avenue C ATM.

Since 1986, the Lower East Side People's Federal Credit Union has served the financial needs of low-income neighborhood residents who are not served by commercial banks. For over 15 years, since the closing of the last commercial bank in the Lower East Side community, the credit union has maintained its goal of stimulating the economic and community development of the neighborhood by providing a safe, sound, and democratic alternative to traditional banks. Today, nearly 4,000 area residents and employees are members of the credit union. Including the extended family of credit union members who benefit from its services, the credit union serves close to 10,000 Lower East Side community members. As of December 2001, LESPFCU has made over $8 million in loans to 3,488 members of the community, enabling them to realize their dreams of home ownership, starting a small business, or furthering their education.

The Lower East Side People's Federal Credit Union has now opened its second ATM location on Avenue C between 8th and 9th Streets. This new ATM makes the credit union the first financial institution to establish a presence on Avenue C since the 1960s. The opening of the ATM marks two important developments for the Lower East Side: first, it is the beginning of the credit union's expansion plan, which will allow it to continue to serve the growing financial needs of the community; secondly, it demonstrates a revitalized interest and dedication to the economic well-being of the Lower East Side. These developments are sure to contribute to a revitalized community and to benefit the long-term recovery of New York City.

I would like to congratulate those whose hard work has contributed to the opening of the new ATM: the dedicated staff and leadership of the Lower East Side People's Federal Credit Union, the Lower East Side People's Mutual Housing Association, New York City Councilwoman Margarita Lopez, the Co-op Network, Citibank, HSBC, and JP Morgan Chase.

HONORING STAFF SERGEANT BRANDON PEARCE

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2002

Mr. RADANOVICH. Mr. Speaker, I rise today to honor Staff Sergeant Brandon R. Pearce on the occasion of him being named the United States Air Force's Airman of the Year. Mr. Pearce is an Aircraft Hydraulic Systems Journeyman assigned to the 146th Maintenance Squadron, 146th Logistics Group, 146th Airlift Wing, Channel Islands Air National Guard Station, California. In order to achieve this high honor, Mr. Pearce competed against more than 6,000 airmen in California with the national competition including members from throughout the United States and territories.

Staff Sergeant Pearce graduated from Mariposa High School in 1988 and enlisted in the Air Force. While on active duty, Staff Sergeant Pearce received several Crew Chief of the Month awards and was assigned to his own C–141 aircraft. He participated in Operation Just Cause in Panama, the Persian Gulf war as well as many other operational missions. Staff Sergeant Pearce has also received other military awards, such as the Air Force Longevity Service Award Ribbon and the Air Force Training Ribbon. Upon completion of his 4-year enlistment, he became a full time student which earned him an Associate of Arts degree in History in 1993, and a Bachelor of Arts degree in 1995. In addition to his two degrees, he also obtained a Teaching Credential and devoted 3 years helping to educate and mentor the youth of Ventura and Mariposa Counties.

After completing his education, in 1998, Staff Sergeant Pearce rejoined the Air Force in the California Air National Guard as an Aircraft Hydraulic Systems Technician with the 146th Airlift Wing. Some of his responsibilities include maintenance of all hydraulic components of the wing's 12 C–130Es, including flight controls, brakes, and landing gear. In addition to his busy schedule at the California Air National Guard, he and his wife, Jackie, still find time to take active roles in their church's community outreach program assisting families in need and the homeless.

Mr. Speaker, I congratulate Staff Sergeant Brandon Pearce on his achievement of being named the United States Air Force's Airman of the Year. Not only is he a fine example in the service to his country, but also to his community. His success reflects credit upon himself, the Air Force and our Nation. I urge my colleagues to join me in honoring Staff Sergeant Brandon Pearce being named Airman of the Year and wish him many more years of continued success.

TRIBUTE TO DEREK PARRA

HON. JOE BACA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2002

Mr. BACA. Mr. Speaker, I ask for unanimous consent to revise and extend my remarks.

I rise today to pay tribute to one of America's new Olympic heroes. Like all Americans, I watched all of our athletes competing in the 2002 games with great pride. We love the Olympics. We love the international spirit, the thrill of competition, the joys of victory and stories of struggle. The athletes capture our imaginations and our hearts.

I watched one athlete with particular pride, speed skater Derek Parra, winner of the silver medal in the 5,000-meter skate and the gold in the 1,500-meter skate.

You see, Derek Parra is from my district. He went to school with my son, Joe Baca, Jr., and I attended church with Derek's father, Gilbert Parra, at St. Catherine's in Rialto, California.

Derek Parra is an American hero. One of eight Olympians chosen by fellow teammates to carry the American flag into the opening ceremonies, Derek accepted the honor even though his first race was the next day. While most athletes spend the night before a race resting, Derek jeopardized his medal chances to carry Old Glory.

On February 9, 2002, Derek's family and friends gathered on Saturday at Graziano's pizza restaurant in Colton to watch the San Bernardino native dazzle the world. Derek unexpectedly broke the world record in the 5,000-meter speed skating race with a time of 6 minutes and 17.98 seconds, beating his own best time by 15 seconds. Derek won the silver medal when the Dutch skater edged out Derek's record-breaking time.

Derek's record breaking performance and silver medal were a bit of a surprise even to the people who knew him best, because the 5,000-meter was not his best race. Friends and family eagerly awaited his best event, the 1,500-meter race on February 19th.

Ten days later on February 19, 2002, fifty of Derek's closest relatives and friends jammed a tiny San Bernardino living room to watch Derek break another world record this time in the 1,500-meter speed skating race with a

time of 1 minute and 43.95 seconds. This record held and Derek won Olympic gold.

Derek's silver and gold medals surprised the world. At 5 feet 3½ inches, Derek is a small man in a tall man's sport. He is known by his Nordic competitors as ''the little man with the big strokes.''

Derek grew up on the West Side of San Bernardino with his brother and single father. He attended Roosevelt elementary and Eisenhower high school. He first learned to skate at the stardust roller rink in Highland where be became an avid inline skater.

As a Mexican-American youth growing up in southern California, Derek did not set foot on ice until he was 17 years old. Derek would be 26 years old before he would switch from inline skating to ice skating in 1996 in order to shoot for Olympic gold.

Derek's road to the Olympics has not been easy. He and his wife Tiffany have struggled to make ends meet raising a baby girl, Mia Elizabeth, while Derek trained for the Olympics. Unlike most skaters who train fulltime, Derek works part-time at a Home Depot to help support his family. Derek has doggedly pursued his dream against all odds.

When people said that he could not do it, he said that he could, and he did it. Derek proved that a determined kid from a working class family in Southern California could grow up to be a champion in a sport dominated by Northern Europeans.

We do not have many Winter Olympians in San Bernardino. The beauty of the Olympic games is the opportunity they allow all of us to experience the glory and triumph through our athletes. We feel a connection with them. As the first Mexican-American to ever appear in the winter games let alone win a medal, Derek expanded the dreams of millions of Hispanic boys and girls throughout the U.S. and the world. In a world that all too often tells our children, ''no you can't,'' Derek Parra has shown them that ''si se puede,'' yes, they can compete! Through faith, determination and hard work, Derek broke down barriers to become a beacon of hope to children everywhere. Derek is truly a role model for others to follow.

Derek Parra made history and opened the world of possibility of Hispanic Americans. Thank you Derek. San Bernardino is proud of you. Mexican Americans are proud of you. All Americans are proud of you. You are our hero. God Bless you.

TRIBUTE TO KANSAS CITIANS' RESPONSE TO OUR RECENT ICE STORM

HON. DENNIS MOORE

OF KANSAS

HON. KAREN McCARTHY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2002

Mr. MOORE. Mr. Speaker, Ms. MCCARTHY and I rise today to pay tribute to the thousands of Kansas City-area residents who over the past two weeks rose to the challenge posed by the worst ice storm to hit the Kansas City metropolitan area in decades.

The storm, which struck our area with unprecedented fury on January 29th and 30th, cut electric power to over 450,000 area residents and caused more than $50 million in damage in Missouri and approximately $47 million plus damage in Kansas. Seven deaths were attributed to the storm.

As the Kansas City Star described it, the storm ''blasted through [and] left most of the metropolitan area a dangerous tangle of downed trees, felled power lines and snarled traffic. . . . During an intense 12 hours, from 7 p.m. Wednesday to 7 a.m. Thursday, for example, Johnson County emergency dispatchers took 420 calls, mostly from people reporting tree limbs pulling down overhead lines. The Kansas City Fire Department dispatchers took 1,100 emergency calls in a 12-hour period; ordinarily they receive 1,400 in a month.''

Mr. Speaker, our constituents dealt heroically with this unexpected calamity and we want to take special note of the outstanding contributions made by those whose job it was to respond to this crisis: police, firefighters, 911 operators, KCI airport employees, and members of the Missouri and Kansas National Guard, to note just some of them.

Medical teams dealt with cases of carbon monoxide poisoning, exposure, and injuries due to falling tree limbs and falls on ice. Homeless shelters opened their doors to neighbors left without heat and electricity and church groups, the Salvation Army, the Red Cross and municipal emergency services worked overtime and went the extra mile to help those in need during this time of crisis. Countless community volunteers including AmeriCorps, the Boy Scouts, and United Way gave their time to assist in the recovery process. Whether you were in Rosedale or Brookside, Independence or Overland Park, the ''Kansas City Spirit'' was prevalent with neighbors helping neighbors to cope with the devastation.

Most notably, hundreds of repair crews from area utilities—including Kansas City Power and Light, Missouri Public Service, the Kansas City, Kansas, Board of Public Utilities, Independence Power and Light, Westar Energy, and SBC—worked around the clock, along with 400 out-of-state repair crews and 350 out-of-state tree trimming crews, to replace lines, repair blown fuses and clear ice-laden trees that had cut off power lines and created fire and injury hazards. In fact, it is estimated that of the 450,000 trees that line Kansas City's streets, 10 percent of them will be gone when the cleanup is complete and over 10 percent of the city's privately owned trees also will have perished. To these utility workers, the people of the Kansas City area owe a special debt of gratitude.

We also applaud the leadership of our Governors Bill Graves of Kansas and Bob Holden of Missouri along with the countless local elected officials who worked in tandem with state and federal emergency management officials in compiling the damage assessments to that our Governors could request the Federal Emergency Disaster Declaration. The President and Federal Emergency Management Agency (FEMA) acted quickly to start the process of bringing federal relief to our community so that now the full recovery can occur.

Mr. Speaker, we have proven once again Kansas City truly is the heartland of America—when our friends and neighbors are in trouble, our community comes together to address the crisis and to get the necessary job done—quickly, efficiently and effectively. We have never been prouder to represent the Kansas City metropolitan area.

TRIBUTE TO MRS. EUNICE MERRILL OF HUNTSVILLE, ALABAMA

HON. ROBERT E. (BUD) CRAMER, JR.

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2002

Mr. CRAMER. Mr. Speaker, I rise today to recognize and honor a very special lady in the 5th District of Alabama as she celebrates a remarkable anniversary.

Mrs. Eunice Merrill has been serving her home cooking to the people of north Alabama for fifty years. In January of 1952, a time when very few women in Alabama owned their own businesses, she opened ''Eunice's Country Kitchen'' in Huntsville, Alabama. Over the years, Eunice's Country Kitchen has become a local favorite.

People from all around don't just come to Eunice's for the food. ''Aunt'' Eunice, as her many patrons know her, is a local celebrity. She is never caught without a smile and shows kindness and warmth to every person who enters her restaurant.

Eunice Merrill shows that same love and affection to her community as well. She is an extremely active member of the Huntsville community, spending much of her time volunteering and raising money for the Arthritis Foundation.

Eunice's Country Kitchen is a place where politicians, business leaders, and other locals can gather to eat, drink coffee, and tell stories. Whether it's at the ''Liar's Table'' reserved for ''Politishins and Fisherfolk'' or refilling coffee cups throughout the restaurant, everyone feels right at home at Aunt Eunice's. For fifty years, people from all over the world have visited Eunice's Country Kitchen and have concluded that it truly is the finest place for country ham & biscuits.

Mr. Speaker, I sincerely congratulate Aunt Eunice for fifty years of friendly service and great food. And I want to thank here for making me a part of her Alabama family.

DR. BOB ALBIN OF TEXAS TECH UNIVERSITY RETIRES

HON. LARRY COMBEST

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2002

Mr. COMBEST. Mr. Speaker, I rise today to call my colleagues' attention to the tireless dedication and tremendous effort of Dr. Bob Albin, the Associate Dean of Research for the College of Agricultural Sciences and Natural Resources at Texas Tech University. For more than 40 years, Bob has shaped the minds of agriculture students, initiated cutting-edge research throughout the agricultural college, served as a committed faculty member and student advisor, and been a unswerving friend to all of agriculture. As he retires, Bob can look back on his time at Texas Tech with great pride on his many accomplishments.

As the Representative of Lubbock, TX and of Texas Tech University, I have personally

witnessed Bob's work to bring collaborative quality research to Texas Tech through his determined efforts to establish the Agricultural Research Service (ARS) Plant Stress and Water Conservation Laboratory in Lubbock. Bob traveled to Washington on a regular basis to testify before the Agriculture Appropriations Subcommittee and to explain the need for an ARS laboratory in Lubbock that would focus on the plant and crop needs in semiarid production environments such as in West Texas. I am pleased that after all of his hard work, funding was provided for this important facility, which is now nearly constructed and that houses research initiatives between ARS and the University. Thanks to Bob's efforts, scientists have used this facility for research critical to plant science which will keep our farmers the most efficient producers of food and fiber in the world.

I know Bob will be missed by faculty and students alike, but his support and enthusiasm for Texas Tech and agriculture will endure. Bob has always been a Red Raider, and he always will be in the future.

Mr. Speaker, it is my distinct honor and pleasure today to express in this public forum my thanks to Dr. Bob Albin for his outstanding service to Texas Tech University and American agriculture and wish him all the best in his retirement.

ANOTHER CHURCH ATTACKED IN INDIA

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2002

Mr. BURTON of Indiana. Mr. Speaker, recently another Christian church was attacked in India. The Associated Press reported on February 17 that about 50 militant, extremist Hindu fundamentalists attacked a Catholic church on the outskirts of Bangalore. Unfortunately, this is just the latest incident in a longstanding campaign of repression against Christians and other religious minorities in India, which appears to be tacitly supported by the government. Last year, a cabinet member was quoted as saying that everyone who lives in India must either be a Hindu or be subservient to Hindus. This is part of the Hindutva ideology of the ruling BJP and its parent organization, the RSS, which was founded in support of the Fascists.

This latest incident seems to mirror with so many other actions perpetrated by Hindu militants under the umbrella of the RSS. They have murdered priests, raped nuns, and burned churches. They have attacked Christian schools and prayer halls. It was Hindu militants under the RSS umbrella who burned missionary Graham Staines and his two young sons to death while they slept in their jeep, all the while chanting ''Victory to Hannuman,'' a Hindu god. India subsequently threw Mr. Staines's widow out of the country rather than let her continue his work providing health services for the downtrodden. The RSS itself published a booklet on how to file fake criminal cases against Christians and other religious minorities. Indian police used gunfire to break up a Christian religious festival. More than 200,000 Christians in Nagaland have been murdered by Indian forces. In the face of this pattern of repression, abuse, and tyranny, Prime Minister Vajpayee told an audience in New York, ''I will always be a Swayamsewak,'' invoking the self-designation of RSS members.

Unfortunately, Mr. Speaker, the Indian government has done little to stop or prevent these acts of violence. If the abuse and repression of Christians were the only story, it would be bad enough, but it is not. Sikhs, Muslims, and other minorities have faced repression also. The Indian government has murdered over 250,000 Sikhs, over 75,000 Kashmiri Muslims, and many thousands of other minorities, including Tamils, Dalit ''untouchables,'' Bodos, Assamese, Manipuris and others. According to the Movement Against State Repression, India admitted to holding 52,268 Sikhs as political prisoners, and we know the numbers the government admits to are generally low. Amnesty International reports that tens of thousands of other minorities are also being held as political prisoners.

To make it worse, Mr. Speaker, it was reported in the January 2 issue of the Washington Times that India is sponsoring cross-border terrorism in the province of Sindh to destabilize Pakistan, which has been a solid, strong ally in the war on terrorism. In addition, India's aggressive military maneuvers have forced Pakistan to shift troops away from the border with Afghanistan to the Indian border, possibly creating an escape for Taliban and Al Qaeda terrorists. In effect, India's actions are abetting the Al Qaeda terrorists.

In light of all this repression and terrorism America must make a strong stand. We must make it clear that such practices are unacceptable for countries that proclaim democratic principles and for countries that seek U.S. support. To do so, we should stop U.S. aid to India until these abuses are ended and we should publicly support the freedom movements within India's borders by calling for a free and fair plebiscite on the issue of Independence for Kashmir, Khalistan, predominantly Christian Nagaland, and the other nations seeking their freedom from India. These measures will help shine the light of freedom on everyone in South Asia.

Mr. Speaker, I would like to place the Associated Press article into the RECORD at this time.

[From the Associated Press, Feb. 17, 2002]

POLICE: HINDU EXTREMISTS HIT CHURCH

BANGALORE, INDIA.—About 50 Hindu hardliners attacked a Roman Catholic church in southern India on Sunday and injured several worshipers, police said.

V.V. Bhaskar, the police chief in the city of Mysore, declined to say how many people were hurt in the attack, which happened on the outskirts of the city.

The assailants threw stones at the church before forcing their way inside, breaking furniture, smashing windows and attacking worshipers.

The men demanded the priest end what they said were efforts to convert local villagers, who are mainly Hindu, Bhaskar said.

Christians make up only a tiny fraction of India's 1 billion-plus population. About 80 percent are Hindus.

Some Hindu extremist groups have accused church officials of trying to attract poor Hindus with promises of money and jobs.

The worst attack against Christians in India took place in 1999, when an Australian missionary and his two children were burned alive by a mob.

TRIBUTE TO COACH JOE DASARO AND THE GRISSOM HIGH SCHOOL WRESTLING TEAM

HON. ROBERT E. (BUD) CRAMER, JR.

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2002

Mr. CRAMER. Mr. Speaker, I rise today to recognize Coach Joe Dasaro and the Grissom High School Wrestling team from Huntsville, AL. Earlier this month, they took home the 6A State Wrestling Championship, a title they haven't held since 1997. The Tigers won their sixth state championship title in the 19 years that Coach Dasaro has been leading the team. Grissom High School has always upheld the highest standards of excellence in all its endeavors, and this team of outstanding athletes is no exception.

The Grissom team scored 140 points—26 points above any other team in the tournament. Coach Dasaro has called the team solid and consistent, and I am proud of this group of athletes who have maintained an attitude of distinction in all that they do. Mr. Speaker, I want to congratulate Coach Dasaro for his leadership and each member of the Grissom High School wrestling team for their commitment to achieving the championship title.

MIDLAND CHRISTIAN SCHOOL FOOTBALL TEAM WINS STATE CHAMPIONSHIP

HON. LARRY COMBEST

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2002

Mr. COMBEST. Mr. Speaker, I rise to join Midland and Permian Basin in congratulating the Midland Christian School football team in their great victory in the Class 4A state championship title in the Texas Association of Private and Parochial Schools. Their November victory over Denton Liberty Christian is an accomplishment that is truly deserving of recognition and praise.

The Midland Christian School football program has been built upon a solid foundation of hard work, dedication, and sportsmanship. The Mustangs have shown what today's youth can accomplish when teamwork and determination are applied. They will forever hold a place of honor in the pages of Texas athletics.

It is with great pride that I recognize the members of the Midland Christian School football team and their coach Greg McClendon for this accomplishment. I would also like to recognize the administration and fans that carried them through to victory. Thanks to their tremendous efforts, Midland, TX, is now home to the 2001–2002 Class 4A State Champions for the Texas Association of Private and Parochial Schools. I congratulate the Midland Christian Mustangs for brining home a state football title.

TRIBUTE TO FIRE CAPTAIN GLEN VETRANO

HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2002

Mr. PASCRELL. Mr. Speaker, I would like to call to your attention the work of an outstanding public servant, Fire Captain Glen Vetrano of the Paterson Fire Department, who was recognized on Thursday, October 18, 2001 for his lifelong commitment to helping others.

Fire Captain Vetrano was chosen as the Boys and Girls Club of Paterson's 2001 Man of the Year. The enduring relationship between Glen and the Boys and Girls Club began long ago, when he was only 12 years old.

While enrolled in the old Hawthorne Boys and Girls Club, young Glen demonstrated his altruism and leadership by partnering with community leaders and parents in building a new, vastly improved facility. Even at such a young age, Glen's dedication and ability to lead was recognized, as he was named Youth of the Year for his efforts in the construction of the new building.

Glen Vetrano's desire to serve others certainly continued into his adult life as he chose a career in public safety. After being appointed to the Paterson Fire Department on June 2, 1986, he quickly rose into leadership positions, chosen by his peers as president of the Firefighters Association from 1992–1996 and as the current president of the Fire Officers IAFF Local 3860.

Mr. Speaker, as a lifelong resident and former Mayor of Paterson, I can definitively say that fire Captain Vetrano's capacity for giving is second to none. As a member of the Board of the Boys and Girls Club of Paterson, Glen has been instrumental in the Club's successful growth initiative. Chairing the Marketing Committee and hosting the Club's Annual Winter Beefsteak, Glen Vetrano's devotion and steadfast leadership have produced countless successes for the Boys and Girls Club of Paterson. He has touched countless lives.

No time of year better illustrates the character of my friend Glen Vetrano than the Christmas season. He takes a very special interest in aiding those who might otherwise be overlooked during the joyous holiday season. Glen has founded the Holiday Dinner for the Clergy. He pioneered this dinner to honor those who have devoted themselves to the needs of our residents all year long. Of course, Glen is a staple at the Boys and Girls Club Holiday Party, assisting Santa and helping young people enjoy the Christmas season.

I consider my friendship with Glen Vetrano a blessing, and believe honoring him in this, the permanent record of the greatest democracy ever known, is absolutely necessary.

Mr. Speaker, I ask that you join our colleagues, the Boys and Girls Club of Paterson, the City of Paterson, Glen's family and friends, all those who have been touched by his altruism, and me in recognizing the invaluable service of Fire Captain Glen Vetrano.

HONORING LIA M. JELINGER

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2002

Ms. KAPTUR. Mr. Speaker, I am pleased to submit for the RECORD an essay written by Lia M. Jelinger of my district. Such a kind woman, she serves as an example for all of us and it is important to share her story. Her message is timeless, though it need be oft repeated:

It all started in WWII, whilst suffering under the German Occupation. I was a teenager then, and experienced suffering, hate and destruction. I made a vow, as young as I was not to be part of all this evil, but to show love and compassion the rest of my life toward my fellow men.

It was in 1957 when I immigrated to the United States with 5 kids in tow. My first job opportunity was to work as a nurse in pediatrics in a local hospital. After that I proceeded to become a foster mother and took care all together of 25 foster babies. A few years later I worked for Special Olympics, sewing banners, flags, and ribbons at home so I could be there for my family. I received the ''Service to Mankind Award'' and personal awards from Eunice Shriver.

In 1990 with so many blessings given to me I started working for the VA here in Toledo 3 days a week under a senior program. Lately I found myself with too much idle time on my hands, which could be utilized and decided to volunteer on my off days.

I am 73 years young now and still going strong. I reckon that there are days of achy cracking bones, but that does not stop me to spread love and compassion I have for my coworkers and patients alike being cheerful and to make their day.

I had always wished to some day meet a WWII veteran and one day the opportunity presented itself. A frail old man entered the office and asked for some help with his hearing aid and made clear he was a WWII veteran. I proceeded to ask him where he was in combat and he told me he was in the Netherlands, fighting in the Battle of Arnhem and in Germany. I was overwhelmed since I came from the Netherlands and asked him permission to hug him and so I did thanking him for his contribution towards our freedom. He then started to cry and told me that nobody ever did that to him.

I want to honor those who lost their lives and those who are still living. It was a horrible experience that we went through as civilians also, but the good thing about it for me is, that it formed character.

God bless this great country of ours and may God keep all those courageous men and women then and now safe with his protection and loving care.

TRIBUTE TO JOY BRYSON

HON. JAMES L. OBERSTAR

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2002

Mr. OBERSTAR. Mr. Speaker, I rise today to undertake a sad, yet heart-warming mission—to honor a most cherished staff member, Mrs. Joy Bryson, on her retirement from the Transportation and Infrastructure Committee.

Joy has been serving for the past eight years as Administrator to the Minority. Previously, she served for nine years as Chief Clerk to the then majority—a position she devoutly wished to reclaim. Throughout all of these years she served all of the Members of the Committee and to staff with grace, uncommon ability, and a cheerfulness that always bespoke her name—with joy.

Prior to joining the Committee, Joy served as Office Manager for our late distinguished Chairman, Jim Howard. More importantly, Joy served for 14 years the people of the Third Congressional District of New Jersey as if they were her own family, in the process earning their gratitude and affection.

In recognition of her abilities, Chairman Howard asked Joy to take on the important position of Committee Administrator. She continued in this position under the following three Chairmen, Glenn Anderson, Bob Roe, and Norm Mineta, and filled a similar position when we became the minority in 1994. I know that Chairman Roe and Secretary Mineta share my gratitude for Joy's many important contributions to the effective operation of the Committee and its staff.

Joy has been the Committee's expert on the intricacies of the rules governing the Congressional Administrative process; such as our internal budget rules, and our rules on travel, ethics, and retirement. As a former congressional staffer I know well the complexities involved. When someone knows the rules and procedures as well as Joy does, she can anticipate and solve problems of which Members and staff may be blissfully unaware. I know of many occasions when Joy's expertise saved Members and staff much time and effort, and ensured that administrative actions were done right, the first time.

Although Joy knows all the rules and procedures, she is anything but a ''green eyeshade'' type of public servant. Her professional talents include considerable literacy skills. She has a graceful writing style and a good sense for the telling ancedote—told with a special Southern charm. Joy's talents were particularly well displayed when she helped Members prepare speeches, letters and extensions of remarks, expressing our appreciation for distinguished public service, or our thanks for assistance we received.

Joy was also an excellent recruiter for the Committee. Through her efforts, the Committee consistently attracted an exceptional group of staff assistants, who were highly competent, enthusiastic team players; invaluable for the successful functioning of the Committee.

Joy's greatest contribution to the Committee flowed from her personal qualities—her cheerfulness, her interest in her colleagues, and her maturity and common sense. Joy worked with a number of Staff Directors most of whom had little supervisory experience. She took it upon herself to carry out the sometimes thankless task of breaking them in to the human side of the job, their responsibilities in dealing with personal and work problems of the staff. Joy's dedication to this task, her empathy for the perspective of the administrative staff, and here charm and perceptiveness, gave her great influence, and made the Committee a much better place to work.

Supplementing her public service, Joy has been an active volunteer in community service. I particularly appreciate her dedicated service on behalf of the Jo Oberstar Memorial Lecture Series on Breast Cancer Awareness,

sponsored by the George Washington University Hospital Breast Care Center in memory of my late wife. Joy played a major role in organizing last year's highly successful lecture and fundraiser.

Mr. Speaker, at this time we are in the midst of an Olympic season. If medals were bestowed in the halls of Congress to those staffers who most deserve the title of ''champion'', Joy Bryson would be one of those on the dais with a medal of gold. As Joy returns to her beloved family, her husband Lit and her children, Chris and Jeni, she carries with her out gratitude for her service, and our prayers for her well being and, most of all, for her happiness.

FEDERAL EMPLOYEES OF AMERICAN SAMOA INCOME TAXES

HON. ENI F.H. FALEOMAVAEGA

OF AMERICAN SAMOA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2002

Mr. FALEOMAVAEGA. Mr. Speaker, I rise today to introduce legislation which will repeal a provision in the Internal Revenue Code which requires certain federal employees in American Samoa to pay more in income taxes than a citizen with the same taxable income but who is not a federal employee.

By way of background, U.S. citizens with incomes above a certain threshold and residing in a U.S. possession are required to file tax returns with the Internal Revenue Service or a territorial government on their world-wide income. In the past, U.S. citizen-residents of American Samoa were able to claim a dollar for dollar tax credit for all taxes paid or owing to the territory. The taxpayers claimed a foreign tax credit on their federal return, and the amount of the income tax collected by the IRS was either covered over to the American Samoa Government, or was returned to the taxpayers to be paid to the local government. Either way, U.S. citizens paid income taxes at the federal rates to the American Samoa Government.

Section 931 of the Internal Revenue Code sets forth the general rule on income from sources within American Samoa, Guam and the Commonwealth of the Northern Mariana Islands. The general rule is that income derived from one of the specified possessions shall not be included as gross income for federal tax purposes. On its face, Section 931(d)(1) creates an exception to this general rule for federal employees who reside in one of these three territories, although the section is currently applicable only to American Samoa. Under this exception, a federal employee's income is considered as part of gross income. As incomes have risen in recent years, more taxpayers are not coming within the laws governing the alternative minimum tax (AMT). Under Section 59 of the Code (one of the AMT provisions), taxpayers can only claim 90 percent of their foreign tax credit against the taxes they owe to the federal government.

The net result of Section 59 and 931 as they are applied to federal employees residing in American Samoa is that the federal employees have to pay the usual tax at federal rates, which is paid over to the territorial government. Some federal employee-taxpayers then pay an additional tax to the IRS. If the taxpayers were not federal employees, their federal wages would not be included in their gross income and they would not have to pay this additional tax.

The legislation I introduce today will make Section 931(d)(1) of the Internal Revenue Code inapplicable to American Samoa. When this section is changed, these U.S. citizens will still pay taxes, and they will still be subject to the alternative minimum tax like any other taxpayer.

Mr. Speaker, I see no reason we should require our federal civil workers to pay more in taxes than any other citizen does just because he or she has chosen to serve our government. I urge my colleagues to support this bill.

TRIBUTE TO BISHOP SIMON GORDON

HON. ROD R. BLAGOJEVICH

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2002

Mr. BLAGOJEVICH. Mr. Speaker, it is an honor for me to rise today to pay tribute to the Honorable Bishop Simon Gordon, Pastor of Triedstone Full Gospel Baptist Church in Chicago, Illinois. Bishop Gordon was ordained in 1987 and since that time, God, through him, has made and continues to make a difference in many lives. Under his leadership and vision, Triedstone's membership has grown to over 1,300 and its ministries have grown from the original 13 to 38. Bishop Gordon's untiring service, faithful dedication to the community and strong leadership have earned him the deserved respect and admiration of all whose lives he has touched.

Bishop Gordon has been instrumental in shaping the future of the community, state and country. He formed the Ministerial Alliance to train ministers and deacons to become and operate effectively as leaders of the church. I applaud his leadership and commend him for toiling so long to provide the type of guidance which has empowered so many to make meaningful contributions to the community. His accomplishments are far too numerous to list but I applaud him for each and every one of them and for having the dream and desire to use his faith as a vehicle to effect social, political and economic change. He is a true testament to his faith and an asset to our country. I commend Bishop Simon Gordon and wish him many more years of exemplary service to the Lord.

TRIBUTE TO REVEREND RONALD L. OWENS

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2002

Mr. PALLONE. Mr. Speaker, I would like to call the attention of my colleagues to Reverend Ronald L. Owens residing in the Sixth District of New Jersey. He is celebrating his 25th year in the ministry.

Reverend Owens is currently the Senior Pastor of the New Hope Baptist Church of Metuchen, New Jersey. On Friday, April 12, 2002, his church will recognize his illustrious career and dedication to Metuchen and surrounding communities.

Rev. Owens graduated from Northeastern Bible College in Essex Falls. He also has earned a degree from the Virginia Union University in Richmond, Virginia. Presently, he is a candidate for the Doctorate in Ministry from Andersonville Baptist Seminary in Camille, Georgia.

At the New Hope Baptist Church he has the unique honor of pastoring the church he attended in his youth. The church has grown to more than five hundred active members, with more than thirty active ministries serving the community.

Rev. Owens has a noteworthy career. It includes serving as a member of the Board of Supervisors for Field Ministry at Princeton Theological Seminary and the Ad-Hoc Committee for Minority Recruitment for Robert Woods Medical School at Rutgers University. Additionally, he has acted as the president of the Metuchen/Edison Clergy Association and former Vice-Chairman of the Democratic Party of Middlesex County in the State of New Jersey. Lastly, he was President and CEO of the House of Hope Community Development Corporation of New Jersey.

Outside of his career, he spends time with his adoring wife of thirty-years, Cheryl Owens, and his two daughters, Tracey and Kimberly. He also enjoys spending time with his four grandsons, Adam II, Joshua, Blair, Jr. and Brandon.

Through his ministry he spreads the word of God and provides spiritual leadership. Now entering his twenty fifty year of service, I would like to congratulate Reverend Ronald L. Owens on this momentous occasion.

PAYING TRIBUTE TO GARY NICHOLS

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2002

Mr. McINNIS. Mr. Speaker, I would like to take this opportunity to recognize an outstanding individual who has dedicated his life to serve and protect the citizens of the State of Colorado. Sheriff's Deputy Gary Nichols of the Moffat County Sheriff's Department has faithfully served his fellow Coloradans for years. After a long and successful career as one of Colorado's finest, the Advocates-Crisis Support Services, an organization created to handle and provide crisis support services to victims of crime, named Gary the ''Law Enforcement Officer of the Year.'' As he celebrates his recent achievement, I would like to take this time to highlight Gary's service to his community.

Gary has faithfully served the Moffat County Sheriff's Department in various capacities throughout his career, but it was his ability to provide emotional support and attention to those in need that has led to this award. In every criminal situation, there is always someone who is directly affected by the crime, either a victim or bystander. Part of a law enforcement officer's duty is to not only protect our citizens from harm, but to also provide compassionate and caring assistance to those in need. Gary has repeatedly demonstrated

these traits and proven he is an officer capable of compassion and dedication to his position as a peace officer in Moffat County community. Advocates-Crisis Support Services has worked diligently alongside officers such as Gary, and has rewarded past officers with similar traits for this important and dubious honor. I am extremely proud of not only Gary but also the crisis organization, as they both are our first responder units in times of hardship and crisis.

Mr. Speaker, as a former law enforcement officer, I am well aware of the dangers and hazards our peace officers face today. These individuals work long hours, weekends, and holidays to guarantee their fellow citizen's rights and protection. They work tirelessly and with great sacrifice to their personal and family lives to ensure our freedoms remain strong in our homes and communities. Their service and dedication deserve the recognition and thanks of this body of Congress, and this is why I bring the name of officers like Gary Nichols to light today. Congratulations on this honor and I wish you all the best, Gary, and good luck in your future.

REMARKS BY FORMER CONGRESSMAN TOM EVANS

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2002

Mr. ANDREWS. Mr. Speaker, I recommend to my colleagues that you read some remarks by former Congressman Tom Evans of Delaware he delivered recently at the University of Delaware.

Tom Evans, who played a key role in the passage of the Alaska Lands Act, sets forth compelling reasons why one of America's great treasures, the Arctic National Wildlife Refuge, should continue to be protected.

I strongly agree with him on the need to preserve that great wilderness area and protect the wildlife there. There are much better and quicker ways to develop energy independence in America without oil drilling in the Arctic Refuge.

PRESERVING THE ARCTIC NATIONAL WILDLIFE REFUGE

(Delivered by Thomas B. Evans, Jr.)

It's a great pleasure to be here this evening at the University of Delaware. I appreciate the wonderful turnout and am especially grateful for your strong support of the environment and for the work you do here at the University in that area.

As you know, there is a critical vote coming up in the U.S. Senate late in February that has enormous consequences for millions of acres of wilderness and all kinds of wildlife. I will address those things, but first I'd like to go back to 1980 and reflect on what happened then.

Although passage of the Alaska Lands Act took place over two decades ago, I can remember it better than some events that occurred just two weeks ago. This landmark piece of legislation set aside additional millions of acres of land and designated them as wilderness areas. It was a gigantic effort to achieve the preservation of some irreplaceable, pristine areas of wilderness for us and for future generations. I was honored to have been one of the three principal congressional backers and the Republican floor leader for the bill.

The bill passed, and yes millions of acres of land were protected, but there was something that was equally as important. There was a tremendous lobbying effort against it, and millions of dollars were spent. The dollars spent by our Alaska Coalition paled in comparison to the lobbying effort that attempted to prevent passage of the legislation that was designed to protect wild scenic rivers, wetlands, polar bears, songbirds, caribou, ducks and other wildlife of every description.

We won with 60 plus Republicans voting yea. It was, indeed, a true bipartisan effort; and that, unfortunately, does not take place very often in today's political climate. Afterwards, three of us were invited to a very emotional victory celebration hosted by the Alaska Coalition. That coalition consisted primarily of young people who spent the summer in Washington. They came to Washington to protect a great treasure for future generations. John Seiberling of Ohio, who chaired one of the subcommittees with jurisdiction over this issue, and Mo Udall, a dedicated environmentalist from Arizona, and I were deeply touched by their invitation, and the warm reception we received. I believe I can safely say it was certainly one of the best invitations I've received in my lifetime.

Mo Udall and John Seiberling both spoke eloquently and certainly covered the importance of the legislation. I didn't want to repeat them; so I took a slightly different tack and said that victory today was great in terms of conservation and preservation of millions of pristine acres. But there was an equally important victory today—all of you proved that regardless of dollars and political pressure, our constitutional system of government still works. You can still win, and that's the American way.''

Today, we may be facing an even sterner test. Some of the arguments made by proponents of drilling in the Arctic National Wildlife Refuge sound good on the surface. They call for energy independence and equate that to our national security interest. Well, I also believe in developing energy independence so we won't be dependent on a bunch of sheiks in a very unstable part of the world. And certainly energy independence is inextricably related to national security. But this administration, which most of us strongly support in our country's fight against terrorism, is wrong on the centerpiece of its energy policy. Domestic production of oil should not be the primary focus.

Perhaps it would help us all to better understand the Administration's energy policy if we took a look at how it was developed. Vice President Cheney took the lead, and about half a dozen staff members were specifically assigned to develop a working draft. That staff included two top assistants of Senator Murkowski, the main congressional proponent of drilling in the Arctic, and to the best of my knowledge no one on the task force had any experience or background or demonstrated interest in the protection of the environment.

The group met often with oil company executives and a number of times with Enron officials. No wonder that their plan emphasizes domestic production and contains very little on the conservation side. In fact, Vice President Cheney said that conservation may be a personal virtue, but it does little, if anything, to achieve energy independence. That statement demonstrates an appalling, but predictable, bias in favor of oil drilling. But he's wrong, and each of us conserving small amounts of energy can make a big difference on a cumulative basis.

Let me dispel some myths and make a few points on the need for a balanced energy plan—one that clearly should not include drilling in the Arctic National Wildlife Refuge—one of our greatest American treasures!

There is not a tremendous amount of oil in the Arctic refuge. Why develop it simply out of greed when there are so many alternatives?

There is a much better way to achieve energy independence without doing irreparable, irreversible harm to the most environmentally sensitive area of one of the most pristine areas of the world—the narrow coastal plain of the Arctic National Wildlife Refuge.

Alternative sources of energy, including renewable sources of energy, are available, while oil is a finite resource. Fossil fuels will be exhausted some day, but the wind and sun will always be around.

Fuel economy standards for cars and trucks hold be raised. Even a very modest mile or two per gallon would make a huge difference. We should also provide incentives for conservation, more efficient power plants, development of fuel cells, better insulation for homes and office buildings and more energy-efficient appliances.

There are also secure alternative sources of oil and gas outside the Middle East. Russia is a prime example, and I recently spent ten days in that country assessing its potential.

It will be seven to ten years before oil from the Arctic National Wildlife Refuge comes on stream. Yet, you may recall that proponents of drilling initially used the argument that implied that the California energy problem could be resolved if we drilled in ANWR. Well, California solved its problem in other ways—including conservation—so now the drilling proponents are invoking the national security argument. That's an absurd argument as well!

New pipelines will have to be built that would be exposed to terrorists. Several months ago, a high-powered rifle shot took out an existing pipeline for several weeks.

And don't be fooled by the argument that technology has developed to the point where oil wells could be drilled on only 2,000 acres of the 19 million in ANWR. That's not the full picture. You also have to take into account the logistics that support the oil wells—oil derricks, trucks, helicopter pads, people, roads, pumping stations and networks of oil field pipelines, even without the toxic spills and air pollution that are endemic in such fields, destroy wilderness and imperil wildlife. And remember that when you damage the tundra, you may destroy it for 100 years or more. What we grow in our climate in a year takes decades there.

We have treated Native Americans rather harshly from the beginning. Now, we are doing it again. The Gwichin Indian tribe live in the Arctic Refuge, and they view the land as sacred. Certainly, oil drilling on this land is inconsistent with preserving it as a sacred place.

As Barrons, the well known financial publication, pointed out recently, ''we are entering a period when there is a glut of oil.'' The publication's cover proclaimed ''The Coming Glut of Oil.''

Therefore, we should ask the question, is it necessary to drill now? If, in the future, we are unable to develop alternative sources of energy (I believe we can, given the right commitment), if gasoline is $10 a gallon with long lines to even get gas, then it might be something we should consider, but certainly not now! Don't approve something that will do irreparable harm, something that cannot be reversed. Drilling in the Arctic National Wildlife Refuge should be considered only as a last resort!

So, ladies and gentlemen, let me end by saying as I did over twenty years ago that in spite of the money, the political influence,

and the greed, you can make a difference. Let history record—say, 50 to 100 years from now—that this generation cared, that we persevered, that we preserved, and that we recognized that important decisions should be made not just for today and not just for a few—but very importantly—for future generations of Americans as well!!

IN MEMORY OF THE HONORABLE DEOTIS GAY OF LA PORTE, TEXAS

HON. KEN BENTSEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2002

Mr. BENTSEN. Mr. Speaker, I rise to honor the memory of a longtime friend and respected former member of the La Porte City Council of La Porte, Texas, Deotis Gay, who passed away at his home on February 21, 2002. The community of La Porte has lost one of their most beloved and respected citizens. Deotis was a constituent, colleague, and friend with whom I was privileged to know and work with. I will miss his wisdom and guidance.

Mr. Gay was born December 19, 1931, in Kilgore, Texas, and moved to La Porte with his family when he was nine years old. He retired after working for Rohm and Haas Deer Park for 35 years. Besides his 20 years of service on the La Porte City Council that ended just this past year, Deotis was active in the National League of Cities, the Texas Municipal League, the Texas Black Caucus and the La Porte Community Civic Club. He was also a Mason and a member of the board of trustees of Zion Hill Baptist Church.

Deotis was more than just a great civic leader; he was also a great Texan, a loyal friend, and a devoted husband, father and grandfather. I offer my sincere condolences to his wife, Mary; his sons, Deotis Gay, Jr. and Anthony Gay; his daughter Cheryl Gay, his seven grandchildren, and his entire extended family. We feel for their loss as we mourn the passing of this exceptional man. Deotis was a true friend to everyone in La Porte and to me personally.

ARTICLE COMPARES INDIA TO AUSTRIA-HUNGARY—INDIA IS HEADING FOR SIMILAR BREAK-UP

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2002

Mr. TOWNS. Mr. Speaker, I would like to call the attention of my colleagues to an article by Steve Forbes in the March 4 issue of Forbes magazine called ''India, Meet Austria-Hungary.'' In the article, Mr. Forbes compares present-day India to the old Austro-Hungarian Empire. Like Austria-Hungary, India is a multi-ethnic, multinational country. Such countries are unstable, as Mr. Forbes notes, and they face a similar peril.

The article notes that some leaders in India are ''itching to go to war with Pakistan, even though Pakistan's President Pervez Musharraf has taken considerable political risks by moving against Pakistani-based-and-trained anti-India terrorist groups.'' At the same time, according to a January 2 article in the Washington Times, India continues to sponsor cross-border terrorism against Pakistan. The article notes that when the Austro-Hungarian monarchy attacked Serbia in 1914, it launched a war in which the Hapsburgs lost their empire. Today, several countries exist where the Austro-Hungarian Empire once was.

India is in similar circumstances. It should learn from the example of Austria-Hungary, the Soviet Union, and other multinational empires. It should realize that the breakup of such states is inevitable. The Soviet Union and Austria-Hungary had a stronger, more stable political structure and they fell apart because such multinational states cannot be held together. In fact, Indian Home Minister L.K. Advani recently said that if Kashmir gets its freedom, India will unravel.

Yet India continues its futile efforts to maintain its multinational state by force, in pursuit of Hindu hegemony. It continues to attack and kill Christians, Sikhs, Muslims, Dalits, and other minority groups. It continues to hold tens of thousands of political prisoners, something I find very odd for a democracy. Indian forces have killed more than 250,000 Sikhs, over 200,000 Christians in Nagaland, more than 75,000 Kashmiri Muslims, and many thousands of minorities of all kinds. This repressive policy will not work. Eventually, the force that broke up the Soviet Union and broke up the Austro-Hungarian Empire will break up India. I hope that this happens peacefully. With the war on terrorism ongoing, we do not need another violent trouble spot in the world.

America can encourage this process of nationalism and freedom in South Asia. We should press India for the release of all political prisoners. We should stop our aid and trade with India until they are released and the oppression of minorities ends. We should openly declare our support for self-determination for all peoples and nations in South Asia. By these measures we will help everyone in the subcontinent to live freely, prosperously, in dignity, stability, and peace.

Mr. Speaker, I would like to insert the Forbes article into the RECORD at this time.

[From Forbes Magazine, Mar. 4, 2002]

INDIA, MEET AUSTRIA-HUNGARY

(By Steve Forbes)

Influential elements in India's government and military are still itching to go to war with Pakistan, even though Pakistan's President Pervez Musharraf has taken considerable political risks by moving against Pakistani-based-and-trained anti-India terrorist groups. Sure, Musharraf made a truculent speech condemning India's ''occupation'' of Kashmir, but that was rhetorical cover for cracking down on those groups. Washington should send New Delhi some history books for these hotheads; there is no human activity more prone to unintended consequences than warfare. As cooler heads in the Indian government well know, history is riddled with examples of parties that initiated hostilities in the belief that conflict would resolutely resolve outstanding issues.

Pericles of Athens thought he could deal with rival Sparta once and for all when he triggered the Peloponnesian War; instead his city-state was undermined and Greek civilization devastated. Similarly, Hannibal brilliantly attacked Rome; he ended up not only losing the conflict but also setting off a train of events that ultimately led to the total destruction of Carthage. Prussia smashed France in 1870, annexing critical French territory for security reasons, but that sowed the seeds for the First World War. At the end of World War I the victorious Allies thought they had dealt decisively with German military power. Israel crushed its Arab foes in 1967, but long-term peace did not follow.

India is not a homogeneous state. Neither was the Austro-Hungarian Empire. It attacked Serbia in the summer of 1914 in the hopes of destroying this irritating state after Serbia had committed a spectacular terrorist act against the Hapsburg monarchy. The empire ended up splintering, and the Hapsburgs lost their throne.

And on it goes.

Getting back to the present, do Indian war hawks believe China will stand idly by as India tried to reduce Pakistan to vassal-state status? Do they think Arab states and Iran won't fund Muslim guerrilla movements in Pakistan, as well as in India itself? Where does New Delhi think its oil comes from (about 70%, mainly from the Middle East)? Does India think the U.S. will stand by impotently if it starts a war that unleashes nuclear weapons?

In his second inaugural address, Abraham Lincoln summed up the unpredictable consequences of war, vis-á-vis America's Civil War: ''Neither party expected for the war the magnitude or the duration which it has already attained. . . . Each looked for an easier triumph, and a result less fundamental and astounding.''

DUTCH TREAT

While cracking down on anti-India terrorist groups operating in Pakistan, Islamabad can take the wind out of Indian war sails by turning over the arrested terrorists who carried out murderous acts in Kashmir and New Delhi. It can turn them over not to India—which would be political suicide domestically—but to The Hague for investigation and trial by an international tribunal. India's moral case would then evaporate.

RECOGNIZING CAPTAIN JAMES B. STRAIT

HON. HILDA L. SOLIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2002

Ms. SOLIS. Mr. Speaker, I rise today to recognize an impressive member of my community, Captain James B. Strait. Captain James B. Strait has played an important role in the Monterey Park Police Department and will be retiring after 31 years of service.

Captain Strait joined the Monterey Park Police Department on February 8, 1971 after graduating first in his class from the Riverside County Sheriff's Academy.

Under his leadership, the Monterey Park Police Department made significant changes that improved the Police Department's service to the community. In addition to chairing the Department's Computer Acquisition team and implementing a state of the art digital radio system, he also worked to publish the department's first policy and procedures manual.

In 1985, Captain Strait was awarded the Police Department's Distinguished Service Medal for his help in apprehending a person wielding a hand grenade. During the 1984 Summer Olympic Games, Captain Strait had the honor of being named Monterey Park Police Department's representative for the Security Coordination Center.

Captain Strait's dedication to community activism was shown when he became a founding member of the Mental Illness and Law Enforcement Systems (M.I.L.E.S.) executive board and a member of the Montclair School Board.

Captain Strait has worked diligently to improve law enforcement performance through his career. He has been a true professional and will be missed by his many friends at the Monterey Park Police Department and other state law enforcement agencies but will be missed the most by the citizens whose lives he has touched.

FORTIETH ANNIVERSARY OF THE NORTHWEST KIDNEY CENTERS

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2002

Mr. McDERMOTT. Mr. Speaker, forty years ago January 1962, in Seattle, Wash., a major development in health care occurred with the opening of the Seattle Artificial Kidney Center as the world's first out-of-hospital dialysis unit.

Two years previously, Dr. Belding Scribner, head of the Division of Nephrology at the University of Washington, together with surgeon David Dillard and engineer Wayne Quinton, inserted a small length of bent Teflon tubing into the forearm of Clyde Shields who was dying of chronic kidney failure—now known as end-stage renal disease (ESRD). This device, known as the Scribner shunt, first made possible the long-term treatment of ESRD patients by the artificial kidney. Several other patients began treatment shortly thereafter and also survived, and so it soon became obvious that this was a successful treatment for a previously fatal disease.

Because of Dr. Scribner's concern that funds were not available to provide this expensive treatment, in 1961 he approached Dr. James Haviland, then President of the King County Medical Society, to consider development of a center to provide dialysis for ESRD patients in the state of Washington. As a result of the efforts of these two physicians, the King County Medical Society, the Washington State Medical Association and the Seattle Area Hospital Council cooperated with private individuals to open and out-of-hospital, free-standing community-supported dialysis center in Seattle. This was the first time that dialysis was provided outside a hospital and supervised by nurses rather than by physicians. the Seattle Artificial Kidney Center, now the Northwest Kidney Center, served as a prototype for the development of dialysis units around the world. Over the next several years, the Center developed training manuals for physicians, nurses and technicians. At the same time, and for years thereafter, physicians and other health care personnel from this and many other countries came to Seattle to visit the Center and learn from its program.

Continuing concern about the high cost of dialysis led to the development of home dialysis in Seattle. London and Boston in the early 1960s. This proved highly beneficial for patients and became a major treatment alternative at the Seattle Artificial Kidney Center. Today, the Northwest Kidney Centers still has the largest home hemodialysis program in the United States.

Also in the 1960's and early 1970's, Dr. Scribner, Dr. Christopher Blagg and other physicians worked with Senators Jackson and Magnuson to introduce national legislation to assist in the support of ESRD patients. These efforts culminated in 1972, when Public Law 92–603 was enacted into law and extended Medicare coverage for dialysis treatment and kidney transplantation to almost all ESRD patients in this country.

Over the last 40 years, the Northwest Kidney Center has been a leader, respected both nationally and internationally, for providing high quality care for ESRD patients. It has treated many thousands of patients over the years, and now serves more than a thousand dialysis patients in eleven dialysis units throughout Kind County. Together with the University of Washington, it has played an important role in research and the development of dialysis techniques and technology, and in the training of kidney specialists from around the world. The efforts of its staff have also been influential with the Congress, agencies of the Federal Government, the Washington State Government and various of the health care organizations involved in the care of ESRD patients in helping to see that the Medicare ESRD Program meets the aims of its founders.

At this time, there are more than 350,000 dialysis patients and more than 3,500 dialysis units in this country, and about one million patients on dialysis worldwide. It thus seems appropriate today to honor the 40th anniversary of the world's first dialysis unit and its founders, Drs. Belding Scribner and James Haviland.

PAYING TRIBUTE TO WILLIAM HERMAN FAIRBROTHER

HON. MIKE ROGERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2002

Mr. ROGERS of Michigan. Mr. Speaker, I rise to pay tribute to William H. Fairbrother served his country for thirty years and did what he loved.

William Herman Fairbrother was born in Endicott, New York, on March 28, 1923, the son of Lieutenant Herman and Caroline Fairbrother. He grew up on a variety of Infantry Posts, to include the Panama Canal Zone, and Manila, Philippine Islands. Bill entered the United States Military Academy at West Point on a Congressional appointment from the 34th District of New York. When he arrived at West Point he knew the prepared sling, the hasty sling and had qualified with the 30-caliber water-cooled machine gun. This made it easy to shoot expert with the MI Garand plebe year. Academics, however, were something else. With the help of ''Sully's Cram School'' in Washington, DC the previous year he did fairly well in the first half year. But after that it was a continuing struggle to stay proficient. Because of many moves, High School had been rushed and spotty, and the four years of Academy study being rushed into three because of World War II made the task even harder. On the other hand, flying, which was his first love went smoothly. Primary flight training in Texas and then Basic and Advanced at Stewart during the three years went without problems. It was during the Plebe year that he picked up the nickname ''Fair-Bee'' in keeping with the academy tradition to reduce the spoken word to its simplest form.

Fair-B graduated with the class of 1944, the D-Day class, albeit rather far down the list. On the very next day, in the Cadet Chapel, he married his childhood sweetheart, Patricia Ross of Kenmore, New York and they lived happily ever after. P–40 and P–47 training, together with those of the class selected for the Fighter business, followed with time at many different bases, as the Service endeavored to stuff as much military experience into the class as they could before sending them overseas. Shortly thereafter it was Ie Shima Flying P–47's against the Japanese. After the war the unit moved over to Okinawa and Patricia joined him there in 1946. They, along with many other pioneer souls set up housekeeping in a Quonset hut. Number one daughter, Bonnie was born in Okinawa in 1947. In December 1947, Fair-B brought the family back to the US to Selfridge, Michigan. The duty was with the 56th Fighter Group flying F–80's and F–86's, where he was squadron adjutant and group adjutant. It was during this time, in 1948, that daughter number two, Nancy, was born. In 1951 it was off to Minneapolis in the Air Defense Control Center business. There he was assigned as an aircraft controller and control center chief with the 31st Air Division. Flying time was cadged from the local guard squadron, which was equipped with P–51s. Then in 1953 cold weather assignments continued, this time to Rapid City, South Dakota and the 54th Fighter Interceptor Squadron at Ellsworth Air Force Base. This was probably the happiest assignment in his career, with over two years of the time there being in command of the squadron. Initially, the airplanes were P–51s, then F84Gs and finally F–86Ds. He had always said that next to being a Captain and Fighter Squadron Flight commander, the position of Fighter Squadron Commander was the best job in the Air Force.

Exchange duty with the Royal Air Force at RAF Manby, England followed in June of 1956. The assignment was attendance at the RAF Flying College. The family thoroughly enjoyed this short tour living in the small East Anglia town of Sutton-on-Sea, going to English Schools, learning the language, dealing with pounds, schillings and pence, and driving the left side of the road. Fair-B accumulated a respectable amount of time in British Aircraft to include the Gloster meteor, Hawker Hunter and British Electric Canberra. In January 1957 the family arrived in Rabat Morocco. The assignment here was Chief, Combat Operations in the 316th Air Division. Further broadening and true sophistication took place during this time. Not only was the Division partially manned with French Air Force personnel but also, the family lived in a French villa and had an Arab houseboy. In addition, flights on military aircraft, with family, up to the European continent were allowed once a year. They took full advantage of this privilege and managed to visit Spain, Portugal, Italy, France, Germany and Switzerland during their Moroccan stay. The Division Fighter Squadrons were equipped with F–86D and F–100 aircraft so Fair-B was able to keep his hand in. There were many trips to Wheelus Air Force Base in Tripoli, Libya, where the squadrons when TDY for gunnery and rocketry training.

The three and a half years in North Africa went by quickly, and the return to the US happened in June 1960 with attendance at the Air War College. Following graduation from the Air War College he spent a long five years in the Pentagon, first on the Air Staff in War Plans and then as Executive Assistant in the Office of the Air Force Chief of Staff. One year with Curtis LeMay and one year with John McConnell provided rare and valuable staff experience.

After the fast pace of the Washington area, duty on the CINCPAC staff in Hawaii, starting in 1966, seemed slow indeed. Here Fair-B served on the staff of the Commander in Chief, Pacific, at Camp Smith. Not only did they take off for the weekends, but Wednesday afternoons as well. The duty was good, with many evaluation trips to the MAAG supported countries in the Far East. This, together with quarters on Hickam, and the benevolent Hawaiian weather made for a delightful tour.

Patricia stayed in Hawaii when Fair-B went to the Republic of Vietnam to join the 14th Special Operations Wing. As Vice Commander and then Commander he was kept busy monitoring the varied activities of the Wing, which were performed from nine separate bases. The little command O–2 spent a lot of time touring the country. In addition to the clandestine operations, the Wing had the AC–47 and AC–119 gunships, the psychological warfare business with O–2s and C–47s and the only armed helicopter squadron in the Air Force, flying UH–1Ns. He served the Wing from September 1969, to September 1970.

After Vietnam the next assignment as Deputy Chief of Staff at Headquarters Air Force Logistics Command at Wright-Patterson Air Force Base, Ohio with the job of DCS Distribution. The assignment was not because of any logistics experience but mainly because the boss man wanted some operational talent on the staff. The job was fascinating and of enormous scope. Fair-B jumped in with his typical enthusiasm and his performance helped in getting him promoted to Brigadier General on April 1, 1972. Separation from the Air Force came in 1974 with Fair-B being allowed to keep the wife and kids and the Air Force keeping the airplanes. His decorations and awards include the Legion of Merit, Distinguished Flying Cross with oak leaf cluster, Air Medal with two oak leaf clusters and the Meritorious Service Medal. He was a command pilot.

Fair-B and Patricia, hand in hand then returned to Hawaii, their choice of all the places they had tried throughout the years. They moved into an apartment on Waikiki beach and then took the time to read what there wasn't time for before, and work on the projects that had long ago been put aside. Other activities during this eight-year idyll included working with the House Republican Whip in the Hawaii State Legislature, activities with the Retiree Affairs Council at Hickam and work with the Oahu Chapter of the Air Force Association. 1982 found them in San Antonio, Texas, and in 1987 they made their next-to-the-last PAC move into a cottage at Air Force Village II. Fair-B served three years as a Trustee on the Board of the Air Force Village Foundation, and over three years as a Director on the Air Force Village II Board of Directors.

He died at 6 am on January 27th at Air Force Village II. He is survived by Patricia; daughters and sons-in-law Bonnie and Jerold Kreidler, Nancy and James Councilor and granddaughters Katherine and Patricia Councilor.

While it can be said he never single handedly moved the world around, he certainly participated in many worthwhile events that did. As a result those who knew him well can look back over his busy years and say, ''Not too shabby, old son, not too shabby.''

Therefore, Mr. Speaker, I respectfully ask my colleagues to join me in paying tribute to General William H. Fairbrother. I especially wish to extend the gratitude of a grateful nation to his wife Patricia and daughters Bonnie and Nancy for so selflessly supporting his service to our country. I salute General Fairbrother as he represented the honor, and the values, of America's greatest generation.

CHURCH ATTACKED BY HINDU MILITANTS—PERSECUTION OF CHRISTIANS IN INDIA CONTINUES

HON. MIKE PENCE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2002

Mr. PENCE. Mr. Speaker, the other day the Washington Times ran an excellent article on an attack on a church outside Mysore, India by the Bajrang Dal, a branch of the Rashtriya Swayamsewak Sangh (RSS), which is the parent organization of the ruling party, the BJP. The attack seriously wounded about 20 people, according to the article. Approximately 70 attackers wore the saffron headbands that symbolize the militant Hindu nationalists. They attacked while worship was going on.

This attack is part of what the Times called a ''new spate of attacks.'' It also reports that in February, two church workers and a teen-age boy were shot while praying and the boy was injured; two Christian missionaries were beaten with rods while bicycling home; and a Christian cemetery in Port Blair was vandalized. Those are just incidents that have occurred this month. Unfortunately, they are part of a pattern that church leaders described as a ''reign of terror.''

Since Christmas 1998, a number of priests have been murdered in India, several nuns have been raped (with the enthusiastic endorsement of the Vishwa Hindu Parishad (VHP), another branch of the RSS), churches have been burned, missionary Graham Staines and his two young sons have been burned to death while sleeping in their jeep, Christian schools and prayer halls have been attacked, and numerous other acts of violence and/or hatred have taken place. In 1997, police opened fire on a Christian religious festival, putting an end to it.

Last year, a member of the Indian cabinet said that everyone who lives in India must either be a Hindu or be subservient to Hindus. It is clear, Mr. Speaker, that India intends to ram its Hindutva policy down the throats of everyone in the subcontinent.

Christians are not the only ones being oppressed by the militant Hindu regime in Delhi. Sikhs, Kashmiris, Dalits, and others have also been tyrannized in the name of Hindu nationalism. Just recently more Kashmiris have been made to disappear by the Indian government. A report by the Movement Against State Repression shows that India holds over 52,000 Sikh political prisoners and Amnesty International reports that there are tens of thousands of others. The government's forces have murdered more than a quarter of a million Sikhs, over 200,000 Christians in Nagaland, over 75,000 Kashmiri Muslims, and thousands upon thousands of people from the Dalit caste, as well as minorities such as Tamils, Assamese, Manipuris, Bodos, and others. How can India call itself a democracy when things like this go on with the support of the government? These are not the acts of a democracy.

It is important for America to speak out. I am speaking out today because religious and political freedoms are essential democratic values. America must bring its power to bear peacefully in support of true democracy and freedom in South Asia, and if our influence does not move the region toward real freedom, then we should be willing to use whatever other peaceful means we have at our disposal to end the violence and bring peace, freedom, and stability to all the peoples and nations there.

Mr. Speaker, I would like to place the Times article in the RECORD at this time.

[From the Washington Times, Feb. 25, 2002]

NEW SPATE OF ATTACKS TARGETS CHRISTIANS

(By Julian West)

NEW DELHI.—Violence against India's Christian minority has surged this year, with reports of at least one attack each week in what church leaders are calling a ''reign of terror'' spreading throughout the country.

In the most recent incident, about 70 men wearing saffron headbands—an emblem of the Hindu nationalist—attacked a church near Mysore, in South India, where children were attending a catechism class. The attack last week seriously wounded about 20 people.

In other incidents this month:

Two church workers and a teen-age boy were shot at while praying, and the boy was injured.

Two Christian missionaries were beaten with iron rods while bicycling home.

A Christian cemetery in Port Blair on the Andaman Islands was vandalized.

Four of the attacks were in Uttar Pradesh, the North Indian state where counting in local government elections ends today and where the Hindu nationalist Bharatiya Janata Party (BJP) fared poorly.

Much of the violence against Christians has taken place in states ruled by the BJP, but church leaders say that last year the number of incidents in states like Karnataka, which has a Congress party government, has risen alarmingly.

In the latest and most violent incident in the state, an angry mob wearing saffron headbands, carrying placards and shouting anti-Christian slogans descended on the Holy Family church in Hinkal, a suburb of Mysore, just after Mass last Sunday.

''The children were crying,'' said Father William, who was protected by his parishioners. ''They could see their parents being beaten up, from the windows.''

About 20 people were later taken to the hospital.

Describing the incident as unprecedented in a city whose roughly 30,000 Christians have previously had good relations with their Hindu neighbours. Father Nerona, a member of the Diocesan Council, said that he thought the attack had been provoked by a misunderstanding over a round of Christmas carols.

''They said the carols were converting people, but actually the carol singers only went

to Catholic homes,'' he said. ''We were terribly shocked. This has always been such a peaceful city.''

The recent attacks follow what church leaders call ''a false lull,'' occurring after the international outrage last year over the burning alive of Graham Staines, an Australian missionary, and his two small sons last year.

''Physically, many of the incidents are now less obvious,'' said John Dayal, secretary general of the All India Christian Council. ''But there is a 24-hour reign of terror, which occasionally bursts into violence.''

Last year the Indian government reported 240 incidents—including about 22 murders—in the year leading up to 2000, and almost every week newspapers carry an account of a ransacked church, an assaulted or murdered priest or a vandalized cemetery.

Many of the assailants are member of the Bajrang Dal, a militant Hindu nationalist organization linked to the BJP, which has carried out many of the most violent attacks on Christians in India.

Church leaders maintain, however, that all the attacks—whether they are carried out by the Bajrang Dal or its fellow Hindu nationalist organizations—have the tacit approval of the BJP government.

''The Bajrang Dal are ruffians, but someone must have told them what to do the previous night,'' said Mr. Dayal.

PAYING TRIBUTE TO CASEY SWANSON

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2002

Mr. McINNIS. Mr. Speaker, it is with a great deal of pride that I pay today to senior Colorado State Parks ranger Casey Swanson, whose courageous act of capturing two dangerous fugitives went above and beyond the call of duty, and displayed a measure of heroism worthy of being brought before this body of Congress. During his tenure as a Colorado State Parks ranger, Casey has embodied the ideals of integrity, honesty and courage that we, as Americans, have come to expect from the men and women who serve in our state parks. I, along with the citizens of Colorado, am both grateful and proud of Casey's extraordinary act of valor, and believe it appropriate to pay tribute to him for his courage and bravery.

Though not typically in the job description, Casey's extraordinary efforts to apprehend two armed killers near Salida, Colorado on September 29, 2001 are a testament to his relentless dedication to his job, to his community and to his state. After checking on a colleague who was manning a roadblock, Casey became involved in the search for the two killers. Being familiar with the area, he led a search team into the Castle Gardens area and later stood watch in the dark above a creek that ran though the area. After waiting for some time, Casey spotted the fugitives and ultimately coaxed them out of their hiding place, enabling other officers to join him in peacefully detaining the killers. Because of his incredible bravery, these criminals are now in the hands of law enforcement officials, and of no threat to anyone else in the area. His courage in the face of both fear and adversity is truly remarkable, and for his efforts, Casey was named the outstanding ranger of the year by the Colorado State Parks.

Mr. Ranger, I am honored today to rise and pay tribute to a man whose actions are the very essence of all that makes this country great, and I am deeply honored to be able to bring them to the attention to this body of Congress. It is in times of great need that true heroes emerge, and I am proud to say Casey Swanson is a hero not only to me, but to his family, his friends and to this country. It is with a great deal of pride that I stand to honor him today, and wish him all the best in his future endeavors.

MUSEUM AND LIBRARY SERVICES ACT OF 2002

HON. PETER HOEKSTRA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2002

Mr. HOEKSTRA. Mr. Speaker, today I am introducing a bipartisan bill to reauthorize the Museum and Library Services Act. I would like to thank the Ranking Member of the Subcommittee on Select Education, Mr. ROEMER, for working with me to put together a bill that I trust will have broad, bipartisan support in the Congress. The Museum and Library Services Act of 1996 authorizes the Federal library and museum program until the end of fiscal year 2002. The Subcommittee on Select Education of the Committee on Education and the Workforce has been working to reauthorize the Museum and Library Services Act before it expires.

I believe there will be broad support for this reauthorization because museums and libraries are a vital part of our society. Attendance at American museums is now at more than 865 million visits per year and today's 21st century library is not just a provider of books; instead, the typical American library coordinates a complete and comprehensive approach to community development and services. Under current law, the Museum and Library Services Act:

Provides modest but essential federal support, in partnership with State and local private and public sector sources, for museum and library contributions to public education services and stewardship of the Nation's cultural heritage collections;

Funds the one Federal agency (the Institute of Museum and Library Services) devoted exclusively to museums and libraries, which are natural partners with out nation's schools; and

Encourages model cooperation between museums and libraries as no other legislation does.

The Library Services and Technology subtitle is the only Federal program solely devoted to supporting libraries. This legislation assists libraries in providing crucial services to the communities they serve. Throughout our Nation, libraries are at the forefront of reading and family literacy programs. And importantly, libraries serve as essential links to the business community, assisting with job creation and training programs, and assisting with business development initiatives as well. They are also critical to many people with disabilities, providing them with specialized materials and resources that are obtainable in a single location. For older Americans, libraries provide a place to interact with others, use the Internet, and receive services. For those persons of limited resources or who live in remote areas, libraries provide access to books and reference materials, computers and the Internet, and community-based social services that are often available no where else.

The Museum and Library Services Act also supports museums in their educational role and assists museums in modernizing their methods and facilities so that they are better able to conserve the cultural, historic, and scientific heritage of the United States. Museums play an important role in the education of people of all ages. Specifically, most American museums provide K–12 educational programming, with most using local and State curriculum standards to shape their programs. Additionally, museums increasingly partner with libraries to offer joint educational opportunities for adults as well as children.

Museums can be an important source of cultural and historical knowledge for people, as they learn about the history and traditions of our country and our shared identity as Americans. Museums increasingly serve as places where people of different backgrounds, economic levels and home locations come together and not only share the experience of viewing their community's artifacts and natural objects, but also discuss community issues.

The Museum and Library Services Act of 2002 makes several modifications to current law to streamline and strengthen museum and library services across the country:

Coordination—Ensures that library activities are coordinated with activities under P.L. 107–110, the No Child Left Behind Act of 2001;

Museum and Library Services Board—Eliminates references to the National Commission on Libraries and Information Science and consolidates its advisory responsibilities under the existing Museum Services Board that will expand to include library services. The purpose of this change is to consolidate museum and library board activities under a single statute;

National Awards for Museum and Library Service—Authorizes the Institute of Museum and Library Services (IMLS) Director to award a National Award for Library Service as well as a National Award for Museum Service;

Analysis of Impact of Museum and Library Services—Ensures that administrative funds are also used to conduct annual analyses of the impact of museum and library services to identify needs and trends of services provided under museum and library programs; and

Minimum Allotment—Increases the minimum State allotment for library programs to $500,000 (roughly a 46 percent increase over current law).

I hope that my colleagues on both sides of the aisle cosponsor the Museum and Library Services Act of 2002. I look forward to moving this legislation through the Committee on Education and the Workforce and to the Floor so that we can ensure that our Nation's museums and libraries are getting the best assistance we are able to provide from the Federal level.

ARREST AIDS PURSUIT OF WEAPONS NETWORK

HON. TONY P. HALL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2002

Mr. HALL of Ohio. Mr. Speaker, I commend your attention and that of our colleagues to a report in today's Washington Post, ''Arrest Aids Pursuit of Weapons Network.''

This article is part of reporter Douglas Farah's continuing exposé of the role conflict diamonds are playing in funding terror in Africa and terrorist attacks on America. Today's page-one story details significant progress in our intelligence agencies' effort to cut off the flow of sophisticated arms to Al Qaeda, the Taliban, Abu Sayyaf, and rebel groups in Africa. It notes that United Nations investigators working independently have documented the shipment of ''hundreds of tons of arms to UNITA rebels in Angola, the government of President Charles Taylor in Liberia and several factions involved in the civil war in Congo.'' And, of particular interest to this House, it spells out the role that conflict diamonds play in an underground network that funds those weapons.

Mr. Speaker, at a hearing this month before a Senate Government Affairs Committee panel, Chairman DICK DURBIN and Senators MIKE DEWINE, RUSS FEINGOLD, JUDD GREGG, SUSAN COLLINS, and GEORGE VOINOVICH focused on the role conflict diamonds are playing in undermining the United States' efforts to freeze Al Qaeda's assets. As a witness from the State Department testified, ''reports that terrorists may be buying and hoarding diamonds are cause for immense concern.'' I share this concern.

As you know, ending the trade in conflict diamonds has been a priority for me and Congressman FRANK WOLF, since we first met some of the victims of Sierra Leone's war over diamonds in 1999. Last year, we joined CHARLIE RANGEL and AMO HOUGHTON in pressing Congress to act against this blood trade and were proud to see the House approve our Clean Diamond Trade Act by an overwhelming margin.

Today, I commend the U.S. and Belgian authorities who are working to stop what probably is ''the biggest weapons-trafficking network in the world.'' I salute Mr. Farah, who first broke this important story last year and has pursued it doggedly. And I urge everyone working on the problem of conflict diamonds to redouble their efforts. For the sake of the African victims of this blood trade, on behalf of Americans who deserve any protection from future terrorist attacks that our government can provide, and to ensure the legitimate industry is not penalized by the 10–15 percent of diamonds that are tainted by this scourge—this work must be finished.

ARREST AIDS PURSUIT OF WEAPONS NETWORK

(By Douglas Farah)

U.S. and European law enforcement officials say they have scored an important advance in their efforts to disrupt what some officials describe as the biggest weapons-trafficking network in the world, responsible for supplying the Taliban and terrorist groups from al Qaeda in Afghanistan to the Abu Sayyaf in the Philippines, as well as rebel forces in Africa.

For the past three years, U.S. intelligence agencies have covertly been trying to thwart the sprawling arms empire of Victor Bout's, a former Soviet military officer whose operation is based in the United Arab Emirates, according to U.S. and European officials. Bout's network is unique, U.S., British and U.N. investigators said, because of its ability to deliver sophisticated weapon systems virtually anywhere in the world.

A suspected top associate of Bout's is under arrest in Belgium, and investigators say he is providing fresh, inside information on how the arms network functions.

While Bout has long been suspected of supplying weapons to the Taliban, U.S. and European officials said intelligence gathered in recent months in Afghanistan and elsewhere has provided new details about his flights and deliveries in the months before the Sept. 11 attacks on the United States. The intelligence suggests he was flying weapons into Afghanistan more recently than had been believed, according to U.S. and U.N. officials familiar with the material.

Bout specialized in breaking arms embargoes around the world, according to four separate U.N. Security Council reports on weapons trafficking that were issued between December 2000 and last month. His activities were also described in interviews with U.S., British and U.N. investigators. He traffics almost exclusively in weapons bought in the former Soviet bloc, chiefly Bulgaria and Romania, according to these officials.

''There are a lot of people who can deliver arms to Africa or Afghanistan, but you can count on one hand those who can deliver major weapons systems rapidly,'' said Lee S. Wolosky, a former National Security Council official who led an interagency effort to shut down Bout's operations during the last two years of the Clinton administration. ''Victor Bout is at the top of that list.''

U.S. and European officials said the suspected top associate of Bout, Sanjivan Ruprah, was arrested in Belgium earlier this month on charges of criminal association and using a false passport.

Before the arrest, Ruprah, a Kenyan, had secretly been in contact with U.S. officials in recent months, providing them with information about Bout, according to U.S. officials and Ruprah's attorney. The U.S. officials said they were given no warning Ruprah was about to be arrested by the Belgians.

U.S. officials also said they had made no deal with Ruprah. They said that since the arrest, Ruprah has divulged more information about Bout's suspected arms pipeline to the Taliban, which ruled Afghanistan until last November, and al Qaeda, which the Taliban had sheltered there.

''We are very, very interested in this case because we understand Ruprah is talking about the supply of weapons to al Qaeda and the Taliban,'' said a senior U.S. official. ''His basic line with us was that, while he had done some bad things, he didn't deal with al Qaeda and he understood that being linked to that now would be very, very bad.''

Ruprah was especially valuable to Bout, U.S. and U.N. investigators said, because he was tied to the illicit diamond trade in West Africa and arranged for Bout to be paid for his weapons deliveries with diamonds from Sierra Leone, Congo and Angola.

Al Qaeda and other terrorist organizations have used an underground network that stretches across Africa to trade in diamonds, weapons and other valuable commodities.

Last year both Bout and Ruprah were placed on a U.N. list of individuals banned from international travel because of their ties to Liberia and the Sierra Leone rebel movement known as the Revolutionary United Front, or RUF.

Johan Peleman, a Belgian weapons expert who has investigated Bout for several years on behalf of the United Nations and has spoken regularly to Ruprah in recent months, said Ruprah was knowledgeable about Bout's financial dealings, especially in the diamond trade. Belgium is interested because Bout's financial network was based in Antwerp, the center of the world diamond trade.

Ruprah's attorney, Luc de Temmerman, said in a written statement that his client engaged only in legal activities in Africa. While acknowledging that Bout and Ruprah knew each other, he said they were not in business together.

De Temmerman said Ruprah had recently been in touch with the FBI, the CIA, the United Nations and British intelligence officials to provide them with information in an effort to have the U.N. travel ban on him lifted. He denied Ruprah knew anything about arms shipments to al Qaeda or the Taliban.

The U.N. reports said Bout originally based his operations in Ostend, Belgium, in 1995, and moved to the UAE in 1997 when Belgian officials began investigating his air freight operations.

The reports, compiled independently by separate groups of U.N. investigators monitoring U.N. embargoes, document Bout's shipments of hundreds of tons of arms to UNITA rebels in Angola, the government of President Charles Taylor in Liberia and several factions involved in the civil war in Congo. All are under U.N. weapons bans.

Ruprah was identified in U.N. reports as a key intermediary between Bout and Taylor. A December 2000 report said Ruprah was issued a Liberian diplomatic passport in the name of Samir M. Nasr, and was identified as Liberia's deputy commissioner for maritime affairs.

Ruprah helped arrange for three flights to Liberia in July and one in August 2000, the report said, delivering two combat-capable helicopters, surface-to-air missiles, armored vehicles, machine guns and almost a million rounds of ammunition. The weapons originated in Bulgaria.

U.S. and U.N. investigators say they believe Bout has also run guns for the radical Muslim Abu Sayyaf guerrilla movement in the Philippines and has flown weapons for Libyan leader Moammar Gaddafi.

''Victor Bout, as the largest player in the world in the illicit air logistics business, is a critical alder and abettor to criminal and terrorist organizations, rogue heads of state and insurgencies—whoever is able to pay,'' Wolosky said.

According to a U.N. Security Council report issued in April 2001, Bout is 35 years old. Bom in Dushanbe, Tajikistan, he is a graduate of Moscow's Military Institute of Foreign Languages and speaks six languages fluently, according to the report.

The report also describes Bout as a former air force officer who holds at least five passports. Investigators said Bout was known as the ''Lone Wolf'' because he operates by himself. They describe him as short, stocky and usually sporting a bushy mustache.

Telephone calls and faxes to Bout's offices in the UAE went unanswered. An associate of Bout's there said all of Bout's employees in the Emirates had left. The associate said he no longer knew where they were. Bout's brother Sergei, based in Islamabad, Pakistan, also did not return phone calls.

Bout has refused to talk to U.N. investigators or reporters.

He has a fleet of about 60 aircraft, including large Russian cargo planes, according to investigators. His operation is tied together by a complex web of overlapping airlines, charter companies and freight-forwarding operations that give him a global reach. His main company is registered as Air Cess.

In an effort to confound investigators, Bout continually changed the registration of his aircraft from one African country to another, all the while basing his air operations in Sharjah, one of seven emirates that make up the UAE.

Bout's alleged dealings with the Taliban and al Qaeda are the subject of an ongoing, classified U.S. operation that began in early 2000. ''There was a concerted effort at the tail end of the Clinton administration, continued into the Bush administration, to put him out of business,'' said one former U.S. official.

U.N. and U.S. officials said Bout cut a deal with the Taliban in 1996 in UAE, one of only three countries in the world that recognized the regime.

The deal called for Bout's Air Cess to supply and service Afghanistan's Ariana Airways and the Afghan air force, both of which used Soviet-era aircraft. Another company that Bout had an interest in, Flying Dolphin, provided charter flights from Dubai to Afghanistan, the sources said, and soon there were several flights a week from Dubai to the Taliban stronghold of Kandahar.

U.N. investigators say they now believe many of those flights were loaded with weapons. When U.N. sanctions shut down Ariana in November 2000, Flying Dolphin obtained a U.N. waiver, for reasons that are not clear, and continued flying the Dubai-Kandahar route until being shut down by the United Nations in January 2001.

''Bout undoubtedly did supply al Qaeda and the Taliban with arms,'' Peter Hain, Britain's minister of European affairs and lead investigator into Bout's global arms trade, told the Associated Press on Feb. 19.

A 1998 Belgian intelligence report on Bout's activities, obtained by The Washington Post, says he made $50 million in Afghanistan, selling heavy weapons to the Taliban. However, Peleman and other investigators said they had doubts that Bout had earned that much money from the Taliban and al Qaeda, in part because Bout also supplied weapons to anti-Taliban leaders, some of whom were his close friends.

Nonetheless, the United States launched an effort to disrupt Bout's arms trading, trying to freeze his assets and pressuring other nations, especially the UAE, to expel him. U.S. officials said they were limited in what they could do because they believed Bout had violated no U.S. laws. One of Bout's companies, Air Cess Inc., based in Miami, was dissolved on Sept. 19, according to public records, and its telephone number no longer works.

In late 2000 the Clinton administration asked the UAE at an ''extremely high level'' to shut down Bout's operation, a former U.S. official said. UAE officials reponded that they had no evidence of criminal wrongdoing by Bout.

''We would have preferred they shut him down completely but they took helpful incremental steps that disrupted his operation,'' the source said, including imposing new and costly equipment requirements on his air fleet.

When President Bush took office, the Bout project received less attention, U.S. officials said. Then came the Sept. 11 attacks. ''Suddenly, he was back on our radar screen in a very significant way,'' a senior U.S. official said. ''His importance suddenly loomed very large.''

HONORING COMMON THREADS AWARD RECIPIENTS

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2002

Mr. RADANOVICH. Mr. Speaker, I rise today to recognize Sharon Clauss, Patricia Hillman, Roxie Moradian, Agnes Pelous, and Alice Peters on the occasion of their being awarded the 2002 Common Threads Award. Common Threads is a joint venture of the Agricultural Education Foundation, California State University, Fresno's College of Agricultural Sciences and Technology, and AG ONE Foundation. The award is given to women in agriculture who have invested in their communities through community service and philanthropy. Honorees must live in Fresno, Kings, Madera, Merced, or Tulare County.

Sharon Clauss has been involved in dairy farming all her life. She and her husband, Richard, operate Clauss Dairy in Hilmar, California. Her support for agriculture and her community include active participation and financial contribution to numerous organizations including California Women for Agriculture, Agricultural Leadership Foundation, 4-H, Hilmar Covenant Church, and the American Jersey Cattle Association.

Pat (Heiskell) Hillman works with her family's farming businesses, Heiskell Family Farms and J.D. Heiskell & Co., in Tulare, California. She also volunteers with the World Ag Expo. Her involvement in her community spans six decades from co-founding of the Tulare County Symphony League in 1956 to being a founding docent of the Heritage Complex in 2000. Pat has also contributed to the Tulare Historical Museum and Society, First Congregational Church of Tulare, and Pro-Youth Tulare and Pro-Youth Visalia.

Roxie Moradian is a former owner of Penny-Newman Grain Company and has been involved in agriculture all her life. Her community service includes not only the Ag One Foundation at California State University, Fresno, with the founding of the Frank Moradian Foundation for Agriculture Scholarship for students, but also the Fresno County Library, Fresno Philharmonic Association, Saint Agnes and Valley Children's Hospitals, Salvation Army-Fresno, and many others.

Agnes Pelous began her ag life in Los Angeles County as the daughter of immigrant farmers from Italy. Agnes continued with farming when she married Alex Pelous and they relocated to Tulare County. She has been an active member in both the Orange County and Tulare County Farm Bureaus. Her other community involvement includes the Lindsay Hospital Guild, Las Madrinas Guild for Valley Children's Hospital, Parent Teacher Association, Tulare County Cotton Women, Tulare County 4–H, California Women for Agriculture, among many others.

Alice Peters and her husband, Leon, owned and farmed orchards in the Fowler, California, area for many years and owned Valley Foundry which was connected to agriculture throughout the world. Alice has been active in many community service organizations including the Fresno Philharmonic, Valley Public Radio, Fresno Metropolitan Museum, and Fresno City and County Historical Societies. The School of Business at California State University, Fresno named their auditorium in her honor.

Mr. Speaker, I rise today to recognize Sharon Clauss, Pat Hillman, Roxie Moradian, Agnes Pelous, and Alice Peters for receiving the 2002 Common Threads Award. I invite my colleagues to join me in commending these outstanding women for their commitment to community service and agriculture and wishing them many more years of continued success.

COMMEMORATION OF THE CHINESE NEW YEAR

HON. DAVID E. BONIOR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2002

Mr. BONIOR. Mr. Speaker, Chinese American communities across this nation have gathered to celebrate the Chinese New Year. This lunar new year celebration is a special and important time for all Chinese Americans.

China is a country rich in traditional and religious holidays, but none are comparable to the New Year festivities. The New Year is a time for celebration, reflection and most importantly, family. The renewal and strengthening of family ties during this important time is not only essential to the Chinese community, but to America as a whole. In a period that has been difficult for so many of us, I am particularly moved by the Chinese New Year's emphasis on peace and happiness. We should all be well served by following such a tradition.

Our country has been greatly enriched by the many Americans of Chinese descent who have brought with them such rich customs. Michigan is fortunate to have had thousands of Chinese Americans make our great state their new home.

Mr. Speaker, in the Year of the Horse, I join the Chinese American community in celebrating this most joyous New Year or Bainian. I salute all of them for the tremendous contributions to freedom and human dignity which they have made.

PAYING TRIBUTE TO TONY FORTINO

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2002

Mr. McINNIS. Mr. Speaker, I would like to take this opportunity to recognize an extraordinary man who embodies the spirit of my district in Colorado and whose contributions to society have been honored with his induction into the Pueblo Hall of Fame. Tony Fortino is a pillar of the Pueblo, Colorado community and has dedicated countless hours to the betterment of his beloved city. As Tony celebrates his achievement, I would like to commend him for his commitment to his fellow citizens and community.

Tony's service to the City of Pueblo began when Tony took it upon himself to promote Pueblo's Downtown business corridor and the city itself. He served in leadership positions in the Greater Pueblo Chamber of Commerce, the Pueblo Economic Development Corporation and the Pueblo Development Foundation. His hard work ethic pushes him to take the initiative and provide leadership on projects, as

he has done with the Pueblo Convention Center and the Downtown Hotel. Tony's leadership abilities shine through in his position as chairman of the Pueblo Urban Renewal Authority and as Pueblo's representative on the Colorado Transportation Commission.

Tony served his country as a member of the Coast Guard in World War II. After the war, he came back to Pueblo and began a successful career operating a car dealership and as a commercial real estate investor. After his retirement, Tony generously gave to the Sangre de Cristo Arts and Conference Center and the Catholic Diocese of Pueblo Foundation. He has also helped to raise money for Pueblo Community College and serves as a member and chairman of the PCC Foundation.

Mr. Speaker, it is clear that Tony Fortino is a man of unparalleled dedication, evident through his efforts to improve the City of Pueblo, and his philanthropic contributions. It is his unrelenting passion for each and every thing he does, as well as his spirit of honesty and integrity that I wish to bring before this body of Congress. Tony Fortino is a remarkable man, who has achieved extraordinary deeds in his community, and I would like to extend to him my congratulations on his induction to the Pueblo Hall of Fame and wish Tony Fortino the best in his future endeavors.

TRIBUTE TO BASEBALL GREAT MICKEY VERNON

HON. CURT WELDON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2002

Mr. WELDON of Pennsylvania. Mr. Speaker, I want to pay tribute today to legendary baseball batting champ Mickey Vernon who will be honored during Strath Haven High School's presentation of ''Damn Yankees'' at its spring musical production in Wallingford, Pennsylvania on Saturday, March 2, 2002. Music Director, John Shankweiler, selected this work as a tribute to Wallingford-Swarthmore School District residents Mr. and Mrs. James ''Mickey'' Vernon.

For the past fifty years, Mickey and Libby, his wife of over 60 years, have called Wallingford their home. However, it must be pointed out that Mickey Vernon is one of the favorite native sons of my hometown of Marcus Hook, Pennsylvania. Mickey Vernon is a hero in my hometown. Marcus Hook is a close-knit, working-class town on the Delaware River. The people of Marcus Hook have community spirit and have much cause for civic pride. One of the unifying bonds in our hometown is our great pride in the career and achievements of Mickey Vernon. In the ballparks of Marcus Hook the name of Mickey Vernon is revered. Even today, more than thirty years after his retirement, kids in Marcus Hook still play ball in the Mickey Vernon Little League.

Mickey Vernon, one of baseball's greatest first basemen of all time has earned a special place in the annals of baseball history. Mickey played twenty-one years in the big leagues, thirteen of those in our Nation's Capital where he played for the Washington Senators. He was known as a slick-fielding lefthanded first baseman with a short, compact lefty swing.

In 1946, Mickey won the first of his two American League batting titles, hitting 0.353 while banging out a league-leading 51 doubles and knocking in 85 runs. He won a second Silver Bat in 1953, when be again lead the league with a 0.337 average and 43 doubles. That year, he also smashed 15 home runs and drove in a career-best 115 runs.

For his career, Mickey batted 0.286, drove in 1,311 runs, and hit 490 doubles. He played in seven All-Star games, and held career records for first basemen in assists, put-outs, chances, and games played, 2,237. He was durable and consistent, playing 115 or more games for 14 straight years.

Typical of many ballplayers of his era, Mickey lost two years in the prime of his career, 1944–45, because he answered his country's call to service during World War II. When we honor individuals like Mickey Vernon we promote the essence of what is good and wholesome in our Nation. Individuals like Mickey Vernon represent the essence of courage and endurance—the qualities that helped make our Nation great. He is a true American hero in every sense of the word.

I ask my colleagues to join me in congratulating Mickey Vernon for his outstanding career and his major league contributions to baseball, to his community, the Commonwealth of Pennsylvania, and to the Nation with best wishes as well to his wife, Libby.

HONORING THE BORDER TEXAN OF THE YEAR, SENATOR PHIL GRAMM

HON. RUBÉN HINOJOSA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2002

Mr. HINOJOSA. Mr. Speaker, I rise today to pay tribute to my good friend, the senior Senator from the great State of Texas, who on Thursday, February 28, will be named the ''Border Texan of the Year.''

Every year, the people of Hidalgo County, Texas, whom I represent, hold an annual Borderfest. This is a wonderful time where the diversity, culture, music and food of the region are celebrated and enjoyed. The highlight of the festival is the presentation of the Border Texan of the Year Award. I am very pleased that this year's recipient is a man of such distinction, whom I admire and respect and with whom I have enjoyed working with in the United States Congress.

Senator GRAMM has served the State of Texas with distinction both as a member of the House and as a United States Senator since 1978. He will truly be missed in Washington once he leaves us at the end of this year, but I am confident that his service to Texas will not be ending.

I have had the pleasure of knowing Senator GRAMM for many years, and we have collaborated across party lines to improve conditions throughout our state and especially in my South Texas region on such projects as transportation and infrastructure, including improving our bridges and roads.

Senator GRAMM and I have jointly introduced legislation to vastly improve the efficiency of the U.S. Customs Service along the U.S./Mexico border, thus increasing the flow of goods and services between the two countries. The residents of South Texas experience daily the long lines at our border crossings. Despite heroic sacrifices by Customs personnel, who work long hours and enormous amounts of overtime, there are just not enough people to make our southern border work efficiently. Before Senator GRAMM leaves the U.S. Senate, I am hopeful that we can win our fight to bring much-needed resources to our southern border.

Infrastructure is vital for economic growth and prosperity and Senator GRAMM has recognized this and has worked hard to improve border infrastructure. His dedication to secure highway funding and particularly his efforts to help secure a Presidential permit for the construction of the new Anzalduas International Bridge is greatly appreciated by all border Texans.

As Senator GRAMM leaves the Senate, I wish him much success in his future endeavors.

HONORING SYDNEY ALDERMAN PERRY FOR OUTSTANDING SERVICE TO THE COMMUNITY

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2002

Ms. DELAURO. Mr. Speaker, it gives me great pleasure to rise today to join the Jewish Federation of Greater New Haven in honoring an outstanding member of our community and my good friend, Sydney Alderman Perry. Sydney has been the Director of the Department of Jewish Education for over a decade and has made many invaluable contributions to the Jewish Federation during her tenure.

I have often spoke of our nation's need for talented, creative educators ready to help our children learn and grow. Sydney is a true reflection of this ideal. In the twelve years that she has served as the Director of the Department of Jewish Education, Sydney has worked diligently to improve the synagogue supplementary schools and has initiated a number of education programs for both adults and teens.

In developing ''A Taste of Honey'' and its offshoots, ''A Taste of Milk and Honey'' and ''A Taste of Apples and Honey,'' Sydney created new and exciting educational programming for adults and teens. She spearheaded the Israel Experience Savings program, which helps young people travel to Israel and she initiated Talmud Torah Meyuchad, an individualized Jewish education program for children with special needs. She is also responsible for the development of Midrasha, a new adult institute, and the successful community Hebrew High School, MAKOM, which serves three hundred and fifty teens throughout the New Haven area.

In addition to her work in education, Sydney has also dedicated her time and energy to the Jewish Federation. For the past six years, she has served as the Associate Executive Director of the Federation and is presently the Acting Director. In this position, Sydney serves on the Long Range Planning committee; helps staff the Community Relations Council and leadership development; supervises the Holocaust Education-Prejudice Reduction Project, Stepping Stones, and the new library at the Jewish Community Center; and acts as an advocate for Jewish continuity. She has served as a consultant to the community on educational endeavors, including the Anne Frank

Project, Shepherd '92, Jerusalem 3000 and the celebration of Israel's 50th Anniversary. Sydney is an extraordinary scholar, often called upon nationally to give workshops and has served as scholar-in-residence for several communities.

Sydney has shown an unparalleled dedication to Jewish education in our community and throughout the nation—-a commitment that is reflected in the myriad of awards she has been honored with over the years. I am proud to join her husband, Ted, her children, grandchildren, family, friends, and colleagues in extending my sincere thanks and appreciation to Sydney Alderman Perry for her outstanding service to our community. She is a true inspiration!

COMMEMORATION OF THE MUSLIM HOLIDAY OF EID UL-ADHA

HON. DAVID E. BONIOR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2002

Mr. BONIOR. Mr. Speaker, as we approach the completion of the Hajj, I want to extend my heartfelt greetings to the nearly seven million Muslims in America and the more than one billion Muslims worldwide celebrating a blessed Eid ul-Adha.

This most sacred holiday reminds us all of an important lesson. The Eid commemorates Abraham's willingness to sacrifice his son Ishmael in obedience to God. God, in His great wisdom and mercy, allowed the angel Gabriel to substitute a lamb as Abraham's offering, and Ishmael was spared. I am told the meat of the sacrificed lamb prepared for this feast is to be divided three ways: one third for the household, one third for relatives, and one third for the poor. It is this spirit of mercy and generosity that is most needed today.

As millions of faithful around the world join together for the conclusion of yet another remarkable pilgrimage to Mecca, there is also great reflection as we all seek to better understand the turmoil of the past few months. We all share grief and sorrow over the attacks of September 11. But partly as a testament to the hard work of the American Muslim community, I believe Americans are growing increasingly aware of Islam as a great religion of tolerance and peace.

This has been a difficult time for all Americans, especially Muslims. Not only did the Muslim community lose loved ones in the attacks like every other community in America, but they also suffered a backlash of suspicion, bigotry and violence. As time passes, it becomes increasingly clear that our nation has rejected such intolerance.

However, our struggle for justice continues. As we work to oppose secret evidence, profiling, and the disparate impact some of the measures adopted after September 11 have had on the Arab American and American Muslim community, we are working to protect the very ideals on which this great country was founded.

Mr. Speaker, as Muslim families celebrate Eid ul-Adha, let us remember the strength and discipline that faith offers each of us, and recommit ourselves to the sacrifices that life and justice might demand in the coming year.

PAYING TRIBUTE TO JOHN W. RAWLINGS

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2002

Mr. MCINNIS. Mr. Speaker, I would like to take this opportunity to recognize and honor an extraordinary man who embodied the spirit of my district in Colorado and whose contributions to society have gone unrecognized for far too long. John W. Rawlings was a pillar of the Las Animas community but far too few remember his services. Fortunately, a donation recently made by this man's loving son will ensure that John W. Rawling's accomplishments and generosity will never be forgotten.

Robert H. Rawlings, the current Pueblo Chieftain Publisher, remembers his father, John, as a kind, generous, and distinguished man. In order to preserve John's memory Robert has donated $150,000 in John's name to the Las Animas museum project. The project will help to move the Kit Carson Museum from outside of Las Animas to Main Street in this historic district. The new museum will be named in John Rawlings' honor.

John Rawlings spent his childhood in Monte Vista in Colorado's beautiful San Luis Valley. In high school, John was a star football player, basketball player, and a top student. In the evenings, he worked as a janitor for the school to help support his family. John's hard work paid off and he won a full scholarship to Colorado College. After college, John served his country in World War I and was honored with officer training. He served in France in the 341st Field Artillery 89th division and was promoted to the rank of second lieutenant.

John's career in banking began in 1920, and 21 years later he became the president of First National Bank of Las Animas. John's hard work and leadership skills were honored during his lifetime with roles in many organizations including the Southeastern Colorado Clearing House Association and the Colorado Bankers Association. John also served his community as the president of the Las Animas Chamber of Commerce, a member of the Las Animas Lions Club, and a commander of the Monte Vista post of the American Legion.

After John's death in 1959, he was named ''The Outstanding Citizen of the Area'' and was greatly mourned by a loving family and grateful community. His dedication to excellence and his fellow man certainly deserves the attention of this body of Congress. Although it is certain that John's family and his community still miss him dearly, we hope that the new museum will keep the memory of this kind and generous man alive and intact for the future. Thanks John for your contributions to this nation.

TRIBUTE TO THE LATE CLEOTILDE ''DING'' GOULD

HON. ROBERT A. UNDERWOOD

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2002

Mr. UNDERWOOD. Mr. Speaker, Chamorro culture lost one of its most ardent advocates with the recent passing of Cleotilde ''Ding'' Castro Gould at the age of 71. An inspiring mentor who touched a lot of people through her kindness, warmth, and humor, Mrs. Gould was a woman who lived by a set of lofty ideals and a firm commitment to the island she loved so much.

Primarily known as an educator and as a specialist on Chamorro language and culture, Mrs. Gould played a key role in the formation of the Guam Department of Education's Chamorro language and Culture program. She served as the program's director until her retirement several years ago. The program, which greatly progressed under her guidance, has rekindled interest on Chamorro culture as well as the recent rebirth and rejuvination of the Chamorro language on Guam. It was under her leadership that the Chamorro language program became part of the curriculum of the public schools in Guam. She was the advocate who spoke to the political leadership about requiring the teaching of the Chamorro language. She was the expert who used the Chamorro language in ways no one else could match. She was the teacher whose enthusiasm inspired an entire generation of Chamorro language teachers.

In addition to her administrative capacities, Mrs. Gould also made significant contributions to the body of Chamorro music and literature that we have today. Her many talents included that of singing, songwriting and creative writing. In addition to having been an accomplished performer of Kantan Chamorrita (Chamorro Songs), she has also been credited for several compositions made popular by local island personalities. In the 1980's, she also produced a video documentary of the Kantan Chamorrita song form which is the ancient call-and-response impromptu song form practiced today by only a few remaining artists.

Mrs. Gould was also the writer and creator of the Juan Malimanga comic strip. A daily feature in the Pacific Daily News, Guam's daily newspaper, the strip and its characters embody the Chamorro perspective and our local tendency to use humor either to get points across or to express criticism in a witty and non-confrontational manner.

It was, however, her talent as a storyteller that endeared her to many. For more than four decades, her captivating voice and gestures enthralled the imagination of her audience. Her great talent in conveying ancient Chamorro legends to the younger generation has placed great demand on her skills throughout the island's many schools. Mrs. Gould also represented the island as a storyteller in a Pacific islands tour sponsored by the Consortium of Pacific Arts and Cultures and she employed the same talent in 1988 as part of the Guam delegation to the Pacific Festival of Arts in Australia. She has been honored by the people of Guam as a master storyteller, a great honor in Pacific island cultures.

Through her song lyrics, the comical situations she had developed, and the lessons brought forth by her storytelling, Mrs. Gould touched a generation of children, young adults and students. Her exceptional ability to communicate with people from a wide range of age and educational backgrounds enabled her to pass on the values and standards of our elders to the younger generation. Dedicating her life towards the preservation of our island's culture and traditions, she became one of my

best friends and favorite colleagues in the field of education. She represents the best in that indomitable Chamorro spirit.

The passing of Mrs. Gould has left in me a deep sense of personal loss. I have known Mrs. Gould for over 25 years as a fellow professional and advocate for the survival of the Chamorro language and culture. I worked with her in the Chamorro Language and Culture Program, as a fellow commissioner in the Chamorro Language Commission and as a fellow activist in a number of activities pertaining to Guam's indigenous language and culture. She was a warm, caring woman whose impact on the island will not be forgotten. She had a special place in her heart and home for people who needed help. She took in people and helped them if they were in trouble, inspired them if they needed a lift and set them on the right path. It was this part of her life which gave her the greatest joy and where she felt she had the greatest impact.

I take great comfort with the knowledge that her legacy will live on and will forever be cherished by the people of Guam. I join her family, especially her daughter, Sandy; her son-in-law, Brian; her grandchildren, Silas Alexander and Bella Cleotilde; and her reared son, Rick, who, along with the people of Guam, mourn this great loss and, at the same time, celebrate the life and work of a great friend, colleague, loving mother, respected pioneer and staunch advocate of the Chamorro culture. Adios, Ding.

HONORING THE RETIREMENT OF LIEUTENANT KENNETH R. DOLL OF THE MILPITAS POLICE DEPARTMENT

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2002

Mr. STARK. Mr. Speaker, on February 26, 2002, the Milpitas Police Department will celebrate the retirement of one of its finest officers, Lieutenant Kenneth Doll.

Lieutenant Doll began his law enforcement career after his separation from the United States Navy as a highly decorated serviceman. He is the recipient of the Vietnamese Gallantry Cross, Vietnamese Civil Action Medal, Vietnam Campaign Medal, Vietnam Service Medal, and eight air medals, as well as a Presidential Unit Commendation and a National Defense Medal. He joined the Milpitas Police Department on November 1, 1971, as the first Patrol Officer. He then advanced to Police Officer status in May of 1973, Corporal in August of 1979, Sergeant in May of 1982, and was promoted to Lieutenant in October of 1998. During his 30-year career, he has worked or supervised Patrol, Traffic Investigations, Community Relations, and Youth Services. For 26 years, he has been directly involved in the SWAT and Firearms program, and is responsible for a $250,000 Range development project, which is nearing completion. Lieutenant Doll has also represented the City and Department in athletic competitions throughout the state in the Police Olympics, the World Police and Fire Games, and the LAPD's Toughest Cop Alive competition, placing second in his age category twice.

I am honored to join the colleagues of Lieutenant Kenneth Doll in commending him for his many years of dedicated and exemplary service to law enforcement. He has left his indelible mark of excellence on the Milpitas Police Department.

HONORING ST. EDWARD CHURCH AND SCHOOL OF NASHVILLE, TENNESSEE ON THE OCCASION OF ITS 50TH ANNIVERSARY AND FATHER JOSEPH PATRICK BREEN FOR 40 YEARS OF SERVICE IN THE PRIESTHOOD

HON. BOB CLEMENT

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2002

Mr. CLEMENT. Mr. Speaker, I am particularly honored to rise today to add my voice to so many of the people in Nashville and throughout Tennessee who are taking the time this week to honor St. Edward Church and School—which is celebrating its 50th anniversary in 2002—and its pastor, Father Joseph Patrick Breen—who recently marked his 40th year in the priesthood. That these two milestones in the spiritual life of Nashville occur together is more than appropriate, because both St. Edward Catholic Church and Father Breen have been such tremendous positive influences in the lives of the people of Nashville.

A native of Nashville, Joe Pat Breen—one of nine children born to the late Paul and Anna Nenon Breen—attended Christ the King School and was graduated from Father Ryan High School. He entered St. Ambrose College in Davenport, Iowa, and began his seminary training there in 1956. He was awarded his bachelors degree in 1958; and in the same year he entered North American College in Rome to pursue his graduate studies in theology. Father Breen was ordained a priest on December 20, 1961, at St. Peter's Basilica in Rome. He later returned to Rome to study theology at the Gregorian University; and in 1978, he was granted a license in sacred theology.

Following his ordination, Father Breen served a number of parishes in Tennessee, in Nashville (the Cathedral of the Incarnation), Memphis, Millington, Bartlett, Chattanooga and Cleveland (and its missions in Copperhill and Athens). In addition to being a priest, he was an educator, teaching at Christian Brothers High School in Memphis and Notre Dame High School in Chattanooga. In 1974, Father Breen was named pastor of St. Rose of Lima Catholic Church in Murfreesboro and served there for 10 years. During his service in Murfreesboro—a time of unprecedented growth in that community—the church there more than kept pace, increasing in members and in its impact on the life of the city.

Since July of 1984, nearly 18 years, Father Breen has been pastor at St. Edward Church and the principal at St. Edward School. Under his leadership, the parishioners of St. Edward Parish have been inspired to give even more of their time, talent and financial support to make St. Edward an excellent place to worship and to receive an excellent education. This parish is a strong, highly committed community—and the depth of that commitment is demonstrated every day in the community life of Nashville, Tennessee.

Knowing the value of Christian education, Father Breen turned his attention immediately to the school with full force—and it showed: new paint, lighting, structural improvements, compliance with fire and city codes, and an upgraded curriculum including a computer center and full-time computer teacher. In 1999, a capital campaign was launched to raise funds for a new addition to the school for a pre-kindergarten program. A new church office, rectory and primary wing of the school were built. Last year, teachers moved into new classrooms. Today, St. Edward Church serves more than 1,100 families, and school enrollment has grown to 441 students from pre-kindergarten through eighth grade.

This kind of progress is no accident. St. Edward is a parish of wonderful people—people who love God, their country, their families and their community. And they love their pastor—Father Joe Pat Breen. They love him because he loves them, and they can tell.

Father Breen was quoted recently in this way: ''As a priest, you had better be close to your blood family, you have to be intimate with several good friends, and try to be a very special part of the family of the parish.'' Father Breen succeeds in that mission. No one who encounters him can help but be touched by his deep compassion for others, can fail to be impressed with his devotion to his calling, can leave him without a feeling that something or someone greater than themselves is at work in the world. Father Breen does not traffic in sentimentalism—he deals with a world that includes both great joys and deep pain, and he does so, as much as any person can, with the decency and genuine concern and desire to help others that his faith—the faith of millions of Christians all over the world—demands.

Mr. Speaker, Father Joe Breen is a respected and beloved priest, a successful educator, a mentor to the young, and an inspiration to all that know him. He is a fine and good man. He leads a successful and forward-looking church. I am proud that he is making a difference for the better in Nashville; and, as I said at the beginning of my remarks, I am honored to pay tribute to him and to every member of the St. Edward parish.

HONORING AARON ARONOW ON THE OCCASION OF HIS 80TH BIRTHDAY

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2002

Ms. DELAURO. Mr. Speaker, it is with great pleasure that I rise today to extend my very best wishes to Aaron Aronow as he celebrates his 80th birthday. Aaron has been a fixture in our hometown of New Haven, Connecticut for as long as I can remember and it is my honor to pay tribute to his lifetime of contributions to our community.

Throughout his life, Aaron has demonstrated a unique dedication and commitment to the City of New Haven through community service. Our communities would not be the same without those individuals who volunteer their time to make a difference—especially those who expend their energies shaping public policy. He served on the New Haven Board of Alderman for sixteen years, many of which he served along side my mother. Today, he continues in his service as a Ward Chair and a

dedicated member of New Haven's Democratic Town Committee. Aaron is a former member of the City Plan Commission and is currently a member of the City's Disability Commission. Throughout his many years in New Haven's political arena, he has and continues to be a reflection of all that a public servant should be.

Though enjoying retirement from his fifty-year career as an executive with Robby Len Industries, a women's bathing suit manufacturer, Aaron continues to stay extremely active. He is an avid student, continuing to learn through the variety of senior courses offered at our local colleges and universities. He and his wife, Mitzi, recently celebrated their fifty-ninth wedding anniversary and enjoy spending time with their three children and four grandchildren. I am also told that he spends a great deal of time playing with his favorite family member, Tina—the family dog.

Aaron Aronow has remained committed to serving in his community. He is an active member of B'nai B'rith and is currently involved with Congregation Beth Israel in the restoration of the historic Orchard Street Synagogue. This synagogue, one of the oldest in New Haven, was once part of our vibrant Jewish community. In restoring this cultural landmark, Aaron hopes that it will once again become a central meeting place for New Haven families.

As family and friends gather to wish him well, I am sure Aaron will take a moment to reflect on his lifetime of achievements. I am so proud to have this opportunity to extend my deepest thanks and appreciation to Aaron Aronow for his many contributions to our community and to join his many friends and family in wishing him a very happy 80th birthday!

COMMEMORATION OF LITHUANIAN INDEPENDENCE

HON. DAVID E. BONIOR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2002

Mr. BONIOR. Mr. Speaker, Lithuanian American communities across this nation will be gathering this week to reflect and celebrate the 84th year commemorating Lithuanian independence. In Southfield, Michigan, this community will be gathering on Sunday, February 10, 2002 at the Lithuanian Cultural Center.

On February 16, 1918 the Lithuanian people proclaimed an independent state ruled by the people, free from German military control. For most of the 20th century, however, authoritarian regimes prevented Lithuanian nationalists from enjoying the fruits of liberty and democracy. In 1990, after five decades of oppression under Soviet control and a relentless passion for freedom and democracy, the Lithuanian people once again proclaimed their independence.

The United States' relationship with Lithuania is strong and growing stronger. Today Lithuanian and American leaders, governments and people are able to enjoy a great partnership. A significant goal of this partnership is the commitment to the security of the Baltic region and the promotion of democracy and freedom around the world. To achieve this goal, the Republic of Lithuania is making great economic, social and political progress in an effort to secure membership to the North Atlantic Treaty Organization. The role of NATO in preserving peace and stability in the Euro-Atlantic area is essential for all people; Lithuanians must not be the exception.

Mr. Speaker, I join the people of Lithuania, those of Lithuanian ancestry around the world and Lithuanian Americans in celebrating the 84th Anniversary of Lithuanian Independence. I salute all of them for the tremendous contributions to freedom and human dignity which they have made.

IN HONOR OF BLAKE HASELTON

HON. KEN LUCAS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2002

Mr. LUCAS of Kentucky. Mr. Speaker, I rise today in recognition of Blake Haselton. Mr. Haselton is Superintendent of Oldham County Schools, a district which lies in Kentucky's 4th Congressional District, which I represent.

Last month, Mr. Haselton was named Superintendent of the Year by the Kentucky Association of School Superintendents. He is also being considered for National Superintendent of the Year by the American Association of School Administrators.

Since he began in Oldham County in 1973, Mr. Haselton has served as a high school biology teacher, athletic director, director of guidance services, and principal. He also served as the district's director of pupil personnel before being named superintendent in 1991.

His colleagues praise him as an education leader who is ''stays on top of both the academic and financial elements of operating a school system,'' and ''makes his decisions on what's best for kids.'' The Oldham County Teachers Association says Mr. Haselton Is everything teachers want in a superintendent: child-centered, focused on teachers' needs, and an aggressive planner. The chair of the Oldham County Board of Education says Mr. Haselton is a ''leader amongst leaders . . . a master teacher'' who ''Inspires the best in others.''

Mr. Haselton also serves his community by doing volunteer work for several recreational, civic, and scouting organizations.

I rise today to congratulate Blake Haselton on being named Kentucky Superintendent of the Year, and to wish him well as he vies for the national. I ask my colleagues to join me in commending Mr. Haselton for his nearly three decades of outstanding service to the people of Oldham County, Kentucky.

PAYING TRIBUTE TO ROBERT L. BRAY

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2002

Mr. McINNIS Mr. Speaker, I would like to take this opportunity to recognize an outstanding individual from Grand Junction, Colorado. Over the years, Robert L. Bray has distinguished himself as a business executive, a community leader, and a vital participant in maintaining our civic responsibilities throughout the region. Robert's achievements are impressive, and it is my honor to recognize several of those accomplishments today. Robert is a generous soul whose good deeds and actions certainly deserve the recognition he has recently received.

Robert is the owner and operator of Bray and Co./GMAC Real Estate in Grand Junction, a successful business he has run for years. He has carried on a long tradition of quality guidance and service to his many clients in the area, resulting in a busy operation dedicated to remaining true to high standards of honesty and integrity. His success in the industry has led to several honors including the revamping of the developmental codes in the city, allowing residents to build in areas beneficial to the community residents and businesses.

Throughout his success, Robert and wife Vicky, have remained active in their community that has provided his business the resources to prosper throughout its history. They have actively volunteered their time and energies to community organizations such as Hilltop Community Resources, the Mesa County Library, as well as devoted their efforts to the continuation of a prosperous education system in their volunteer work with Mesa State College.

Mr. Speaker, Robert Bray's achievements have recently been rewarded by his community through the Grand Junction Chamber of Commerce. The chamber named Robert the Citizen of the Year, an award given to an outstanding and well deserving individual who has selflessly given of themselves to directly benefit their community. It is now my honor to congratulate Robert on his most recent and well-deserved award from this organization by bringing his good deeds to the attention of this body of Congress, and this nation. Robert, you have been a model citizen for Grand Junction and I extend my thanks for your efforts. Keep up the good work and good luck to you and your wife Vicky in your future endeavors.

HONORING CHRISTIAN HIT RADIO WAY–FM'S 10TH ANNIVERSARY

HON. BOB CLEMENT

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2002

Mr. CLEMENT. Mr. Speaker, I rise today to honor radio station WAYM–FM 88.7 on the occasion of its 10th Anniversary.

''WAY–FM,'' the name by which it is best known, has truly made a difference in the lives of countless individuals throughout Middle Tennessee, and indeed, across the Nation on its national network of radio stations.

I first became acquainted with WAY–FM through my daughters, Elizabeth and Rachel Clement, who loved to listen to the music of Contemporary Christian artists such as D.C. Talk, Third Day, Sonicflood, and Jennifer Knapp over the airwaves. Upon a personal visit to the station, I was immediately impressed with the work and mission of the staff and its uplifting vision to impact the lives of children, teenagers, college students and adults, under the moniker: ''WAY–FM, it is not just a radio station, it is a ministry.''

Robert ''Bob'' and Felice Augsburg founded WAY–FM Media Group, Inc. in 1985. In the

beginning, WAY–FM Media Group's sole purpose was to oversee the formation and operation of WAYJ, a non-commercial radio station in Fort Myers, Florida. The Board of Directors possessed a strong desire to establish a positive Christian radio alternative for the area'' youth and young adults. The impact of the new format was profound and immediate, resulting in tremendous growth.

In the early 1990's, Bob Augsburg visited Nashville to garner and gauge support for a WAY–FM station in Nashville. Finding a foundation of support, Augsburg formulated a team and as a result, WAYM Nashville officially signed on the air on March 11, 1992 from studios in Franklin.

The expansion of the ministry into Middle Tennessee and Northern Alabama enabled WAY–FM to broaden its mission of using radio to encourage youth and young adults in their Christian walk and to challenge them to make a difference in the world. Providing music as well as inspirational content, the station regularly opens its doors to area church youth groups allowing them to play guest deejay for a night. It also offers call-in programming for teens in crisis, numerous outreach programs and missions trips.

Community involvement is not only a priority, to the ministry of 88.7 WAY–FM, it is a core value. WAY–FM has sponsored many community events over the past ten years including record breaking food, blood, and winter clothing drives; collecting cell phones for S.A.V.E. (Survivors Against Violent Environments); promoting and sponsoring numerous concert events and free Brown Bag concerts; making van appearances at countless community events; providing mission trip opportunities for listeners; and most recently collecting several thousand Valentine's Day cards for the children at Madison Children's Home. All of these activities are in addition to the on air presence of sharing God's love and power through music, interviews and daily scripture readings. WAY–FM believes in the work of local churches and supports their efforts through free Public Service Announcements.

In the spring of 1998, WAY–FM began a fund drive to build a new facility to an outpouring of assistance from the community. This Brentwood location was completed in October 1999 with a move in to a virtually debt free facility due in part to the tremendous support of listeners and area businesses.

WAY–FM has achieved success throughout Tennessee winning local awards for its quality programming, as well as awards from national organizations such as the Gospel Music Association (GMA) for Station of the Year honors. Its signal is now broadcast across the Southeastern United States and on satellite via Sky Angel, with expansion to the Western United States expected in the near future.

May WAY–FM continue to grow and prosper as it changes lives through the ministry of music in the years to come.

HONORING THE INAUGURATION OF BISHOP JERRY WAYNE MACKLIN TO THE EPISCOPAL OFFICE OF JURISDICTIONAL BISHOP OF THE NORCAL METROPOLITAN JURISDICTION OF THE CHURCH OF GOD IN CHRIST

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2002

Mr. STARK. Mr. Speaker, I rise to commemorate the elevation of Bishop J.W. Macklin to the Episcopal Office of Jurisdictional Bishop of the NorCal Metropolitan Jurisdiction of the Church of God in Christ.

Bishop Macklin, a native of San Mateo, California, founded the Glad Tidings Church of God in Christ in 1978 in Hayward, California. The neighborhood of South Hayward, once riddled with crime, drug use and violence, was in need of someone to challenge the hearts of citizens and improve the community's conditions. Bishop Macklin was a perfect match. As a result of his role in preaching the gospel, creating an innovative ministry, and networking in the community, the neighborhood has undergone a dramatic transformation, and is known today as the Glad Tidings Community Campus.

Bishop Macklin also serves the Church of God in Christ as Chairman of the Auxiliaries in Ministry Convention in Memphis, Tennessee. In that position, he presides over the Church's Summer Convention, which draws more than 20,000 delegates. In the past, he has served as president of the International Sunday School Department, and as a member of the Publishing Board for the National Church of God in Christ.

A wide variety of groups have come forward to show their gratitude for Bishop Macklin's distinguished dedication to the ministry and his community. He has been the recipient of numerous citations, honors, special recognitions, and awards. These include the John Pappas Humanitarian Award, Bay Area's Most Influential Black Religious Leader, outstanding Leadership and Community Service from the City of Hayward, NAACP, Hayward Unified School District, Alameda County Board of Supervisors, California State Legislature, and the Congress of National Black Churches.

In addition to the many honors and awards Bishop Macklin has received, he also established Northern California's Community Development, a non-profit housing corporation for South Hayward revitalization, and the Institute for Success, Welfare to Work Program for Southern Alameda County. His continual involvement in these programs demonstrates his dedication to enhancing community life and helping to improve individual lives.

I am honored to join the colleagues of Bishop J.W. Macklin in commending him for his many years of dedicated and exemplary service to the Church of God in Christ. He has left his indelible mark of excellence on the South Hayward community.

HONORING DETECTIVE RAY KERN

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2002

Mr. RADANOVICH. Mr. Speaker, I rise today to honor Detective Ray Kern on the occasion of his retirement from the Madera County Sheriff's Department. Detective Kern retired January 2, 2002, after 32½ years in law enforcement, 28 of those years with the Madera County Sheriff's Department.

Detective Ray Kern started his career in law enforcement with the Chowchilla Police Department in June of 1969. In December of 1973 he began working for the Madera County Sheriff's Department. After working in the jail for eighteen months, Ray Kern was transferred to the mountain division working patrol. In 1982, he was assigned to work in the Detective's Unit. The last several years of his career he also worked with the Sheriff's Department Search and Rescue.

Mr. Speaker, I rise to commend Detective Ray Kern for an exemplary career of service in law enforcement. I encourage my colleagues to join me in congratulating Detective Kern on his retirement and wishing him many more years of continued success.

HONORING POLICE CHIEF KENNETH CRUZ OF GUILFORD ON THE OCCASION OF HIS RETIREMENT

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2002

Ms. DELAURO. Mr. Speaker, it is with great pleasure that I rise today to pay tribute to an outstanding member of the Guilford community and a dear friend, Kenneth Cruz, Chief of the Guilford Police Department on the occasion of his retirement. He has been an active member of the law enforcement community for over three decades and has served with the utmost dedication and integrity.

Recent times have brought a renewed public respect for our nation's law enforcement officials and the very real dangers they face. From the tragic events of Columbine to the devastating attacks of September 11, the skill, dedication and commitment of our law enforcement officials has been tested. From these tragedies lessons have been learned and higher expectations have been made for those who dedicate their lives to protecting our communities. In these times, we have looked to our police officers for guidance and reassurance.

Chief Cruz started his career with the New Haven Police Department in 1968 where he served for sixteen years. In that time, he achieved the rank of commander and left to accept an appointment as Chief of the Guilford Police Department where he spent the remainder of his career. He was elected President of the Connecticut Police Chiefs Association, a statewide organization that diligently promotes the needs of Connecticut's law enforcement community. During his tenure he worked with state and federal legislators to ensure that the voices of Connecticut's police officers were heard.

In addition to his professional career, Chief Cruz made it a priority to be actively involved in Guilford and the surrounding communities. Under his leadership, the Guilford Police Department was one of the first departments to join the efforts of the Yale Child Study Center and its Child Development Community Policing program. This program is designed to address issues of domestic violence, child abuse, and juvenile justice in a way which focuses on community, partnership, innovation and prevention—four elements which are all too often missing from our response to violent crime. By participating in annual conferences and sharing ideas and successes with leaders from other areas, these efforts have made a real difference in the lives of thousands of children who otherwise would fall through the cracks of our system.

With all of his work, at the Department and in the community, Chief Cruz still made time to be of great assistance to myself and my staff. He has been an invaluable resource to us all and I want to extend my deepest thanks and sincere appreciation for all of his support.

Chief Kenneth Cruz has demonstrated an unparalleled commitment and has left an indelible mark on the Town of Guilford—he will be missed. As he celebrates his retirement, I am proud to rise today to join his wife, Virginia; daughter, Dawn; his three grandchildren, family, friends, and colleagues in wishing him the very best for many more years of health and happiness.

IN HONOR OF WALTON-VERONA, KY, INDEPENDENT SCHOOLS

HON. KEN LUCAS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2002

Mr. LUCAS of Kentucky. Mr. Speaker, I rise today in recognition of the Walton-Verona Independent School System, in Kentucky's Fourth Congressional District, which I represent.

The school district has set a state record by not having a dropout in three years. In that same time period, 209 students have graduated. And once again this year, nobody has dropped out, and 76 more students are on track to graduate in May.

As part of the district's anti-truancy program, the school attendance officer, who is a sheriff's deputy, checks on students who are truant for two consecutive days. The deputy actually goes to the student's home and takes the student to school in a marked cruiser. Also, a retired principal works with families to help solve problems that often lead students to drop out, such as health problems, eating disorders, pregnancy, and divorce.

The district's anti-truancy program, called SAFE, which stands for Schools and Families Empowered, was funded in part by a federal grant that is now expiring. The good news is that the Northern Kentucky Independent Health District is so impressed with the program that it's stepping in to help fund it.

Walton-Verona's dropout-free record is a noteworthy accomplishment, and is a wonderful example of what small school districts can do when they are forced to make the most of limited resources. I ask my colleagues to join me in commending the outstanding students and dedicated staff of the Walton-Verona Independent School District on such a remarkable dropout rate.

PAYING TRIBUTE TO TOM G. ROBERTS

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2002

Mr. McINNIS. Mr. Speaker, it is with a solemn heart that I take this opportunity to pay respect to the passing of Tom G. Roberts, who recently passed away at the age of 55. Tom was a pillar of the Hotchkiss, CO, community and as his family mourns his loss, I think it is appropriate to remember Tom and pay tribute to him for his contributions to his community.

Tom was a shining example of a man thoroughly involved in his community. He was a member of the Hotchkiss Community United Methodist Church, the Hotchkiss Elks Lodge No. 1807, the Mt. Lamborn Masonic Lodge No. 102, and Sigma Phi Epsilon. In an effort to serve his community, Tom participated in several civic and business groups, notably the Hotchkiss Library Board, the Hotchkiss Chamber of Commerce, and the Delta County Livestock Association. Tom was a member of the North Fork Snowmobilers Association and was also a member of the Men's League and Mixed League at Valley Lanes, where he spent his free time playing one of his favorite games, bowling.

Tom was well known for his love of outdoor activities, including horseback riding and snowmobiling. As a result of his intimate knowledge of the local forest and his attention to the news, he was often referred to as the ''unofficial wildfire reporter''. Between his responsibilities as owner of Robert's Short Stop, Tom always loved to visit with residents and tourists visiting the area. Tom loved children, especially his own, and was often seen at the local little league games as a fan and a sponsor. Tom will be remembered as a loving husband, a devoted father, and a friend to all.

Mr. Speaker, it is my privilege to pay tribute to Tom G. Roberts for his contributions to the Hotchkiss community. His dedication to his family, friends, work, and community certainly deserves the recognition of this body of Congress. Although Tom has left us, his good-natured spirit lives on through the lives of those he touched. I would like to extend my thoughts and deepest sympathies to Tom's family and friends during this difficult time.

IN MEMORIAM OF RICHARD LEONARD DIXON

HON. NICK LAMPSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2002

Mr. LAMPSON. Mr. Speaker, I rise today in great sadness to honor Richard Leonard Dixon, who passed away yesterday, February 25, 2002. Richard Dixon was a remarkable man who was committed to his community, his country, and above all, his family. He is survived by his wife, Geneva Farris Dixon and his son, Jeff Dixon.

Richard was concerned about southeast Texas and the people who lived there. He was a long time civic and community leader. His impact on the community could be felt everywhere, he was a positive force in southeast Texas.

Richard Dixon attended Lon Morris Jr. College, Wharton Jr. College, graduating from Sam Houston University. A member of the Trinity United Methodist Church, he began his career with the Brazosport Facts, was former State Editor for the Beaumont Enterprise, Assistant Director of Public Information at Lamar University, and finally a member of my staff.

Richard was active in community and church affairs in Beaumont and in Nederland. He was of the utmost character, and his attributes of selflessness and commitment to others are rare gifts that his community was lucky to have. Richard Dixon was a man who served his community with great pride and devotion.

His work was part of the fiber of southeast Texas, and with his passing a great loss will be felt in the spirit and the heart of our community. Richard was a long time friend with a sharp sense of humor and an unbridled spirit. Today, as a Congressman I have lost a trusted member of my staff, but as a person, I have lost a friend.

COMMENDING BRIAN SHIMER, OLYMPIC BOBSLEDDER OF NAPLES, FLORIDA

HON. PORTER J. GOSS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2002

Mr. GOSS. Mr. Speaker, I rise today to salute an individual from my district who never gave up. Brian Shimer, of Naples, Florida, came from behind on February 23rd and won a Bronze Medal in the 4-man bobsled competition.

Now Naples, Florida, is not known for its snowfall, but it is known for commitment to community and dedication to principles. It is an amazing feat that Brian Shimer managed to pursue his bobsledding passion for the past 16 years—never giving up and making sure America did not abandon its pursuit of the sport. Five times Brian competed in the Olympic Games, each time, seeking to turn all his years of training and desire into an Olympic medal. He endured injuries, setbacks, and hundredths-of-a-second heartbreaks. Still, Brian kept trying. His teammates changed, the bobsled designs changed and the biological clock ticked toward the ripe old age of 40, but Brian continued toward his dream.

This time in Salt Lake City, Brian Shimer won one of the two Olympic medals awarded to the United States in bobsledding—the first since 1956. In doing so he brought an incredible gift back to the sport he loves, and to his family, friends and all who supported his unquenchable passion. He also made a statement about Americans—that dedication and perseverance to a cause is what makes us strong and our country great. Brian was the one who carried the American flag for the American team during the closing ceremonies for the Olympic Games—a testimony to the respect he has earned among his fellow athletes.

It makes us all proud that Florida Congressional District 14 is the home of an individual who truly emulates the Olympic and American spirit—Congratulations to Olympic Bronze Medal winner, Brian Shimer.

90TH ANNIVERSARY OF HADASSAH

HON. MELISSA A. HART

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2002

Ms. HART. Mr. Speaker, today I would like to take this opportunity to honor the 90th anniversary of one of the Nation's leading organizations, Hadassah, the Women's Zionist Organization of America, paying special honor to the Greater Pittsburgh Chapter and the Aliquippa, Ohio Valley Group. In the past nine decades, Hadassah has become the largest women and largest Jewish membership organization in the United States with over 300,000 members and 1,500 chapters across the country.

Founded in 1912 by educator Henrietta Szold, Hadassah has been dedicated to pursuing social justice, ensuring Jewish community, promoting a prosperous and peaceful Israel, and providing for the health, education, and well being of American Jewish women and their families. Of the many positive activities and humanitarian missions the members of Hadassah partake, their greatest achievement is their network of world-renowned medical and educational facilities in Israel. Their flagship project, the Hadassah Medical Organization, provides health care of the highest quality to numerous individuals from all areas of the Middle East, without regards to race, religion, or nationality. The Hadassah Medical Organization also provides training for health care professionals from all comers of the world. For 90 years, Hadassah has supported peace and stability in the Middle East.

In addition, the members of the Hadassah Pittsburgh Chapter, and the Aliquippa, Ohio Valley Group have been involved with a number of issues concerning women and the Jewish community in the United States. They have advocated a program for breast cancer detection and awareness, sponsored Jewish family programs, and encouraged civic participation on public policy through their Government Relations Unit. This is included with local support of the Women's Center of Beaver County.

Finally, I would like to congratulate Hadassah and its members within the Greater Pittsburgh Chapter and Aliquippa, Ohio Valley Group for their commitment to helping numerous individuals, and improving the quality of their lives in the Middle East and across America. May they continue to advocate for peace and well being domestically and abroad for another 90 years.

CELEBRATING 90 YEARS OF HADASSAH

HON. SHELLEY BERKLEY

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2002

Ms. BERKLEY. Mr. Speaker, it is my great pleasure to publicly acknowledge one of the finest volunteer organizations in America. Founded by Henrietta Szold in 1912, Hadassah has been a shining example of the Jewish commandment, ''Tikkun Olam,'' healing the world.

I am proud to be a longtime, and life member of a group that has been a strong advocate for American-Israeli relations, the Jewish religion and family, civil liberties, and women's health. Over the course of the past nine decades, Hadassah has demonstrated an unsurpassed compassion and zeal for improving the quality of life for Jews, and for all people, everywhere.

Hadassah's best known project is the Hadassah Medical Organization. This world renowned medical complex provides unsurpassed medical care, world class research and professional training for the people of the Middle East. Set in the heart of Jerusalem in Mount Scopus, and in Ein Kerem, the Hadassah Medical Organization has long been a symbol of Jewish values. Built in one of the world's most troubled regions, Hadassah's hospital has consistently provided the highest quality of medical care to all people, regardless of race, religion, or national identity. Hadassah doctors have been the hidden heroes for fallen soldiers, the victims of countless terrorist attacks, and ordinary people, Arab and Jew alike, who seek medical care for their children.

Hadassah is also the sponsor of the Young Judaea program, one of the most impressive Jewish youth organizations in the world. Young Judaca has played a critical role in the development of tens of thousands of American Jewish youth. Located throughout the United States, Young Judaea offers Jewish youngsters an opportunity to interact with other Jewish youth, and learn about their Jewish identity, Zionism, and commitment to their community. In addition to their successful summer camp program, Young Judaea provides outstanding programs for young Americans in Israel. Through Hadassah, Young Judaea has enriched the lives, and broadened the horizons of generations of Jewish youth.

Hadassah's efforts improve the lives of all women, the Jewish community, and all Americans. Their Women's Health Department runs a nationwide ''Check It Out'' campaign to detect and raise awareness of breast cancer. Hadassah has also played a central role in encouraging women to participate in the political process. Members have lobbied tirelessly on issues including the rights of women, church-state separation, and foreign affairs. Hadassah's 300,000 members are voices heard on every issue, in every state.

As a Jewish woman, Hadassah has been a major force in my life. Membership has prepared me well for public service. For nine decades, Hadassah women have been leaders in our communities, and the inspiration for our nation's Jewish youth. We have a great debt to pay to Henrietta Szold, and the hundreds of thousands of women who have helped make Hadassah the organization it is today.

I congratulate my Hadassah sisters for a job well done, and done well.

CELEBRATING 90 YEARS OF HADASSAH

HON. TAMMY BALDWIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2002

Ms. BALDWIN. Mr. Speaker, I rise today in recognition of the anniversary of Hadassah, the 90th Women's Zionist Organization of America, Inc. Hadassah, a women's volunteer organization founded in 1912 by Henrietta Szold, is today the largest women's and largest Jewish membership organization in the United States. With more than 300,000 members, Hadassah seeks to promote the growth and unity of the Jewish community within the United States as well as strengthen its partnership with Israel.

During the past nine decades, Hadassah has been devoted to initiating and supporting health care, education, youth institutions, and land development in Israel. The Hadassah Medical Organization, one of Hadassah's greatest achievements, currently provides the highest standard of health care to individuals throughout the Middle East. In accordance with Hadassah's humanitarian mission and its strong support of a peaceful and secure Middle East, service is provided to individuals regardless of race, religion, or nationality. The Hadassah Medical Organization also serves as an excellent tool for training health care professionals around the world.

In addition to its efforts in Israel, Hadassah has been involved in many issues concerning women and the American Jewish community. The Rachel Szold Henrietta Chapter in Madison, one of Hadassah's earliest chapters, has been very active in the community, providing programs concerning the advocacy of women's issues as well as health issues. In the past, they have held a ''Fun and Fitness Day,'' which is an active health fair with workshops. Last September, Hadassah, along with other local Jewish women's organizations, held a medical education discussion on hereditary cancers in Ashkenazi women. These are just a few of the events that the Madison chapter, and other chapters across the country, have held to benefit women and health.

I wholeheartedly congratulate Hadassah for many years of success as a volunteer organization. I am proud to recognize this organization on its 90th anniversary.

90TH ANNIVERSARY OF HADASSAH

HON. BENJAMIN L. CARDIN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2002

Mr. CARDIN. Mr. Speaker, I rise today to congratulate Hadassah, the Women's Zionist Organization of America on its 90th anniversary and to pay special tribute to the largest Jewish women's membership organization in America.

Hadassah was founded in 1912 by educator and visionary Henrietta Szold. It was her vision and commitment to the ideal of a Jewish homeland and to social justice that led to the creation of Hadassah, an organization dedicated to help heal a Palestine rife with poverty, filth, and disease.

Today, with more than 300,000 members across the United States, Hadassah supports the Hadassah Medical Organization, the most advanced medical center in the Middle East. This medical center is comprised of two hospitals, 90 outpatient clinics, and numerous community health centers. It provides state-of-the-art health care to 600,000 patients a year—regardless of race, religion, or creed. In addition, through the congressionally funded American Schools and Hospitals Abroad Program, the medical center also stands ready to serve American military troops should the need arise.

Hadassah also funds and maintains four major programs in Israel and the United States. They include: Hadassah Israel Education Services, Youth Aliya, Young Judaea, and the Jewish National Fund. Hadassah also provides relief services during international health crises, including in Bosnia-Herzegovina and Rwanda. In the United States, Hadassah members are engaged in a multitude of activities. From women's health seminars to programs about Jewish traditions and rituals, Hadassah is dedicated to improving the lives of those in our community.

Hadassah's mission is to promote a prosperous and peaceful Israel, ensure Jewish continuity, pursue social justice, and provide for the health, education and well-being of American Jewish women and their families. I hope my colleagues will join me in saluting the spirit of volunteerism and service to community that has marked the 90 years of Hadassah's existence.

IN HONOR OF HADASSAH

HON. LORETTA SANCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2002

Ms. SANCHEZ. Mr. Speaker, I am proud to rise and honor Hadassah, the Women's Zionist Organization of America for their 90th Anniversary. Hadassah is the largest women's and Jewish membership organization in the United States.

Henrietta Szold, the Jewish scholar and activist, who was dedicated to Judaism, Zionism, and the American ideal, founded the organization in February 1912. Her goal was to strengthen their partnership with Israel, ensure Jewish continuity, and realize their potential as a dynamic force in American society. Today, Hadassah's efforts are enhancing the quality of American and Jewish life through its promotion of education, health awareness, and unity.

Hadassah's greatest achievement to date is their network of world-renowned medical and educational institutions in Israel. It provides the highest quality of health care to countless individuals throughout the Middle East, regardless of race, religion or nationality.

Please join me in honoring Hadassah for their continuous efforts in improving the life of Americans as well as the rest of the world.

COMMEMORATING THE 90TH ANNIVERSARY OF HADASSAH

HON. STEVEN R. ROTHMAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2002

Mr. ROTHMAN. Mr. Speaker, I rise today in celebration of the 90th anniversary of Hadassah, the Women's Zionist Organization of America. This esteemed organization has grown to become the nations largest woman's and Jewish membership organization. Today, we celebrate Hadassah having dedicated 90 years to pursuing a most worthy humanitarian mission.

It was in 1912 that the educator and visionary Henrietta Szold founded Hadassah. In the time since, it's members have not only been committed to promoting a peaceful and prosperous Israel, ensuring Jewish continuity and pursuing social justice, but also providing for the health, education, and well-being of American Jewish women and their families. This organization has helped build Israel's medical infrastructure from the foundations laid by two American nurses in 1913 through a combination of hard work and professionalism. Today the Hadassah Medical Association supports the region's most advanced medical center, treating 600,000 patients a year from all religious and ethnic backgrounds, and assisting in the training of greatly needed doctors and nurses.

On home soil, Hadassah has also had a historic impact, easing the concerns of women and the Jewish Community. In response to some 43,000 breast cancer deaths each year, Hadassah has joined the battle to diagnose cases early, by running screening and awareness programs. Furthermore, the organization sponsors Jewish family programs across the nation, encourages civic participation and has devoted considerable effort to educating members and the general public alike, on important public policy issues.

Mr. Speaker, for nine decades Hadassah has served communities worldwide improving the lives of women and their families. Now I ask my colleagues to join with me in honoring this organization and its members past and present, for their perseverance and many remarkable accomplishments.

IN HONOR OF HADASSAH'S 90TH ANNIVERSARY

HON. JANE HARMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2002

Ms. HARMAN. Mr. Speaker, with great pride I rise to praise the work and women of Hadassah on their 90th Anniversary.

Hadassah has been in the forefront of support for women's rights, women's health, and Israel for almost a century, and its impact can be seen in countless ways.

In Israel, Hadassah's hospitals and clinics provide the best medical care in the region to all those who need it. They treat patients without regard to race or religion, from the victims of the worst terrorist attacks in the region to individuals from across the West Bank and Gaza Strip.

Here in the United States, Hadassah's work in Los Angeles and across the Nation strengthens our community and our ties to Israel. Hadassah works to ensure access to medical care, prevent genetic discrimination, ensure women's reproductive rights and battle domestic violence. Its education and advocacy campaigns have brought people together in support of issues of vital importance to Jewish women around the world.

Hadassah was founded, as the story goes, on Purim 90 years ago. It took its name from the Hebrew word for Esther, who thwarted a plot to kill all the Jews in Persia. Hadassah has thwarted efforts to harm the needs and interests of the Jewish community ever since, and has reached out to all in need.

Congratulations to Hadassah, and thank you.

IN HONOR OF HADASSAH—THE WOMEN'S ZIONIST ORGANIZATION OF AMERICA

HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2002

Mr. ACKERMAN. Mr. Speaker, I rise today to honor Hadassah, on the occasion of the organization's 90th anniversary.

In February of 1912, Henrietta Szold founded Hadassah, presently the largest women's and largest Jewish membership organization in the United States. During the past nine decades, thousands of members from throughout the United States have set forth to promote a prosperous and peaceful Israel, ensure Jewish continuity, pursue social justice, and provide for the health, education, and well-being of American Jewish women and their families.

Since the group's humble beginning as a women's study circle, dedicated members have helped Hadassah to become one of the world's leading humanitarian organizations. In Israel, Hadassah's flagship project, the Hadassah Medical Organization, is the most advanced medical center in the region. This state-of-the-art healthcare facility is comprised of two hospitals, 90 outpatient clinics, numerous community health centers, and annually services over 600,000 patients regardless of race, religion, or creed.

The compassion of Hadassah is not only illustrated by their healthcare efforts. Hadassah funds and maintains four major Israeli and American programs—Young Judaea, Young Allya, Hadassah Israel Education Services and the Jewish National Fund. Each of these programs strives to support and promote Jewish life for Israelis and Americans of all ages. In addition to these programs, Hadassah is engaged in a wealth of educational, advocacy, training, and community service initiatives both in the U.S. and in Israel.

In honor of more than 300,000 members of Hadassah, I am privileged to pay tribute to their selflessness, incalculable hospitality, and success. Mr. Speaker, I would ask that you and my colleagues of the U.S. House of Representatives join me in congratulating Hadassah and its dedicated members for nine decades of social action and noble work.

TRIBUTE TO HADASSAH

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2002

Mr. BERMAN. Mr. Speaker, I rise today to pay tribute to Hadassah, the Women's Zionist Organization of America, on its 90th anniversary. I have enormous professional respect for Hadassah, I also have a deep personal affinity: my mother was a very active member, and some of my other relatives were officers in important Hadassah chapters.

Founded in 1912 by Henrietta Szold, Hadassah has become the largest women's and largest Jewish membership organization in the United States, with over 300,000 active members in all 50 states.

Hadassah's greatest achievement is its network of world-renowned medical and educational institutions in Israel. Their flagship project, the Hadassah Medical Organization, provides the highest quality health care to more than 600,000 patients a year from throughout the Middle East—regardless of race, religion or nationality—and is a resource for training health care professionals around the world. It also supports a variety of world-class research projects that have resulted in significant medical advances, particularly in the areas of breast cancer and the treatment of various genetic disorders. Over the years I have strongly supported the U.S. Agency for International Development's American Schools and Hospitals Abroad program, which provides a key source of funding for Hadassah's health care activities.

In addition to their outstanding work in Israel, Hadassah supports many important health, education and women's initiatives here in the U.S. These include a nationwide breast cancer awareness and detection campaign, Jewish family programs, and efforts to promote greater civic participation and awareness of key public policy issues. Through these activities, Hadassah's devoted volunteers strengthen our partnership with Israel, promote the unity of the Jewish people, and truly change people's lives.

I commend Hadassah for its excellent work over the past ninety years, and look forward to continuing my work with the organization to ensure an even brighter future.

TRIBUTE TO HADASSAH

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2002

Mr. WAXMAN. Mr. Speaker, I rise today to honor the 90th anniversary of the founding of Hadassah. With over 300,000 members worldwide, Hadassah is both the largest women's organization and largest Jewish organization in American history.

Founded in 1912 by Jewish scholar and activist Henrietta Szold, Hadassah has evolved as a leading volunteer women's organization, committed to Israel, Jewish continuity and American ideals.

In Israel, the Hadassah Medical Organization in Jerusalem has become a world-renowned center of medical excellence. With two hospitals, five schools, outpatient clinics, research facilities and a community health center, Hadassah is a lifeline for Israeli families and an important partner with the United States in medical research and training.

Sadly, the deterioration of the situation in the Middle East has also made the Hadassah hospital into the premiere trauma center for the victims of the vicious suicide attacks by Palestinian terrorist groups. Reconstructing bodies and healing wounds, the Hadassah doctors and nurses have saved numerous lives and restored the futures of many youth wounded in these gruesome attacks.

Hadassah's work also extends worldwide, with its nurses and doctors dispatched to work with refugees in Rwanda and to treat victims from the terrorist bomb blast at the Jewish community center in Buenos Aires.

Here in the United States, Hadassah is committed to health awareness for its members and for women and girls in underprivileged communities. Hadassah organizes education and screening for diseases like breast cancer and osteoporosis. It sponsors youth reading programs and mobilizes volunteers on national policy issues like school vouchers, genetic discrimination, and a woman's right to choose.

I am proud that Southern California boasts one of the largest concentrations of Hadassah members with over 20,000 activists in nearly 100 chapters.

I ask my colleagues to join me in honoring Hadassah's 90th anniversary and in congratulating Hadassah on its tremendous impact worldwide.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S1137–S1222

Measures Introduced: Six bills and one resolution were introduced, as follows: S. 1964–1969, and S. Res. 212. **Page S1208**

Measures Passed:

Condolences to Family of Daniel Pearl: Senate agreed to S. Res. 212, expressing the condolences of the Senate to the family of Daniel Pearl.

Pages S1221–22

Tribal Claims: Senate passed S. 1857, to encourage the negotiated settlement of tribal claims, after agreeing to a committee amendment in the nature of a substitute. **Page S1222**

Election Reform: Senate continued consideration of S. 565, to establish the Commission on Voting Rights and Procedures to study and make recommendations regarding election technology, voting, and election administration, to establish a grant program under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, and to require States to meet uniform and nondiscriminatory election technology and administration requirements for the 2004 Federal elections, taking action on the following amendments proposed thereto:

Pages S1142–51 S1166–94

Adopted:

Dodd (for Harkin/McCain) Amendment No. 2913, to express the sense of the Congress that curbside voting should be only an alternative of last resort when providing accommodations for disabled voters (*adopted by the Senate on Monday, February 25, 2002.*)

McConnell (for Gramm) Amendment No. 2927, to guarantee the right of all active duty military personnel, merchant mariners, and their dependents to vote in Federal, State, and local elections. **Page S1143**

Dodd (for Feinstein) Amendment No. 2928, to determine whether voting systems are able to accommodate as many voters who have a limited proficiency in the English language as possible.

Page S1143

Dodd (for Landrieu) Amendment No. 2869, to express the sense of the Senate regarding State and local input into changes made to the electoral process. **Page S1147**

Dodd (for Feinstein) Amendment No. 2931, to ensure the security, confidentiality, and integrity of personal information collected, stored, or otherwise used by the free access system established for the purpose of permitting individuals casting provisional ballots to determine the final disposition of their vote. **Page S1147**

Dayton Modified Amendment No. 2898, to conduct a study on the establishment of a program that makes free postage available for certain individuals with respect to absentee ballots cast in elections for Federal office. **Pages S1147–48**

Dodd (for Harkin) Modified Amendment No. 2912, to provide funds for protection and advocacy systems of each State to ensure full participation in the electoral process for individuals with disabilities.

Pages S1143–47, S1148–49

Hatch Modified Amendment No. 2934, to express the Sense of the Senate that full funding shall be provided to each State and locality to meet the requirements relating to compliance with election technology and administration pursuant to this Act.

Page S1166

By a unanimous vote of 97 yeas (Vote No. 36), Cleland/Miller Amendment No. 2883, to amend the short title to read ''Martin Luther King, Jr. Equal Protection of Voting Rights Act of 2001''.

Pages S1170–71

Dodd (for Sarbanes) Amendment No. 2938, to establish the ''Help America Vote College Program''.

Pages S1193–94

Dodd (for Sessions) Amendment No. 2939, to authorize the Election Administration Commission to award grants to the National Student/Parent Mock Election to enable it to carry out voter education activities for students and their parents. **Pages S1193–94**

Pending:

Clinton Amendment No. 2906, to establish a residual ballot performance benchmark. **Pages S1142, S1170**

Dodd (for Schumer) Modified Amendment No. 2914, to permit the use of a signature or personal mark for the purpose of verifying the identity of voters who register by mail. **Page S1142**

Dodd (for Kennedy) Amendment No. 2916, to clarify the application of the safe harbor provisions. **Page S1142**

Hatch Amendment No. 2935, to establish the Advisory Committee on Electronic Voting and the Electoral Process, and to instruct the Attorney General to study the adequacy of existing electoral fraud statutes and penalties. **Page S1168**

Hatch Amendment No. 2936, to make the provisions of the Voting Rights Act of 1965 permanent. **Page S1169**

Schumer/Wyden Amendment No. 2937, to permit the use of a signature or personal mark for the purpose of verifying the identity of voters who register by mail. **Pages S1172–88**

Smith (NH) Amendment No. 2933, to prohibit the broadcast of certain false and untimely information on Federal elections. **Page S1188**

A unanimous-consent-time agreement was reached providing for further consideration of Schumer/Wyden Amendment No. 2937 (listed above), on Wednesday, February 27, 2002, with a vote on or in relation to the amendment to occur at 10 a.m. **Page S1222**

A unanimous-consent agreement was reached providing for further consideration of the bill at 9:30 a.m., on Wednesday, February 27, 2002. **Page S1222**

Nominations Confirmed: Senate confirmed the following nominations:

By unanimous vote of 98 yeas (Vote No. EX. 35), Robert E. Blackburn, of Colorado, to be United States District Judge for the District of Colorado. **Pages S1137–41, S1222**

By unanimous vote of 98 yeas (Vote No. EX. 37), Cindy K. Jorgenson, of Arizona, to be United States District Judge for the District of Arizona. **Pages S1171, S1222**

Nominations Received: Senate received the following nominations:

Robert Watson Cobb, of Maryland, to be Inspector General, National Aeronautics and Space Administration.

Major General Charles F. Bolden, Jr., United States Marine Corps, to be Deputy Administrator of the National Aeronautics and Space Administration.

Otto J. Reich, of Virginia, to be an Assistant Secretary of State (Western Hemisphere Affairs).

Michael Alan Guhin, of Maryland, a Career Member of the Senior Executive Service, for the rank of Ambassador during tenure of service as U.S. Fissile Material Negotiator.

1 Air Force nomination in the rank of general.

24 Army nominations in the rank of general.

23 Navy nominations in the rank of admiral.

Routine lists in the Army. **Page S1222**

Messages From the House: **Page S1205**

Measures Read First Time: **Page S1205**

Executive Communications: **Pages S1205–07**

Executive Reports of Committees: **Pages S1207–08**

Additional Cosponsors: **Pages S1208–09**

Statements on Introduced Bills/Resolutions: **Pages S1209–17**

Additional Statements: **Pages S1200–05**

Amendments Submitted: **Pages S1217–21**

Authority for Committees to Meet: **Page S1221**

Record Votes: Three record votes were taken today. (Total—37) **Pages S1140–41, S1171, S1171**

Adjournment: Senate met at 9:45 a.m., and adjourned at 8:36 p.m., until 9:30 a.m., on Wednesday, February 27, 2002. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S1222).

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS—JUSTICE

Committee on Appropriations: Subcommittee on Commerce, Justice, State, and the Judiciary concluded hearings on proposed budget estimates for fiscal year 2003 for the Department of Justice, after receiving testimony from John Ashcroft, Attorney General, Department of Justice.

APPROPRIATIONS—AID

Committee on Appropriations: Subcommittee on Foreign Operations concluded hearings on proposed budget estimates for fiscal year 2003 for the United States Agency for International Development, after receiving testimony from Andrew S. Natsios, Administrator, U.S. Agency for International Development.

ACCOUNTING AND INVESTOR PROTECTION

Committee on Banking, Housing, and Urban Affairs: Committee resumed oversight hearings to examine accounting and investor protection issues, focusing on proposals to reform financial reporting by public companies, accounting standards, and oversight of

the accounting profession, receiving testimony from Walter P. Schuetze, Michael H. Sutton, Lynn E. Turner, all Chief Accountants, Securities and Exchange Commission; and Dennis R. Beresford, former Chairman, Financial Accounting Standards Board.

Hearings continue on Tuesday, March 5.

2003 BUDGET

Committee on the Budget: Committee concluded hearings on the President's proposed budget request for fiscal year 2003 for the Federal Highway Administration, Army Corps of Engineers, and the Department of Education, after receiving testimony from Mary E. Peters, Administrator, Federal Highway Administration, and Donna McLean, Assistant Secretary for Budget and Programs/Chief Financial Officer, both of the Department of Transportation; Michael Parker, Assistant Secretary of the Army for Civil Works; Lt. Gen. Robert B. Flowers, Chief of Engineers, United States Corps of Engineers; Thomas A. Till, Executive Director, Amtrak Reform Council; Bob Chase, National Education Association, and Larry M. King, Pennsylvania Department of Transportation, Harrisburg, on behalf of the American Association of State Highway and Transportation Officials.

BUSINESS MEETING

Committee on Commerce, Science, and Transportation: Committee met and approved the issuance of a subpoena to Sherron Watkins, Enron Corporation, Houston, Texas.

ENRON CORPORATION

Committee on Commerce, Science, and Transportation: Committee held hearings to examine certain issues contributing to the collapse of Enron Corporation, receiving testimony from Sherron Watkins, Houston, Texas, and Jeffrey McMahon, Washington, D.C., both of Enron Corporation; and Jeffrey Skilling, Washington, D.C.

Hearings recessed subject to call.

NOMINATION

Committee on Energy and Natural Resources: Committee concluded hearings on the nomination of Raymond L. Orbach, of California, to be Director of the Office of Science, Department of Energy, after the nominee, who was introduced by Senator Feinstein, testified and answered questions in his own behalf.

WATER INVESTMENT ACT

Committee on Environment and Public Works: Committee concluded hearings to examine S. 1961, to improve financial and environmental sustainability of the water programs of the United States, and other related measures including S. 252, to amend the Federal Water Pollution Control Act to authorize appropriations for State water pollution control revolving funds; S. 285, to amend the Federal Water Pollution Control Act to authorize the use of State revolving loan funds for construction of water conservation and quality improvements; S. 503, to amend the Safe Water Act to provide grants to small public drinking water system; and S. 1044, to amend the Federal Water Pollution Control Act to provide assistance for nutrient removal technologies to States in the Chesapeake Bay watershed; after receiving testimony from Senator Kyl; Benjamin H. Grumbles, Deputy Assistant Administrator for Water, Environmental Protection Agency; Mayor Douglas H. Palmer, Trenton, New Jersey, on behalf of the United States Conference of Mayors; Joseph A. Moore, Chicago, Illinois, on behalf of the National League of Cities; Nancy Stoner, Natural Resources Defense Council, on behalf of the Clean Water Network, Paul D. Schwartz, Clean Water Action, and Terry R. Yellig, Sherman, Dunn, Cohen, Leifer, and Yellig, on behalf of the Building and Construction Trades Department (AFL-CIO), all of Washington, D.C.; William Kukurin, Kukurin Contracting, Inc., Export, Pennsylvania, on behalf of the Associated Builders and Contractors; and Jim Barron, Ronkin Construction, Arlington, Virginia, on behalf of the National Utility Contractors Association.

NOMINATION

Committee on Health, Education, Labor, and Pensions: Committee concluded hearings on the nomination of Gerald Reynolds, of Missouri, to be Assistant Secretary of Education for Civil Rights, after the nominee testified and answered questions in his own behalf.

INDIAN TRIBAL TRUST FUNDS

Committee on Indian Affairs: Committee held hearings to examine rulings of the United States Supreme Court affecting tribal government powers and authorities, focusing on trust reform and trust asset management, after receiving testimony from Neal A. McCaleb, Assistant Secretary for Indian Affairs, James Cason, Associate Deputy Secretary for Indian Affairs, and Thomas N. Slonaker, Special Trustee for American Indian Trust Funds, Office of the Special Trustee, all of the Department of the Interior; Reid Chambers and Douglas Endreson, both of Sonosky, Chambers, Sachse, and Endreson, Washington, D.C.; Donald T. Gray, Nixon, Peabody, LLP, San Francisco, California; Tex G. Hall, Three Affiliated Tribes of the Fort Berthold Reservation, New Town, North Dakota, on behalf of the National Congress of American Indians; Clifford Lyle Marshall, Hoopa Valley Tribal Council, Hoopa, California; Gary S.

Morishima, Intertribal Timber Council, Portland, Oregon; James T. Martin, United South and Eastern Tribes, Nashville, Tennessee; Edward K. Thomas, Central Council of the Tlingit and Haida Indian Tribes of Alaska, Juneau; and Charles O. Tillman, Jr., Osage Nation, Pawhuska, Oklahoma, and Bill Martin, Juneau, Alaska, both on behalf of the Intertribal Monitoring Association on Indian Trust Funds.

Hearings continue tomorrow.

NOMINATIONS

Committee on the Judiciary: Committee concluded hearings on the nominations of Ralph R. Beistline, to be United States District Judge for the District of Alaska, D. Brooks Smith, of Pennsylvania, to be United States Circuit Judge for the Third Circuit, Randy Crane, to be United States District Judge for the Southern District of Texas, and David C. Bury, to be United States District Judge for the District of Arizona, after the nominees testified and answered questions in their own behalf. Mr. Beistline was introduced by Senators Stevens and Murkowski, Mr. Smith was introduced by Senators Specter and Santorum, Mr. Crane was introduced by Senator Gramm and Representative Hinojosa, and Mr. Bury was introduced by Senator Kyl.

U.S. PORT SECURITY

Committee on the Judiciary: Subcommittee on Technology, Terrorism, and Government Information concluded hearings to examine the security of U.S. ports against terror, focusing on technology, resources, and homeland defense, after receiving testimony from Capt. William G. Schubert, Maritime Administrator, and Rear Adm. Kenneth T. Venuto, Director of Operations Policy, United States Coast Guard, both of the Department of Transportation; Bonni G. Tischler, Assistant Commissioner, Office of Field Operations, U. S. Customs Service, Department of the Treasury; Richard D. Steinke, Port of Long Beach, Long Beach, California, on behalf of the American Association of Port Authorities; F. Amanda DeBusk, former Assistant Secretary of Commerce for Export Enforcement, and former Commissioner, Interagency Commission on Crime and Security in U.S. Seaports, Washington, D.C.; Kim E. Peterson, Maritime Security Council, Fort Lauderdale, Florida; Rob Quartel, Freightdesk Technologies, Inc., McLean, Virginia; and Charles W. Upchurch, SGS Global Trade Solutions, Inc., New York, New York, on behalf of the Global Alliance for Trade Efficiency.

House of Representatives

Chamber Action

Measures Introduced: 15 public bills, H.R. 3784–3798; and 5 resolutions, H.J. Res. 83; H. Con. Res. 333–334, and H. Res. 349 and 351 were introduced. **Page H561**

Reports Filed: Reports were filed today as follows:

H. Res. 350, providing for consideration of H.R. 1542, to deregulate the Internet and high speed data services (H. Rept. 107–361). **Page H560**

Speaker Pro Tempore: Read a letter from the Speaker wherein he appointed Representative Biggert to act as Speaker pro tempore for today. **Page H525**

Wreath Laying Ceremonies at the Washington Monument Observance of George Washington's Birthday: The Chair announced the Speaker's appointment of Representative Bartlett of Maryland to represent the House at wreath-laying ceremonies at the Washington Monument for the observance of George Washington's birthday held on Friday, February 22, 2002. Subsequently, agreed that the program and the remarks made by Representative Bartlett be inserted in today's Congressional Record. **Pages H525–26**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Family Sponsor Immigration: Agreed to the Senate amendment to H.R. 1892, to amend the Immigration and Nationality Act to provide for the acceptance of an affidavit of support from another eligible sponsor if the original sponsor has died and the Attorney General has determined for humanitarian reasons that the original sponsor's classification petition should not be revoked (agreed to by a yea-and-nay vote of 404 yeas to 3 nays, Roll No. 39) clearing the measure for the President; **Pages H527–29, H536**

Appalachian Regional Development Act Amendments: S. 1206, to reauthorize the Appalachian Regional Development Act of 1965—clearing the measure for the President; and **Pages H529–33**

Tragic Eruption of the Nyiragongo Volcano in the Congo: H. Con. Res. 304, amended, expressing sympathy to the people of the Democratic Republic of the Congo who were tragically affected by the eruption of the Nyiragongo volcano on January 17, 2002, and supporting an increase in the amount of assistance provided by the United States to the people of the Democratic Republic of the Congo (agreed to by a yea-and-nay vote of 405 yeas to 1 nay, Roll No. 40). Amended the title so as to read ''Concurrent resolution expressing sympathy to the people of the Democratic Republic of the Congo who were tragically affected by the eruption of the Nyiragongo volcano on January 17, 2002.'' **Pages H533–35, H536–37**

Recessed: The House recessed at 2:50 p.m. and reconvened at 6:30 p.m. **Page H535**

Committee Resignation and Election—Committee on International Relations: Read a letter from Representative Burr wherein he announced his resignation from the Committee on International Relations. Subsequently the House agreed to H. Res. 349, electing Representative Green of Wisconsin to the Committee on International Relations. **Page H535**

National Urban Air Toxics Research Center: The Chair announced the Speaker's appointment of Mr. Hans P. Blaschek of Champaign, Illinois to the Board of Directors of the National Urban Air Toxics Research Center. **Page H535**

First Sponsor: Agreed that hereafter Representative DeMint will be considered as the first sponsor of H.R. 2714, to terminate the Internal Revenue Code of 1986, for the purpose of adding cosponsors and requesting reprints pursuant to clause 7 of rule XII. The bill was originally introduced by former Representative Largent. **Page H537**

Senate Message: Messages received from the Senate today appears on page H525.

Referrals: S. 980 was referred to the Committees on Energy and Commerce and Transportation and Infrastructure. S.J. Res. 32 was referred to the Committee on Armed Services. **Page H557**

Quorum Calls—Votes: Two yea-and-nay votes developed during the proceedings of the House today and appear on pages H536, H536–37. There were no quorum calls.

Adjournment: The House met at 2 p.m. and adjourned at 10:28 p.m.

Committee Meetings

LABOR, HHS, AND EDUCATION APPROPRIATIONS

Committee on Appropriations: Subcommittee on Labor, Health and Human Services and Education held a hearing on SSA. Testimony was heard from the following officials of the Social Security Administration: JoAnne B. Barnhart, Commissioner; and James G. Huse, Jr., Inspector General.

NATIONAL NUCLEAR SECURITY ADMINISTRATION IMPLEMENTATION

Committee on Armed Services: Special Oversight Panel on Department of Energy Reorganization held a hearing on the implementation of the National Nuclear Security Administration of the provisions contained in Title 32 of the National Defense Authorization Act for Fiscal Year 2000. Testimony was heard from Gen. John A. Gordon, USAF (Ret.), Administrator, National Nuclear Security Administration, Department of Energy; and Gary Jones, Director, Natural Resources and Environment, GAO.

RETIREMENT PROTECTION

Committee on Financial Services: Subcommittee on Oversight and Investigations held a hearing entitled ''Retirement Protection: Fighting fraud in the sale of death.'' Testimony was heard from Dan Mihalko, Inspector in Charge, Congressional and Public Affairs Division, U.S. Postal Service; the following officials of the State of Ohio: J. Lee Covington II, Director, Department of Insurance; and Thomas E. Geyer, Assistant Director, Department of Commerce; and public witnesses.

NATIONAL DRUG CONTROL STRATEGY

Committee on Government Reform: Subcommittee on Criminal Justice, Drug Policy and Human Resources held a hearing on ''The National Drug Control Strategy for 2002.'' Testimony was heard from the following officials of the Office of National Drug Control Policy: John Walters, Director; and David Riviat, Budget Chief.

HOMELAND SECURITY MISSIONS

Committee on Government Reform: Subcommittee on Technology and Procurement Policy held a hearing on ''Helping Federal Agencies Meet Their Homeland Security Missions: How Private Sector Solutions Can Be Applied to Public Sector Problems.'' Testimony was heard from Pat Schambach, Chief Information Officer, Department of Transportation; Fernando

Burbano, Chief Information Officer, Department of State; S. W. Hall, Jr., Chief Information Officer, U.S. Customs Service, Department of the Treasury; Ronald Miller, Chief Information Officer, FEMA; and public witnesses.

CYBER SECURITY ENHANCEMENT ACT

Committee on the Judiciary: Subcommittee on Crime approved for full Committee action, as amended, H.R. 3482, Cyber Security Enhancement Act of 2001.

INTERNET FREEDOM AND BROADBAND DEVELOPMENT ACT

Committee on Rules: Granted, by voice vote, a structured rule on H.R. 1542, Internet Freedom and Broadband Development Act of 2001, providing one hour and twenty minutes of general debate, with one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Energy and Commerce and twenty minutes equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. The rule waives all points of order against consideration of the bill. The rule provides that the amendment in the nature of a substitute printed in part A of the report of the Committee on Rules accompanying the resolution shall be considered as adopted in the House and in the Committee of the Whole. The rule provides that the bill, as amended, shall be considered as the original bill for the purpose of further amendment and shall be considered as read. The rule provides that no further amendment to the bill, as amended, shall be in order except those printed in part B of the report of the Committee on Rules. The rule provides that the amendments printed in part B of the report may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment except as specified in the report, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. The rule waives all points of order against amendments printed in part B of the report. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Chairman Tauzin and Representatives Upton, Cox, Buyer, Cannon, Flake, Dingell, Towns, Conyers, Nadler, and Jackson-Lee.

ADOPTING RULES COMMITTEE VIEWS AND ESTIMATES ON THE PRESIDENT'S FY 2003 BUDGET

Committee on Rules: By voice vote, the Committee adopted its views and estimates on the President's fiscal year 2003 budget.

RETIREMENT SECURITY AND DEFINED CONTRIBUTION PLANS

Committee on Ways and Means: Held a hearing on Retirement Security and Defined Contribution Plans. Testimony was heard from Mark Weinberger, Assistant Secretary, Tax Policy, Department of the Treasury; Ann L. Combs, Assistant Secretary, Pension and Welfare Benefits, Department of Labor; and public witnesses.

COMMITTEE MEETINGS FOR WEDNESDAY, FEBRUARY 27, 2002

(Committee meetings are open unless otherwise indicated)

Senate

Special Committee on Aging: to hold hearings to examine the shortage of geriatric trained health care professionals, 9 a.m., SD–628.

Committee on Appropriations: Subcommittee on Transportation, to hold hearings to examine highway safety programs, 9:30 a.m., SD–116.

Subcommittee on VA, HUD, and Independent Agencies, to hold hearings to examine the role of the Federal Emergency Management Agency concerning terrorism response, 9:30 a.m., SD–124.

Subcommittee on Defense, to hold hearings to examine proposed budget estimates for fiscal year 2003 for the Department of Defense, 10 a.m., SD–192.

Subcommittee on Agriculture, Rural Development, and Related Agencies, to hold hearings to examine the overview of the U.S. Department of Agriculture, 10 a.m., SD–138.

Committee on Armed Services: Subcommittee on Readiness and Management Support, to hold hearings to examine acquisition policy issues of the Department of Defense, 10 a.m., SR–222.

Subcommittee on Emerging Threats and Capabilities, to hold hearings to examine Iraq's weapons of mass destruction program; to be followed by closed hearings in SR–232A, 2:30 p.m., SR–222.

Committee on Banking, Housing, and Urban Affairs: to hold oversight hearings to examine issues with respect to corporate governance, 10 a.m., SD–538.

Committee on the Budget: to hold hearings to examine the long-term budgetary outlook, 10 a.m., SD–608.

Committee on Commerce, Science, and Transportation: Subcommittee on Science, Technology, and Space, to hold hearings on S. 414, to amend the National Telecommunications and Information Administration Organization Act

to establish a digital network technology program, focusing on the digital divide and minority serving institutions, 2 p.m., SR–253.

Committee on Finance: to hold hearings to examine retirement security in light of the fall of Enron Corporation, 2 p.m., SD–215.

Committee on Foreign Relations: to hold hearings to examine the development of a secure future, focusing on democratization, poverty alleviation, and human rights, 10 a.m., SD–419.

Subcommittee on International Operations and Terrorism, to hold hearings to examine U.S. contributions toward the United Nation's Population Fund and how it effects the lives of women, 2:15 p.m., SD–419.

Committee on Governmental Affairs: to hold hearings to examine the fall of the Enron Corporation and the silence of the Wall Street analysts, 9:30 a.m., SD–342.

Committee on Health, Education, Labor, and Pensions: to hold hearings to examine S. 1284, to prohibit employment discrimination on the basis of sexual orientation, 10 a.m., SD–430.

Subcommittee on Employment, Safety and Training, to hold hearings to examine workplace safety and health issues with respect to immigrant and low-wage workers, 2 p.m., SD–430.

Committee on Indian Affairs: to hold oversight hearings on the management of Indian Trust Funds, 2 p.m., SD–106.

Committee on the Judiciary: to hold hearings to examine sovereign immunity and the protection of intellectual property, 10 a.m., SD–226.

Committee on Small Business and Entrepreneurship: to hold hearings to examine the President's proposed budget request for fiscal year 2003 for the Small Business Administration, 9 a.m., SR–428A.

Committee on Veterans' Affairs: to hold joint hearings with the House Committee on Veterans' Affairs to examine the legislative presentations of the Disabled American Veterans and the Veterans of Foreign Wars, 9:30 a.m., 345 Cannon Building.

House

Committee on Agriculture, to consider Committee Budget Views and Estimates for Fiscal Year 2003 for submission to the Committee on the Budget, 10 a.m., 1300 Longworth.

Committee on Appropriations, Subcommittee on Agriculture, Rural Development, Food and Drug Administration and Related Agencies, on NRE/Natural Resources Conservation Service, 9:30 a.m., 2362A Rayburn.

Subcommittee on Commerce, Justice, State and Judiciary, on Secretary of Commerce, 2 p.m., 2358 Rayburn.

Subcommittee on Energy and Water Development, on U.S. Army Corps of Engineers, 10 a.m., 2362B Rayburn.

Subcommittee on Interior, on Secretary of the Interior, 10 a.m., B–308 Rayburn.

Subcommittee on Labor, Health and Human Services and Education, on Department of Labor-Employment Assistance and Training Activities Panel, 9:45 a.m., 2358 Rayburn.

Subcommittee on Military Construction, on Army, 1:30 p.m., H–140 Rayburn.

Subcommittee on Transportation, on the Future of AMTRAK, 1 p.m., 2358 Rayburn.

Subcommittee on Treasury, Postal Service and General Government, on U.S. Customs, 10 a.m., 2359 Rayburn and on Secret Service, 2 p.m., 2362A Rayburn.

Committee on Armed Services, to continue hearings on the fiscal year 2003 National Defense Authorization budget request, 2 p.m., 2118 Rayburn.

Subcommittee on Military Procurement and the Subcommittee on Military Research and Development, joint hearing on the Missile Defense Agency and the fiscal year 2003 National Defense Authorization budget request, 10 a.m., 2118 Rayburn.

Committee on Education and the Workforce, Subcommittee on Employer-Employee Relations, hearing on ''Enron and Beyond: Legislative Solutions,'' 10:30 a.m., 2175 Rayburn.

Subcommittee on 21st Century Competitiveness, hearing on ''Assessing the Child Care and Development Block Grant,'' 2 p.m., 2175 Rayburn.

Committee on Financial Services, hearing on monetary policy and the state of the economy, 10 a.m., 2128 Rayburn.

Subcommittee on Oversight and Investigations, hearing entitled ''How much are Americans at risk until Congress Passes Terrorism Insurance Protection?'' 3 p.m., 2128 Rayburn.

Committee on Government Reform, hearing on ''Justice Department Misconduct in Boston: Are Legislative Solutions Required?'' 10 a.m., 2154 Rayburn.

Committee on International Relations, Subcommittee on East Asia and the Pacific and the Subcommittee on the Middle East and South Asia, joint hearing on U.S. Security Policy in Asia and the Pacific: the View from Pacific Command, 10 a.m., 2172 Rayburn.

Subcommittee on Europe, to mark up H. Res. 339, urging the Government of Ukraine to ensure a democratic, transparent, and fair election process leading up to the March 31, 2002, parliamentary elections; followed by a hearing on U.S.-Russian Relations: An Assessment, 1:45 p.m., 2172 Rayburn.

Committee on the Judiciary, to consider Committee Budget Views and Estimates for Fiscal Year 2003 for submission to the Committee on the Budget, and to mark up H.R. 2146, Two Strikes You're Out Child Protection Act, 10:30 a.m., 2141 Rayburn.

Committee on Resources, to mark up the following measures: H. Con. Res. 275, expressing the sense of the Congress that hunting seasons for migratory mourning doves should be modified so that individuals have a fair and equitable opportunity to hunt such birds; H.R. 706, to direct the Secretary of the Interior to convey certain properties in the vicinity of the Elephant Butte Reservoir and the Caballo Reservoir, New Mexico; H.R. 1712, to authorize the Secretary of the Interior to make minor adjustments to the boundary of the National Park of American Samoa to include certain portions of the islands of Ofu and Olosega within the park; H.R. 1870, Fallon Rail Freight Loading Facility Transfer Act; H.R. 1883, Burnt,

Malheur, Owyhee, and Powder River Basin Water Optimization Feasibility Study Act of 2001; H.R. 2963, Deep Creek Wilderness Act; and H.R. 3389, National Sea Grant College Program Act Amendments of 2001, 10 a.m., 1324 Longworth.

Subcommittee on Energy and Mineral Resources, oversight hearing on Fiscal Year 2003 U.S. Geological Survey, Minerals Management Service and Office of Surface Mining Reclamation and Enforcement Budgets, 2 p.m., 1324 Longworth.

Committee on Science, hearing on NASA's Fiscal Year 2003 Budget Request, 10 a.m., 2318 Rayburn.

Committee on Small Business, hearing on ''Subsidy Rate Calculation: An Unfair Tax on Small Business?'' 2 p.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, to consider the following: Committee Views and Estimates for Fiscal Year 2003 for submission to the Committee on the Budget; public buildings 112(b) resolutions; S. 1622, to extend the period of availability of unemployment assistance under the Robert T. Stafford Disaster Relief and Emergency Assistance Act in the case of victims of the terrorist attacks of September 11, 2001; H.R. 2804, to designate the United States courthouse located at 95 Seventh Street in San Francisco, California, as the ''James R. Browning United States Courthouse;'' H.R. 3282, to designate the Federal building and United States courthouse located at 400 North Main Street in Butte, Montana, as the ''Mike Mansfield Federal Building and United States Courthouse;'' H.R. 3643, to designate the Federal building and United States courthouse located at 120 12th Street in Columbus, Georgia, as the ''J. Robert Elliott Federal Building and United States Courthouse;'' S. 1270, to designate the United States courthouse to be constructed at 8th Avenue and Mill Street in Eugene, Oregon, as the ''Wayne Lyman Morse United States Courthouse;'' H. Con. Res. 255, expressing the sense of the Congress regarding the 30th anniversary of the enactment of the Clean Water Act; and other pending business, 1 p.m., 2167 Rayburn.

Subcommittee on Aviation, hearing on Aviation Security, focusing on Passenger Profiling, 9:30 a.m., 2167 Rayburn.

Subcommittee on Water Resources and Environment, hearing on the Corps of Engineers' Budget and Priorities for Fiscal Year 2003, 2:30 p.m., 2167 Rayburn.

Committee on Veterans' Affairs, Subcommittee on Health, hearing to consider issues of operational and medical readiness in the active duty force and their relationships to the health status of the veteran population, 2 p.m., 334 Cannon.

Committee on Ways and Means, to consider Committee Budget Views and Estimates for Fiscal Year 2003 for submission to the Committee on the Budget; and to hold a hearing on the WTO's Extraterritorial Income Decision, 10:30 a.m., 1100 Longworth.

Joint Meetings

Joint Meetings: Senate Committee on Veterans' Affairs, to hold joint hearings with the House Committee on Veterans' Affairs to examine the legislative presentations of the Disabled American Veterans and the Veterans of Foreign Wars, 9:30 a.m., 345 Cannon Building.

Next Meeting of the SENATE

9:30 a.m., Wednesday, February 27

Senate Chamber

Program for Wednesday: Senate will continue consideration of S. 565, Election Reform, with a vote on or in relation to Schumer/Wyden Amendment No. 2937.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, February 27

House Chamber

Program for Wednesday: Consideration of H.R. 1542, Internet Freedom and Broadband Deployment Act (structured rule, 1 hour and 20 minutes of debate).

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Pending:

Clinton Amendment No. 2906, to establish a residual ballot performance benchmark. **Pages S1142, S1170**

Dodd (for Schumer) Modified Amendment No. 2914, to permit the use of a signature or personal mark for the purpose of verifying the identity of voters who register by mail. **Page S1142**

Dodd (for Kennedy) Amendment No. 2916, to clarify the application of the safe harbor provisions. **Page S1142**

Hatch Amendment No. 2935, to establish the Advisory Committee on Electronic Voting and the Electoral Process, and to instruct the Attorney General to study the adequacy of existing electoral fraud statutes and penalties. **Page S1168**

Hatch Amendment No. 2936, to make the provisions of the Voting Rights Act of 1965 permanent. **Page S1169**

Schumer/Wyden Amendment No. 2937, to permit the use of a signature or personal mark for the purpose of verifying the identity of voters who register by mail. **Pages S1172–88**

Smith (NH) Amendment No. 2933, to prohibit the broadcast of certain false and untimely information on Federal elections. **Page S1188**

A unanimous-consent-time agreement was reached providing for further consideration of Schumer/Wyden Amendment No. 2937 (listed above), on Wednesday, February 27, 2002, with a vote on or in relation to the amendment to occur at 10 a.m. **Page S1222**

A unanimous-consent agreement was reached providing for further consideration of the bill at 9:30 a.m., on Wednesday, February 27, 2002. **Page S1222**

Nominations Confirmed: Senate confirmed the following nominations:

By unanimous vote of 98 yeas (Vote No. EX. 35), Robert E. Blackburn, of Colorado, to be United States District Judge for the District of Colorado. **Pages S1137–41, S1222**

By unanimous vote of 98 yeas (Vote No. EX. 37), Cindy K. Jorgenson, of Arizona, to be United States District Judge for the District of Arizona. **Pages S1171, S1222**

Nominations Received: Senate received the following nominations:

Robert Watson Cobb, of Maryland, to be Inspector General, National Aeronautics and Space Administration.

Major General Charles F. Bolden, Jr., United States Marine Corps, to be Deputy Administrator of the National Aeronautics and Space Administration.

Otto J. Reich, of Virginia, to be an Assistant Secretary of State (Western Hemisphere Affairs).

Michael Alan Guhin, of Maryland, a Career Member of the Senior Executive Service, for the rank of Ambassador during tenure of service as U.S. Fissile Material Negotiator.

1 Air Force nomination in the rank of general.

24 Army nominations in the rank of general.

23 Navy nominations in the rank of admiral.

Routine lists in the Army. **Page S1222**

Messages From the House: **Page S1205**

Measures Read First Time: **Page S1205**

Executive Communications: **Pages S1205–07**

Executive Reports of Committees: **Pages S1207–08**

Additional Cosponsors: **Pages S1208–09**

Statements on Introduced Bills/Resolutions: **Pages S1209–17**

Additional Statements: **Pages S1200–05**

Amendments Submitted: **Pages S1217–21**

Authority for Committees to Meet: **Page S1221**

Record Votes: Three record votes were taken today. (Total—37) **Pages S1140–41, S1171, S1171**

Adjournment: Senate met at 9:45 a.m., and adjourned at 8:36 p.m., until 9:30 a.m., on Wednesday, February 27, 2002. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S1222).

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS—JUSTICE

Committee on Appropriations: Subcommittee on Commerce, Justice, State, and the Judiciary concluded hearings on proposed budget estimates for fiscal year 2003 for the Department of Justice, after receiving testimony from John Ashcroft, Attorney General, Department of Justice.

APPROPRIATIONS—AID

Committee on Appropriations: Subcommittee on Foreign Operations concluded hearings on proposed budget estimates for fiscal year 2003 for the United States Agency for International Development, after receiving testimony from Andrew S. Natsios, Administrator, U.S. Agency for International Development.

ACCOUNTING AND INVESTOR PROTECTION

Committee on Banking, Housing, and Urban Affairs: Committee resumed oversight hearings to examine accounting and investor protection issues, focusing on proposals to reform financial reporting by public companies, accounting standards, and oversight of

the accounting profession, receiving testimony from Walter P. Schuetze, Michael H. Sutton, Lynn E. Turner, all Chief Accountants, Securities and Exchange Commission; and Dennis R. Beresford, former Chairman, Financial Accounting Standards Board.

Hearings continue on Tuesday, March 5.

2003 BUDGET

Committee on the Budget: Committee concluded hearings on the President's proposed budget request for fiscal year 2003 for the Federal Highway Administration, Army Corps of Engineers, and the Department of Education, after receiving testimony from Mary E. Peters, Administrator, Federal Highway Administration, and Donna McLean, Assistant Secretary for Budget and Programs/Chief Financial Officer, both of the Department of Transportation; Michael Parker, Assistant Secretary of the Army for Civil Works; Lt. Gen. Robert B. Flowers, Chief of Engineers, United States Corps of Engineers; Thomas A. Till, Executive Director, Amtrak Reform Council; Bob Chase, National Education Association, and Larry M. King, Pennsylvania Department of Transportation, Harrisburg, on behalf of the American Association of State Highway and Transportation Officials.

BUSINESS MEETING

Committee on Commerce, Science, and Transportation: Committee met and approved the issuance of a subpoena to Sherron Watkins, Enron Corporation, Houston, Texas.

ENRON CORPORATION

Committee on Commerce, Science, and Transportation: Committee held hearings to examine certain issues contributing to the collapse of Enron Corporation, receiving testimony from Sherron Watkins, Houston, Texas, and Jeffrey McMahon, Washington, D.C., both of Enron Corporation; and Jeffrey Skilling, Washington, D.C.

Hearings recessed subject to call.

NOMINATION

Committee on Energy and Natural Resources: Committee concluded hearings on the nomination of Raymond L. Orbach, of California, to be Director of the Office of Science, Department of Energy, after the nominee, who was introduced by Senator Feinstein, testified and answered questions in his own behalf.

WATER INVESTMENT ACT

Committee on Environment and Public Works: Committee concluded hearings to examine S. 1961, to improve financial and environmental sustainability of the water programs of the United States, and other related measures including S. 252, to amend the Federal Water Pollution Control Act to authorize appropriations for State water pollution control revolving funds; S. 285, to amend the Federal Water Pollution Control Act to authorize the use of State revolving loan funds for construction of water conservation and quality improvements; S. 503, to amend the Safe Water Act to provide grants to small public drinking water system; and S. 1044, to amend the Federal Water Pollution Control Act to provide assistance for nutrient removal technologies to States in the Chesapeake Bay watershed; after receiving testimony from Senator Kyl; Benjamin H. Grumbles, Deputy Assistant Administrator for Water, Environmental Protection Agency; Mayor Douglas H. Palmer, Trenton, New Jersey, on behalf of the United States Conference of Mayors; Joseph A. Moore, Chicago, Illinois, on behalf of the National League of Cities; Nancy Stoner, Natural Resources Defense Council, on behalf of the Clean Water Network, Paul D. Schwartz, Clean Water Action, and Terry R. Yellig, Sherman, Dunn, Cohen, Leifer, and Yellig, on behalf of the Building and Construction Trades Department (AFL-CIO), all of Washington, D.C.; William Kukurin, Kukurin Contracting, Inc., Export, Pennsylvania, on behalf of the Associated Builders and Contractors; and Jim Barron, Ronkin Construction, Arlington, Virginia, on behalf of the National Utility Contractors Association.

NOMINATION

Committee on Health, Education, Labor, and Pensions: Committee concluded hearings on the nomination of Gerald Reynolds, of Missouri, to be Assistant Secretary of Education for Civil Rights, after the nominee testified and answered questions in his own behalf.

INDIAN TRIBAL TRUST FUNDS

Committee on Indian Affairs: Committee held hearings to examine rulings of the United States Supreme Court affecting tribal government powers and authorities, focusing on trust reform and trust asset management, after receiving testimony from Neal A. McCaleb, Assistant Secretary for Indian Affairs, James Cason, Associate Deputy Secretary for Indian Affairs, and Thomas N. Slonaker, Special Trustee for American Indian Trust Funds, Office of the Special Trustee, all of the Department of the Interior; Reid Chambers and Douglas Endreson, both of Sonosky, Chambers, Sachse, and Endreson, Washington, D.C.; Donald T. Gray, Nixon, Peabody, LLP, San Francisco, California; Tex G. Hall, Three Affiliated Tribes of the Fort Berthold Reservation, New Town, North Dakota, on behalf of the National Congress of American Indians; Clifford Lyle Marshall, Hoopa Valley Tribal Council, Hoopa, California; Gary S.

Morishima, Intertribal Timber Council, Portland, Oregon; James T. Martin, United South and Eastern Tribes, Nashville, Tennessee; Edward K. Thomas, Central Council of the Tlingit and Haida Indian Tribes of Alaska, Juneau; and Charles O. Tillman, Jr., Osage Nation, Pawhuska, Oklahoma, and Bill Martin, Juneau, Alaska, both on behalf of the Intertribal Monitoring Association on Indian Trust Funds.

Hearings continue tomorrow.

NOMINATIONS

Committee on the Judiciary: Committee concluded hearings on the nominations of Ralph R. Beistline, to be United States District Judge for the District of Alaska, D. Brooks Smith, of Pennsylvania, to be United States Circuit Judge for the Third Circuit, Randy Crane, to be United States District Judge for the Southern District of Texas, and David C. Bury, to be United States District Judge for the District of Arizona, after the nominees testified and answered questions in their own behalf. Mr. Beistline was introduced by Senators Stevens and Murkowski, Mr. Smith was introduced by Senators Specter and Santorum, Mr. Crane was introduced by Senator Gramm and Representative Hinojosa, and Mr. Bury was introduced by Senator Kyl.

U.S. PORT SECURITY

Committee on the Judiciary: Subcommittee on Technology, Terrorism, and Government Information concluded hearings to examine the security of U.S. ports against terror, focusing on technology, resources, and homeland defense, after receiving testimony from Capt. William G. Schubert, Maritime Administrator, and Rear Adm. Kenneth T. Venuto, Director of Operations Policy, United States Coast Guard, both of the Department of Transportation; Bonni G. Tischler, Assistant Commissioner, Office of Field Operations, U. S. Customs Service, Department of the Treasury; Richard D. Steinke, Port of Long Beach, Long Beach, California, on behalf of the American Association of Port Authorities; F. Amanda DeBusk, former Assistant Secretary of Commerce for Export Enforcement, and former Commissioner, Interagency Commission on Crime and Security in U.S. Seaports, Washington, D.C.; Kim E. Peterson, Maritime Security Council, Fort Lauderdale, Florida; Rob Quartel, Freightdesk Technologies, Inc., McLean, Virginia; and Charles W. Upchurch, SGS Global Trade Solutions, Inc., New York, New York, on behalf of the Global Alliance for Trade Efficiency.

House of Representatives

Chamber Action

Measures Introduced: 15 public bills, H.R. 3784–3798; and 5 resolutions, H.J. Res. 83; H. Con. Res. 333–334, and H. Res. 349 and 351 were introduced. **Page H561**

Reports Filed: Reports were filed today as follows:

H. Res. 350, providing for consideration of H.R. 1542, to deregulate the Internet and high speed data services (H. Rept. 107–361). **Page H560**

Speaker Pro Tempore: Read a letter from the Speaker wherein he appointed Representative Biggert to act as Speaker pro tempore for today. **Page H525**

Wreath Laying Ceremonies at the Washington Monument Observance of George Washington's Birthday: The Chair announced the Speaker's appointment of Representative Bartlett of Maryland to represent the House at wreath-laying ceremonies at the Washington Monument for the observance of George Washington's birthday held on Friday, February 22, 2002. Subsequently, agreed that the program and the remarks made by Representative Bartlett be inserted in today's Congressional Record. **Pages H525–26**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Family Sponsor Immigration: Agreed to the Senate amendment to H.R. 1892, to amend the Immigration and Nationality Act to provide for the acceptance of an affidavit of support from another eligible sponsor if the original sponsor has died and the Attorney General has determined for humanitarian reasons that the original sponsor's classification petition should not be revoked (agreed to by a yea-and-nay vote of 404 yeas to 3 nays, Roll No. 39) clearing the measure for the President; **Pages H527–29, H536**

Appalachian Regional Development Act Amendments: S. 1206, to reauthorize the Appalachian Regional Development Act of 1965—clearing the measure for the President; and **Pages H529–33**

Tragic Eruption of the Nyiragongo Volcano in the Congo: H. Con. Res. 304, amended, expressing sympathy to the people of the Democratic Republic of the Congo who were tragically affected by the eruption of the Nyiragongo volcano on January 17, 2002, and supporting an increase in the amount of assistance provided by the United States to the people of the Democratic Republic of the Congo (agreed to by a yea-and-nay vote of 405 yeas to 1 nay, Roll No. 40). Amended the title so as to read ''Concurrent resolution expressing sympathy to the people of the Democratic Republic of the Congo who were tragically affected by the eruption of the Nyiragongo volcano on January 17, 2002.'' **Pages H533–35, H536–37**

Recessed: The House recessed at 2:50 p.m. and reconvened at 6:30 p.m. **Page H535**

Committee Resignation and Election—Committee on International Relations: Read a letter from Representative Burr wherein he announced his resignation from the Committee on International Relations. Subsequently the House agreed to H. Res. 349, electing Representative Green of Wisconsin to the Committee on International Relations. **Page H535**

National Urban Air Toxics Research Center: The Chair announced the Speaker's appointment of Mr. Hans P. Blaschek of Champaign, Illinois to the Board of Directors of the National Urban Air Toxics Research Center. **Page H535**

First Sponsor: Agreed that hereafter Representative DeMint will be considered as the first sponsor of H.R. 2714, to terminate the Internal Revenue Code of 1986, for the purpose of adding cosponsors and requesting reprints pursuant to clause 7 of rule XII. The bill was originally introduced by former Representative Largent. **Page H537**

Senate Message: Messages received from the Senate today appears on page H525.

Referrals: S. 980 was referred to the Committees on Energy and Commerce and Transportation and Infrastructure. S.J. Res. 32 was referred to the Committee on Armed Services. **Page H557**

Quorum Calls—Votes: Two yea-and-nay votes developed during the proceedings of the House today and appear on pages H536, H536–37. There were no quorum calls.

Adjournment: The House met at 2 p.m. and adjourned at 10:28 p.m.

Committee Meetings

LABOR, HHS, AND EDUCATION APPROPRIATIONS

Committee on Appropriations: Subcommittee on Labor, Health and Human Services and Education held a hearing on SSA. Testimony was heard from the following officials of the Social Security Administration: JoAnne B. Barnhart, Commissioner; and James G. Huse, Jr., Inspector General.

NATIONAL NUCLEAR SECURITY ADMINISTRATION IMPLEMENTATION

Committee on Armed Services: Special Oversight Panel on Department of Energy Reorganization held a hearing on the implementation of the National Nuclear Security Administration of the provisions contained in Title 32 of the National Defense Authorization Act for Fiscal Year 2000. Testimony was heard from Gen. John A. Gordon, USAF (Ret.), Administrator, National Nuclear Security Administration, Department of Energy; and Gary Jones, Director, Natural Resources and Environment, GAO.

RETIREMENT PROTECTION

Committee on Financial Services: Subcommittee on Oversight and Investigations held a hearing entitled ''Retirement Protection: Fighting fraud in the sale of death.'' Testimony was heard from Dan Mihalko, Inspector in Charge, Congressional and Public Affairs Division, U.S. Postal Service; the following officials of the State of Ohio: J. Lee Covington II, Director, Department of Insurance; and Thomas E. Geyer, Assistant Director, Department of Commerce; and public witnesses.

NATIONAL DRUG CONTROL STRATEGY

Committee on Government Reform: Subcommittee on Criminal Justice, Drug Policy and Human Resources held a hearing on ''The National Drug Control Strategy for 2002.'' Testimony was heard from the following officials of the Office of National Drug Control Policy: John Walters, Director; and David Riviat, Budget Chief.

HOMELAND SECURITY MISSIONS

Committee on Government Reform: Subcommittee on Technology and Procurement Policy held a hearing on ''Helping Federal Agencies Meet Their Homeland Security Missions: How Private Sector Solutions Can Be Applied to Public Sector Problems.'' Testimony was heard from Pat Schambach, Chief Information Officer, Department of Transportation; Fernando

Burbano, Chief Information Officer, Department of State; S. W. Hall, Jr., Chief Information Officer, U.S. Customs Service, Department of the Treasury; Ronald Miller, Chief Information Officer, FEMA; and public witnesses.

CYBER SECURITY ENHANCEMENT ACT

Committee on the Judiciary: Subcommittee on Crime approved for full Committee action, as amended, H.R. 3482, Cyber Security Enhancement Act of 2001.

INTERNET FREEDOM AND BROADBAND DEVELOPMENT ACT

Committee on Rules: Granted, by voice vote, a structured rule on H.R. 1542, Internet Freedom and Broadband Development Act of 2001, providing one hour and twenty minutes of general debate, with one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Energy and Commerce and twenty minutes equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. The rule waives all points of order against consideration of the bill. The rule provides that the amendment in the nature of a substitute printed in part A of the report of the Committee on Rules accompanying the resolution shall be considered as adopted in the House and in the Committee of the Whole. The rule provides that the bill, as amended, shall be considered as the original bill for the purpose of further amendment and shall be considered as read. The rule provides that no further amendment to the bill, as amended, shall be in order except those printed in part B of the report of the Committee on Rules. The rule provides that the amendments printed in part B of the report may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment except as specified in the report, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. The rule waives all points of order against amendments printed in part B of the report. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Chairman Tauzin and Representatives Upton, Cox, Buyer, Cannon, Flake, Dingell, Towns, Conyers, Nadler, and Jackson-Lee.

ADOPTING RULES COMMITTEE VIEWS AND ESTIMATES ON THE PRESIDENT'S FY 2003 BUDGET

Committee on Rules: By voice vote, the Committee adopted its views and estimates on the President's fiscal year 2003 budget.

RETIREMENT SECURITY AND DEFINED CONTRIBUTION PLANS

Committee on Ways and Means: Held a hearing on Retirement Security and Defined Contribution Plans. Testimony was heard from Mark Weinberger, Assistant Secretary, Tax Policy, Department of the Treasury; Ann L. Combs, Assistant Secretary, Pension and Welfare Benefits, Department of Labor; and public witnesses.

COMMITTEE MEETINGS FOR WEDNESDAY, FEBRUARY 27, 2002

(Committee meetings are open unless otherwise indicated)

Senate

Special Committee on Aging: to hold hearings to examine the shortage of geriatric trained health care professionals, 9 a.m., SD–628.

Committee on Appropriations: Subcommittee on Transportation, to hold hearings to examine highway safety programs, 9:30 a.m., SD–116.

Subcommittee on VA, HUD, and Independent Agencies, to hold hearings to examine the role of the Federal Emergency Management Agency concerning terrorism response, 9:30 a.m., SD–124.

Subcommittee on Defense, to hold hearings to examine proposed budget estimates for fiscal year 2003 for the Department of Defense, 10 a.m., SD–192.

Subcommittee on Agriculture, Rural Development, and Related Agencies, to hold hearings to examine the overview of the U.S. Department of Agriculture, 10 a.m., SD–138.

Committee on Armed Services: Subcommittee on Readiness and Management Support, to hold hearings to examine acquisition policy issues of the Department of Defense, 10 a.m., SR–222.

Subcommittee on Emerging Threats and Capabilities, to hold hearings to examine Iraq's weapons of mass destruction program; to be followed by closed hearings in SR–232A, 2:30 p.m., SR–222.

Committee on Banking, Housing, and Urban Affairs: to hold oversight hearings to examine issues with respect to corporate governance, 10 a.m., SD–538.

Committee on the Budget: to hold hearings to examine the long-term budgetary outlook, 10 a.m., SD–608.

Committee on Commerce, Science, and Transportation: Subcommittee on Science, Technology, and Space, to hold hearings on S. 414, to amend the National Telecommunications and Information Administration Organization Act

to establish a digital network technology program, focusing on the digital divide and minority serving institutions, 2 p.m., SR–253.

Committee on Finance: to hold hearings to examine retirement security in light of the fall of Enron Corporation, 2 p.m., SD–215.

Committee on Foreign Relations: to hold hearings to examine the development of a secure future, focusing on democratization, poverty alleviation, and human rights, 10 a.m., SD–419.

Subcommittee on International Operations and Terrorism, to hold hearings to examine U.S. contributions toward the United Nation's Population Fund and how it effects the lives of women, 2:15 p.m., SD–419.

Committee on Governmental Affairs: to hold hearings to examine the fall of the Enron Corporation and the silence of the Wall Street analysts, 9:30 a.m., SD–342.

Committee on Health, Education, Labor, and Pensions: to hold hearings to examine S. 1284, to prohibit employment discrimination on the basis of sexual orientation, 10 a.m., SD–430.

Subcommittee on Employment, Safety and Training, to hold hearings to examine workplace safety and health issues with respect to immigrant and low-wage workers, 2 p.m., SD–430.

Committee on Indian Affairs: to hold oversight hearings on the management of Indian Trust Funds, 2 p.m., SD–106.

Committee on the Judiciary: to hold hearings to examine sovereign immunity and the protection of intellectual property, 10 a.m., SD–226.

Committee on Small Business and Entrepreneurship: to hold hearings to examine the President's proposed budget request for fiscal year 2003 for the Small Business Administration, 9 a.m., SR–428A.

Committee on Veterans' Affairs: to hold joint hearings with the House Committee on Veterans' Affairs to examine the legislative presentations of the Disabled American Veterans and the Veterans of Foreign Wars, 9:30 a.m., 345 Cannon Building.

House

Committee on Agriculture, to consider Committee Budget Views and Estimates for Fiscal Year 2003 for submission to the Committee on the Budget, 10 a.m., 1300 Longworth.

Committee on Appropriations, Subcommittee on Agriculture, Rural Development, Food and Drug Administration and Related Agencies, on NRE/Natural Resources Conservation Service, 9:30 a.m., 2362A Rayburn.

Subcommittee on Commerce, Justice, State and Judiciary, on Secretary of Commerce, 2 p.m., 2358 Rayburn.

Subcommittee on Energy and Water Development, on U.S. Army Corps of Engineers, 10 a.m., 2362B Rayburn.

Subcommittee on Interior, on Secretary of the Interior, 10 a.m., B–308 Rayburn.

Subcommittee on Labor, Health and Human Services and Education, on Department of Labor-Employment Assistance and Training Activities Panel, 9:45 a.m., 2358 Rayburn.

Subcommittee on Military Construction, on Army, 1:30 p.m., H–140 Rayburn.

Subcommittee on Transportation, on the Future of AMTRAK, 1 p.m., 2358 Rayburn.

Subcommittee on Treasury, Postal Service and General Government, on U.S. Customs, 10 a.m., 2359 Rayburn and on Secret Service, 2 p.m., 2362A Rayburn.

Committee on Armed Services, to continue hearings on the fiscal year 2003 National Defense Authorization budget request, 2 p.m., 2118 Rayburn.

Subcommittee on Military Procurement and the Subcommittee on Military Research and Development, joint hearing on the Missile Defense Agency and the fiscal year 2003 National Defense Authorization budget request, 10 a.m., 2118 Rayburn.

Committee on Education and the Workforce, Subcommittee on Employer-Employee Relations, hearing on ''Enron and Beyond: Legislative Solutions,'' 10:30 a.m., 2175 Rayburn.

Subcommittee on 21st Century Competitiveness, hearing on ''Assessing the Child Care and Development Block Grant,'' 2 p.m., 2175 Rayburn.

Committee on Financial Services, hearing on monetary policy and the state of the economy, 10 a.m., 2128 Rayburn.

Subcommittee on Oversight and Investigations, hearing entitled ''How much are Americans at risk until Congress Passes Terrorism Insurance Protection?'' 3 p.m., 2128 Rayburn.

Committee on Government Reform, hearing on ''Justice Department Misconduct in Boston: Are Legislative Solutions Required?'' 10 a.m., 2154 Rayburn.

Committee on International Relations, Subcommittee on East Asia and the Pacific and the Subcommittee on the Middle East and South Asia, joint hearing on U.S. Security Policy in Asia and the Pacific: the View from Pacific Command, 10 a.m., 2172 Rayburn.

Subcommittee on Europe, to mark up H. Res. 339, urging the Government of Ukraine to ensure a democratic, transparent, and fair election process leading up to the March 31, 2002, parliamentary elections; followed by a hearing on U.S.-Russian Relations: An Assessment, 1:45 p.m., 2172 Rayburn.

Committee on the Judiciary, to consider Committee Budget Views and Estimates for Fiscal Year 2003 for submission to the Committee on the Budget, and to mark up H.R. 2146, Two Strikes You're Out Child Protection Act, 10:30 a.m., 2141 Rayburn.

Committee on Resources, to mark up the following measures: H. Con. Res. 275, expressing the sense of the Congress that hunting seasons for migratory mourning doves should be modified so that individuals have a fair and equitable opportunity to hunt such birds; H.R. 706, to direct the Secretary of the Interior to convey certain properties in the vicinity of the Elephant Butte Reservoir and the Caballo Reservoir, New Mexico; H.R. 1712, to authorize the Secretary of the Interior to make minor adjustments to the boundary of the National Park of American Samoa to include certain portions of the islands of Ofu and Olosega within the park; H.R. 1870, Fallon Rail Freight Loading Facility Transfer Act; H.R. 1883, Burnt,

Malheur, Owyhee, and Powder River Basin Water Optimization Feasibility Study Act of 2001; H.R. 2963, Deep Creek Wilderness Act; and H.R. 3389, National Sea Grant College Program Act Amendments of 2001, 10 a.m., 1324 Longworth.

Subcommittee on Energy and Mineral Resources, oversight hearing on Fiscal Year 2003 U.S. Geological Survey, Minerals Management Service and Office of Surface Mining Reclamation and Enforcement Budgets, 2 p.m., 1324 Longworth.

Committee on Science, hearing on NASA's Fiscal Year 2003 Budget Request, 10 a.m., 2318 Rayburn.

Committee on Small Business, hearing on ''Subsidy Rate Calculation: An Unfair Tax on Small Business?'' 2 p.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, to consider the following: Committee Views and Estimates for Fiscal Year 2003 for submission to the Committee on the Budget; public buildings 112(b) resolutions; S. 1622, to extend the period of availability of unemployment assistance under the Robert T. Stafford Disaster Relief and Emergency Assistance Act in the case of victims of the terrorist attacks of September 11, 2001; H.R. 2804, to designate the United States courthouse located at 95 Seventh Street in San Francisco, California, as the ''James R. Browning United States Courthouse;'' H.R. 3282, to designate the Federal building and United States courthouse located at 400 North Main Street in Butte, Montana, as the ''Mike Mansfield Federal Building and United States Courthouse;'' H.R. 3643, to designate the Federal building and United States courthouse located at 120 12th Street in Columbus, Georgia, as the ''J. Robert Elliott Federal Building and United States Courthouse;'' S. 1270, to designate the United States courthouse to be constructed at 8th Avenue and Mill Street in Eugene, Oregon, as the ''Wayne Lyman Morse United States Courthouse;'' H. Con. Res. 255, expressing the sense of the Congress regarding the 30th anniversary of the enactment of the Clean Water Act; and other pending business, 1 p.m., 2167 Rayburn.

Subcommittee on Aviation, hearing on Aviation Security, focusing on Passenger Profiling, 9:30 a.m., 2167 Rayburn.

Subcommittee on Water Resources and Environment, hearing on the Corps of Engineers' Budget and Priorities for Fiscal Year 2003, 2:30 p.m., 2167 Rayburn.

Committee on Veterans' Affairs, Subcommittee on Health, hearing to consider issues of operational and medical readiness in the active duty force and their relationships to the health status of the veteran population, 2 p.m., 334 Cannon.

Committee on Ways and Means, to consider Committee Budget Views and Estimates for Fiscal Year 2003 for submission to the Committee on the Budget; and to hold a hearing on the WTO's Extraterritorial Income Decision, 10:30 a.m., 1100 Longworth.

Joint Meetings

Joint Meetings: Senate Committee on Veterans' Affairs, to hold joint hearings with the House Committee on Veterans' Affairs to examine the legislative presentations of the Disabled American Veterans and the Veterans of Foreign Wars, 9:30 a.m., 345 Cannon Building.

Next Meeting of the SENATE

9:30 a.m., Wednesday, February 27

Senate Chamber

Program for Wednesday: Senate will continue consideration of S. 565, Election Reform, with a vote on or in relation to Schumer/Wyden Amendment No. 2937.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, February 27

House Chamber

Program for Wednesday: Consideration of H.R. 1542, Internet Freedom and Broadband Deployment Act (structured rule, 1 hour and 20 minutes of debate).

Extensions of Remarks, as inserted in this issue

HOUSE

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