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, D.C.,
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 home- less individuals 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
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 question 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.


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

PRESENTATION OF THE WREATHS


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

TAPS


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 known 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 indispensable individual who was both most responsible for an who personified the ideals of the radically new form of government—an democratic republic—for a new and fragile 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 and the American Nation of 1767.

The American Revolution would not have succeeded without George Washington lead-

ing a ragtag Continental Army through eight arduous and harrowing years against the most powerful military in the world, that of Great Britain.

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

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

There’s an old saying that’s everybody’s business is nobody’s business.

In the 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 bring 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 recognizing the anniversary of the birth of another great American president—Abraham Lincoln’. "

COMMUNICATION FROM STAFF MEMBER OF THE HONORABLE BOB SCHAFER, 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:


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.

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. 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 only repudiating freedom and justice throughout the world, is a valid value for the United States of America.
Mr. SENSENBRENNER. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks 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, grew out of the need for humanitarian reasons that the Attorney General has determined for humanitarian reasons, revocation would be inappropriate, and thus complete the unification of a family.

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.

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 the tragedies 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 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 left out of his or her right 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 grandchild, 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 reuniting 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, 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 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 a 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 now or a brother-in-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 guardian of a sponsored alien all with the idea of reuniting a family.

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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 a 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.

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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 guardian of a sponsored alien all with the idea of reuniting 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.

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. SENSENBRENNEN. 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. SENSENBRENNEN); 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. CALVET), 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 bill a much better 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 the process in the United States should be.

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 reunifying 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 part of what we need to do 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 discuss 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 the Family Immigration Sponsor Act.

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, 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 her 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 remain 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 in this country.

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 millions 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 an adult blood relative. Without an adult blood relative, Mrs. Ge was told that she must go back to China and restart the immigration process. With the passage of this bill, Mrs. Ge can keep her promise to her daughter.

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.

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

Mr. SENSENBERN. 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. Wu) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 1892.

The question was taken.

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

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the opinion of the Chair, two-thirds of the House being present, the yeas and nays were ordered.

The yeas and nays were ordered.

The question was taken.

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

The SPEAKER pro tempore. The yeas and nays were ordered.

The yeas and nays were ordered.

The question was taken.

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

The SPEAKER pro tempore. The yeas and nays were ordered.

The yeas and nays were ordered.

The question was taken.

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

The SPEAKER pro tempore. The yeas and nays were ordered.

The yeas and nays were ordered.

The question was taken.

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

The SPEAKER pro tempore. The yeas and nays were ordered.

The yeas and nays were ordered.

The question was taken.

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

The SPEAKER pro tempore. The yeas and nays were ordered.

The yeas and nays were ordered.

The question was taken.

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

The SPEAKER pro tempore. The yeas and nays were ordered.

The yeas and nays were ordered.

The question was taken.

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

The SPEAKER pro tempore. The yeas and nays were ordered.

The yeas and nays were ordered.

The question was taken.

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

The SPEAKER pro tempore. The yeas and nays were ordered.

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The question was taken.

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The SPEAKER pro tempore. The yeas and nays were ordered.

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The question was taken.

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

The SPEAKER pro tempore. The yeas and nays were ordered.

The yeas and nays were ordered.

The question was taken.

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

The SPEAKER pro tempore. The yeas and nays were ordered.

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The question was taken.

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

The SPEAKER pro tempore. The yeas and nays were ordered.

The yeas and nays were ordered.

The question was taken.

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

The SPEAKER pro tempore. The yeas and nays were ordered.

The yeas and nays were ordered.

The question was taken.

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

The SPEAKER pro tempore. The yeas and nays were ordered.

The yeas and nays were ordered.

The question was taken.
“(d) to support entrepreneurial opportunities for businesses in the information technology sector;”

“(b) SOURCE OF FUNDING.—

“(A) Cost Sharing for Grants.—Not more than 50 percent of amounts made available to carry out this section may be provided—

“(1) exclusively from amounts made available to carry out this section; or

“(2) 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.

“(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. 7. REGIONAL SKILLS PARTNERSHIPS.**

| Title II of the Appalachian Regional Development Act of 1965 (40 U.S.C. App.) | amend-
| by inserting after section 206 (as added by section 5) 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 make grants, enter into contracts, or otherwise provide funds to eligible entities in the region for projects to improve the job skills of workers in 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. |

**SEC. 8. PROGRAM DEVELOPMENT CRITERIA.**

| (a) ELIMINATION OF GROWTH CENTER CRITERIA.—Title II 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: |
| (4) ASSISTANCE TO DISTRESSED COUNTIES AND AREAS.—For fiscal year 2005 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 to read as follows: |
| **SEC. 301. 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), any 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 405 of the Appalachian Regional Development Act of 1965 (40 U.S.C. App.) is amended by striking— |
| (1) in the third undesignated paragraph (relating to the Kentucky)— |
| (A) by inserting ‘‘Edmonson,’’ after ‘‘Cumber-’’; |
| (B) by inserting ‘‘Hart,’’ after ‘‘Harlan’’; and |
| (C) by striking ‘‘Montgomery,’’ and inserting ‘‘Montgomery’’; and |
| (2) in the fifth undesignated paragraph (relating to Missouri)— |
| (A) by inserting ‘‘Montgomery,’’ after ‘‘Monroe’’; and |
| (B) by inserting ‘‘Pulaski’’ after ‘‘Ottibbeha.’’ |

**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 programs’’ and inserting ‘‘in a condensed form’’; |
| (b) Section 106(7) of the Appalachian Regional Development Act of 1965 (40 U.S.C. App.)...
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App.) is amended by striking “expiring no later than September 30, 2001”.

(c) Sections 202, 214, and 302(a)(1)(C)(i) of the Appalachian Regional Development Act of 1965 (42 U.S.C. App.) are amended by striking “grant-in-aid programs” each place it appears and inserting “grant programs”.


(f) Section 214 of the Appalachian Regional Development Act of 1965 (42 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” 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”;

(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 (43 U.S.C. 501 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) the title of the Public Health Service Act (42 U.S.C. 265 et seq.);

(G) sections 201 and 209 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 313 and 315);

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

(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 construction of the Appalachian development highway system authorized by section 201;

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

(C) any other program under this Act or any other Act that provides assistance other than a grant is authorized; and

(4) by striking subsection (d).

(g) Section 232(a)(2) of the Appalachian Regional Development Act of 1965 (42 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 (42 U.S.C. App.) is amended by—

(1) in subsection (a)(3), by striking “development programs” 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 (42 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 investment 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 (42 U.S.C. App.) is amended in the next-to-last undesignated subparagraph 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. LA’TOURETTE) and the gentleman from Pennsylvania (Mr. HOLDEN) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio (Mr. LA’TOURETTE). Mr. LA’TOURETTE. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, we are back here today to consider legislation that authorizes the Appalachian Regional Commission. Congress 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 support 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 counsel, 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 implementing important investment programs and distributing 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 telecommunications and millions of dollars 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. O’KEEFE), 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 gentleman 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 to 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 telecommunication and technology initiative and an entrepreneurship initiative. These two initiatives are geared toward increasing access to not only telecommunications but also to providing access to business incubator services and to innovate sustainable businesses.

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 Schuykill Economic Development Corporation for improvements to the Schuykill Highbridge Business Park that is expected to result in the creation 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 myself the balance of my time.

Mr. Whitt gave case studies of how ARC program makes a positive difference in 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 rise to support 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 of this legislation.

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

Mr. LaTourette. 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 country’s names that escape me, but I know that very time I saw the gentleman from Kentucky (Mr. Lewis) he wanted to have another bill that was in 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 Development Act of 1965 (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 into the acacquarium industry. In February, Mingo County 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 acacquarium 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 coming to Mingo County. Motels that never had guests over the weekend are now filling up on weekends. Again, the ARC seed money for the project of the Hatfield-McCoy Trail helped with its development.

So we have an industrial park, acacquarium 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 friends in the House of Representatives.

The Hatfield-McCoy Trails project is sponsored by the gentleman from West Virginia (Mr. Matheny), 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 for fiscal years 2002–2006. Because of my goal in Congress is to bridge the divide, 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, non-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. LA TOURETTE. 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 California (Mr. ROYCE) and the gentlewoman from California (Ms. LEE) each way, with control minutes.

The Chair recognizes the gentleman from California (Mr. ROYCE).
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 on the African continent in a 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 want 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 it and pass it.

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, 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 its 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. Non-governmental organizations, Foreign aid 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 causes of 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 this 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 gentlewoman from California (Ms. LEE) for yielding me this time.

Madam Speaker, I want to thank the gentlewoman from California (Mr. ROYCE) and the gentlewoman 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 Nyiragongo exploded, creating three deadly lava paths that were estimated to be approximately a mile wide, which instantly destroyed homes, buildings and innocent life that crossed its path.

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 current 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 that 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 gentlewoman 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 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, we support 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 (Mr. Biggers). 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. TANDOMREI changed his vote from "aye" 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.

Mr. TANDOMREI changed his vote from "aye" to "nay." So (two-thirds having voted in favor thereof) the rules were suspended and the Senate Amendment was concurred in.

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February 26, 2002

CONGRESSIONAL RECORD — HOUSE

H537

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 can be done. 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 unilateral approach with 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 raises questions about 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 Iraqi’s defense of their homeland can hardly be characterized as aggression against those who rain bombs down on them. They have to travel 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 Iraq and Iran, 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 can we maintain control of the oil in this region? Could it be all about oil and have nothing to do with U.S. national security?
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 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, which 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 now 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 smaller ones, delays and cancellations would be greatly reduced, eliminating delays that often ripple throughout the entire Nation.

The planned war against Iraq without a congressional vote, 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 than a just war without the consent of the people.

It is immoral and unjust, because it just does not take into account the unforeseen consequences that are likely to result. It is contrary to the Federal Government can take to avoid 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 vital 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 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 the 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. I ask for a prosecutor 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 former friends in the 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 and the industry, 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 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 the White House. We know that the CEO of Enron, Ken Lay, personally submitted names and interview 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 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 meeting 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 pharmacy 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 prevent 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 groups, is concerned 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 medication Claritin, the antidepressant Prozac, 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 on generics and the Hatch-Waxman Act, 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 time on is the President's axis of evil. We do not want to focus entirely on that particular subject, but I want to talk more specifically as kind of a jump from...
Mr. BEREUTER. 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, I can 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 the meetings. I heard 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 freedom and individual rights is how it makes a country stronger and not weaker.

We are not sensitive to criticism, unless the criticism is a little unjust. It is interesting this 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 out of 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 of our own and those 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 an arrogant act. 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 moral will. Is it 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 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 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, look at the rules of procedure. It amazes me, it discourages me, it appoints 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? 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 Iraq, the people of Iran, and to a lesser extent the people of North Korea, are all begging for some kind of new leadership out there. And Iran is not a 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 some 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 sub 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 remark, my strong emphasis 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 spreads.

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, 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 wish it off. You can eat 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 to do it quietly. They want to do it with the absolute minimum 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, 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 that 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 have if there were 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 right away. 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 let that happen.

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 terror and to deal with them. 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, jump on the plane, 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. The number one issue out there is security and that we have got to somehow repeal this horrible cancer that has stricken the world.

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. In 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 Axios 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 today that it is more important than ever that Europe strengthen its ties with the United States. Alone we will be able 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 ‘remark was 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 European journalists 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 over here, but from when a European leader speaks pointedly in support of America, he is shouting into the wind.

1945
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 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 of 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 support of the Bush government) 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 in 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 out 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 aren't going to fight, do not complain. 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 Korea. 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, to be in Vail at the AEI 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 said, "Why?" She made the statement that was 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.

I strongly believe, 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 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 of the United States may end up in a response to the terms of the treaty. The 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 any nation support each other. The United States of America 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.
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 to 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 now than 30 years ago. We have had dramatic changes in the world scene today in regards to missiles, 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.

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 this country.

Let us look at the agreement that allows us to withdraw from the treaty. The treaty is obrigually 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 sovereign 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 the nation and its 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 that there is a bilateral 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. Obvi-ously, there are.

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, gives us justification to go 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, 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 that list, 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 mis-siles. 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: India, Iran, Iraq, Libya, North Korea, and Syria. Chemical weapons. Again, Iraq, Iran, Libya, North Korea and Syria. Biological weapons, Iraq, Iran, North Korea. Advanced technology for missiles. All of those 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 detect that missile as it is 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.

To 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 watch North Korea go out of existence 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 bestow-ing 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 is not currently possible in the future, 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 attacked. 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
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 the 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 nation 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 lose 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.

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 got 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 pouring more on us than they are on the evil regimes of North Korea and Iraq.

Whether 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 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 am 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 where there is an exception 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.

That 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 eradicate this kind 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 announce—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 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 burden are they alone 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, non-traditional foes that do not wear army uniforms, do not carry a national flag and do not raise 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. It is one of the virtues we yet have 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 to do so willing to very slightly so that it 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 underestimates its full cost 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 years, 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 the new tax cuts which have been proposed. 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, perhaps more importantly, 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 h

We must work together in Congress and with the administration to resu-

rect a balanced budget, applying ac-

rate economic and fiscal assumptions and without using the Social Security surplus.

Madam Speaker, I 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 lead-

er on the issue of fiscal responsibility.

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

Madam Speaker, the Federal Govern-

ment is up to its eyeballs in debt once

again. Now the administration is ask-
ing Congress to throw it a life pre-

server 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 accom-

plishing these aims? Three-quarters of a trillion dollars; three-quarters of a trillion dollars more debt for our kids and our grand-

children.

Now, let me be clear: I am committed to

making sure that the United States Gov-

ernment can meet all of its fiscal obliga-

tions. 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 say that it makes no sense for Congress to toss Treasury a 24-karat-

gold life preserver, when the adminis-

tration has not explained how it will put us back on the path of fiscal re-

sponsibility.

Being back home in southern Indiana the last 11 days gave me the oppor-

tunity to listen to Hoosiers and their concerns. Without exception, the peo-

ple I heard from know what it means to be fiscally responsible. They under-

stand 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 under-

stand planning from week to week and month to month will require them to make some tough choices.

Our nation has 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 is 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 So-

cial Security and paying down the debt. As a consequence, the national debt is expected by the year 2030 to be roughly $5.75 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 prob-

ably will rise. As long as these rates are high, those prices will rise too, for the small, business people, credit card users and home buyers will get pinched.

Plain and simple: the size of the na-

tional debt matters, not only to those who make their living crunching num-

bers but also to the needs of our kids and our grand-

children.

The gentleman talked about the im-

pact of producing a deficit-spending pat-

tern on long-term interest rates, and when we talk about a mortgage on our chil-

dren’s future, this is not simply rhetor-

ical; it is very real and very true.

As we have seen over the last several months, as the Federal has lowered long-term interest rates, and when we lower long-term rates, 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 chil-

dren’s future, this is not simply rhetor-

ical; it is very real and very true.

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 do we do? What do we do 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 defi-

cit 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 re-

quest for $750 billion in new authoriza-

tion 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 new debt, including determining its interest rate and term. Then the Congress passed the second Liberty Bond Act of 1917, which allows the Treasury to borrow as necessary to finance Fed-

eral activities up to a specified legisla-

tively adopted limit.

That law was initially adopted to fa-

cilitate wartime planning during World War I and to accommodate the Treas-

ury’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 gov-

ernment debt has increased, which leads us to where we are today. The ad-

ministration has come to Congress ask-

ing us to raise the debt limit for the 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 acknowl-

edge the need for courage during a time of war and recession, and we agree that the debt limit should be raised in order to avoid a financial crisis. How-

ever, we cannot simply write a blank check to increase borrowing authority because American taxpayers are paying more and more debt, and the American taxpayers from even further increases in the national debt.

The request to raise the debt pre-

sents us with an imperative that we ex-

amine 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 deca-

des. Our current debt stands at nearly $5.75 trillion, or about $13,500 for each American taxpayer 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, it seems quite an oddity that we were warned about the dangers of paying down the debt too fast.

Certainly it is true that unforeseen circumstances, including the dev-

astating 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
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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 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 even an 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’s children 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 even more money to go with it. 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 not what 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 an belief 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 than what we pass around and pay 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 it, 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 safer country, what will 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).

Mr. MATHESON. Madam Speaker, I thank the gentleman for conducting this session 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. How do we turn 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. When 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 one more important reason, 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 earning, 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. 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 path, and if we can 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 you do have is the example of common ground than this, than the future of our country, than fiscal irresponsibility, 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 have to pay, but 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. Unquestionably, 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 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 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 by 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 confidence in our ability to grow, 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 a 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 find common ground. When we had a crisis, 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 this 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. The Blue Dogs said we ought to have the courage to say that we have 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. RANGEEL), 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 is probably 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 your credit 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. MATHEWSON) 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. We are indebted, 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 ought to loan you $750 billion more or any of the other rhetoric.

That is the most upsetting thing to us 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 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 our friends on the other side of the aisle. We were seeing more and more of us on the floor over the days and weeks ahead. 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.

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.

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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 grandparents. I resolved 6½ years ago with my grandson 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.


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, the gentleman from Texas, the gentleman from Missouri 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 and its aftermath. 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 of this time we already 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, let 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 to-night are here defending it.

“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 18-year projections, how it was simply not prudent to anticipate the 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 that the numbers were 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 gentleman 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 this institution for some time, when 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 bigger problem was not that we did it, was done, 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 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 homeward security, but that is not what the superintendent of public education foresaw 9–11–01. No one foresaw that.

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 $5.9 trillion is. I tell people, if I 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 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 were going to make the money back, and how we were going to make the payments on that debt order get done. But here, this administration wants a $750 billion increase, and they do not even have a plan.

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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.
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 and take 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 go to 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 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, especially Argentina being the most recent. When we have excessive debt, that 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 public 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 by 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 public 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, you cannot charge anymore.

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, which 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 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 we already are 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? If 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 wonder if the government can go. But in the good old United States of America, 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, 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 a new world of junk bonds and junk 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 come 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 3 years to being forced by law to $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 incurring another Federal debt limit without having any 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 drive 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 America.

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 the American consumer, the victims of this credit bubble, to be the caterpillar of an immorality.

Madam Speaker, we should fund our war on terrorism and our efforts on homeland security, and we must save Social Security 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 for 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, turned from other purposes, which was referred to the House Calendar and ordered to be printed.

IMMIGRATION INTO THE UNITED STATES

The SPEAKER pro tempore (Mrs. CAPITTO). 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 this 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 Turley, 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 standing with her passport checking to see what we had 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, come 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 under Medicaid. And he said that 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 I have been, therefore, experiencing enormous difficulties. Of course, that is happening less and less in this world that I am experiencing.

I go 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 said it, were the common sympathy instilled by shared history, values and language.

Free institutions, he wrote, are next impossible to a country made up of 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 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 of course, many of them spoke different languages, different religions, different habits and even, even a different language, different customs, different ideas of how to maintain them, their desire to maintain another language, different customs, different habits, 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 idea taught in the schools, the idea promulgated by the media, the idea promulgated certainly by what some people have termed the clash of civilizations, that I believe that they are worthy of that attention, those issues.
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 or our history. We are nothing really, just a bunch of diverse white folks 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, 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 do we have? We 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. More 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 allowing 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 2020 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 highlights 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 2023, year 2023, there is not going to be a border. Mr. Fox has said, Southern 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 and purpose 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 Mexicans are going 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.

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 cultural identity. It is, in fact, that 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 really I 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 civiliza- tion. 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 means that even the President, then they will get it as a result of changing who we are and what we are in the United States.

Now, 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 generations, fly 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.

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 will attest to the thing 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 Constitution or the flag. 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, 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 believe that, but they 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 ethnicities, wondering just 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 perhaps 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, as I say, is what I 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 mandatory 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, most unfortunate, it 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.

The world that 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 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 fighting over the resources of the world 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 fighting over the resources of the world, 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 do 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 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 12 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 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 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.

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.

From 1977 to 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 14 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 marketplace."

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, shelter, 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 below which 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 level 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 place voting. Nonetheless, 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, not just 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 nearly 3 million workers a year and another 3 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 recession. Retailers, banks, and December retail sales have been characterized as dismal.

As usual, the most vulnerable are the hardest hit. Unemployment of African Americans and Hispanics has 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 into 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 those losses. 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 14,000 in November, up from 14,000 in 2001.

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 the effects of 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 17 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 1970 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 doing 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 folly of a 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 a $341 million cut for public housing repairs and $268 million from the Community Development Block Grants.

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, 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 expandable 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.

Spend 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 initiatives 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 our jobs. 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 unsuccessful. 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 the challenges of work. We need to empower 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 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 and the funds to deal with the health care needs 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 results 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 reduced red tape, and physical and mental ills associated with poverty are eradicated forever.

Of course, a part of that poverty syndrome is the fact that our prisons are filled 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 650,000 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 the number of people, that we provide credits on the basis of the number of ex-offenders in a State.

Private developers are encouraged to develop housing. The 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 mirrored down at the bottom.

I believe in the theory and the concept that a rising tide should lift all boats. 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. McNUNN) 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. TOWNS 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 automobiles 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. 39. A 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: 3036-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: 3036-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 Fluoride; Temporary Pesticide Tolerances (OPP-301166A; FRL-6823-4) (RIN: 2707-AC1B) 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 Tolerances (OPP-301215; FRL-6820-9) (RIN: 2707-AC370) received January 25, 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 transaction of a chemical warfare agent, pursuant to 50 U.S.C. 1524(a); 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 by more than 15 percent, pursuant to 10 U.S.C. 2435(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 NAF 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 Act; [REGULATION C] 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. 2000(b); 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 106-561; 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 242-6316; FRL-7137-7) 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 Final 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.
- 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 Allowances for Calendar Year 2005; (FRL-7149-5) (RIN: 2060-AC1B) received January 31, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.
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CONGRESSIONAL RECORD—HOUSE

H559

801(a)(1); to the Committee on Transportation and Infrastructure.  

5599. A letter from the Program Analyst, FAA, Department of Transportation, trans-  
mitting the Department’s final rule—Airworthiness Directives: Israel Aircraft Indus-  
ries, Ltd., Model Galaxy Airplanes [Docket No. 2001–NM–238–AD; Amendment 39–25599;  
AD 2001–24–32 (RIN: 2120–AA64) received February 8, 2002, pursuant to 5 U.S.C.  
801(a)(1); to the Committee on Transportation and Infrastructure.  

5568. A letter from the Program Analyst, FAA, Department of Transportation, trans-  
mitting the Department’s final rule—Revi-  
sion of Class E Airspace, Springhill, LA [Air-  
space Docket No. 2001–ASW–14] received Feb-  
ruary 11, 2002, pursuant to 5 U.S.C.  
801(a)(1); to the Committee on Transportation and Infrastructure.  

5602. A letter from the Program Analyst, FAA, Department of Transportation, trans-  
mitting the Department’s final rule—Airworthiness Directives: McDonnell Douglas  
Model DC–9–81–82–83–84  
and –87 Series Airplanes, and Model MD–88  
(RIN: 2120–AA64) received February 6, 2002, pursuant to 5 U.S.C.  
801(a)(1); to the Committee on Transportation and Infrastructure.  

5603. A letter from the Program Analyst, FAA, Department of Transportation, trans-  
mitting the Department’s final rule—Airworthiness Directives: GE Aircraft Engines  
Model CT7 Series Turboprop Engines [Docket No. 2000–NE–61–AD; Amendment 39–  
12547; AD 2001–24–30 (RIN: 2120–AA64) received February 8, 2002, pursuant to 5 U.S.C.  
801(a)(1); to the Committee on Transportation and Infrastructure.  

5617. A letter from the Program Analyst, FAA, Department of Transportation, trans-  
mitting the Department’s final rule—Airworthiness Directives: Boeing Model 747 Se-  
(RIN: 2120–AA64) received February 8, 2002, pursuant to 5 U.S.C.  
801(a)(1); to the Committee on Transportation and Infrastructure.  

5618. A letter from the Program Analyst, FAA, Department of Transportation, trans-  
mitting the Department’s final rule—Airworthiness Directives: British Aerospace  
AD 2001–24–32 (RIN: 2120–AA64) received February 8, 2002, pursuant to 5 U.S.C.  
801(a)(1); to the Committee on Transportation and Infrastructure.  

5619. A letter from the Program Analyst, FAA, Department of Transportation, trans-  
mitting the Department’s final rule—Airworthiness Directives: Boeing Model 747–200C  
24–30] (RIN: 2120–AA64) received February 8, 2002, pursuant to 5 U.S.C.  
801(a)(1); to the Committee on Transportation and Infrastructure.  

5622. A letter from the Program Analyst, FAA, Department of Transportation, trans-  
mitting the Department’s final rule—Airworthiness Directives: Pilatus Aircraft Ltd.  
Model PC–7 Airplanes [Docket No. 2001–CE–  
36–AD; Amendment 39–12546; AD 2001–24–31 (RIN: 2120–AA64) received February 19, 2002, pursuant to 5 U.S.C.  
801(a)(1); To the Committee on Transportation and Infrastructure.  

5623. A letter from the Program Analyst, FAA, Department of Transportation, trans-  
mitting the Department’s final rule—Airworthiness Directives: Stand-  
ard Instrument Approach Procedures; Mis-  
cellaneous Amendments [Docket No. 2001–  
AD; Amendment 39–12546; AD 2001–24–31 (RIN: 2120–AA64) received February 19, 2002, pursuant to 5 U.S.C.  
801(a)(1); To the Committee on Transportation and Infrastructure.  

5624. A letter from the Program Analyst, FAA, Department of Transportation, trans-  
mitting the Department’s final rule—Airworthiness Directives: British Aerospace  
AD 2001–24–32 (RIN: 2120–AA64) received February 8, 2002, pursuant to 5 U.S.C.  
801(a)(1); to the Committee on Transportation and Infrastructure.  

5625. A letter from the Program Analyst, FAA, Department of Transportation, trans-  
mitting the Department’s final rule—Airworthiness Directives: McDonnell Douglas  
Model DC–8–70 Series Airplanes [Docket No. 2001–NM–222–AD; Amendment 39–12531;  
AD 2001–24–34 (RIN: 2120–AA64) received Feb-  uary 8, 2002, pursuant to 5 U.S.C.  
801(a)(1); to the Committee on Transportation and Infrastructure.  

5626. A letter from the Program Analyst, FAA, Department of Transportation, trans-  
mitting the Department’s final rule—Airworthiness Directives: Boeing Model 737–  
24–32 (RIN: 2120–AA64) received February 8, 2002, pursuant to 5 U.S.C.  
801(a)(1); to the Committee on Transportation and Infrastructure.  

5627. A letter from the Program Analyst, FAA, Department of Transportation, trans-  
mitting the Department’s final rule—Airworthiness Directives: British Aerospace  
AD 2001–24–32 (RIN: 2120–AA64) received February 8, 2002, pursuant to 5 U.S.C.  
801(a)(1); to the Committee on Transportation and Infrastructure.  

5628. A letter from the Program Analyst, FAA, Department of Transportation, trans-  
mitting the Department’s final rule—Airworthiness Directives: McDonnell Douglas  
Model DC–9–81–82–83–84  
and –87 Series Airplanes, and Model MD–88  
(RIN: 2120–AA64) received February 6, 2002, pursuant to 5 U.S.C.  
801(a)(1); to the Committee on Transportation and Infrastructure.  

5629. A letter from the Program Analyst, FAA, Department of Transportation, trans-  
mitting the Department’s final rule—Airworthiness Directives: Eurocopter France  
Model AS350B, B1, B2, B3, BA, D, and AS355E  
801(a)(1); to the Committee on Transportation and Infrastructure.  

5630. A letter from the Program Analyst, FAA, Department of Transportation, trans-  
mitting the Department’s final rule—Airworthiness Directives: Eurocopter Deutsch-  
land GmbH Model EC135 Helicopters [Docket No. 2001–SW–64–AD; Amendment 39–  
12606; AD 2001–26–52 (RIN: 2120–AA64) received Feb-
February 26, 2002

ROUNDTABLE ON FOREIGN AFFAIRS

Mr. LINDER: Mr. Chairman, I might note at the outset that the committee will be in consultation with the administration about the FY 2003 budget for State Department, including Department of Defense and the Peace Corps, and also with the Department of Defense about the FY 2003 budget for the Department of Defense, including the military departments and the independent agencies. On the other hand, I believe the administration has received a lot of criticism because of the...
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.

APPPOINTMENT 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,

To the Senate:

Under the provisions of rule L, 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.

Mr. 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...
nine judges, nine judges being the demo-
strated 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 con-
firmation 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 for-
ward with judicial nominations in a
time when the need is so great and
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 con-
nection to Colorado compliments his
deep understanding of the law.

He has held since 1988. Previously, Mr.
Blackburn served as deputy district at-
torney, Bent County attorney, munic-
ipal judge and City Attorney.

In addition to that, he has extensive
experience as a business owner—an im-
portant experience that will serve him
well while handling the multiple de-
mands of the federal bench. As an at-
torney, Mr. Blackburn practiced law in
his own firm. And, together with his fa-
ther, he continues to raise registered
Black Angus cattle.

Judge Blackburn was nominated to the
bench with the help of a nomina-
tions 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 coun-
try. This nomination committee was
set up by Senator CAMPBELL and my-
self.

An editorial in the Denver Post, upon
hearing of Judge Blackburn’s nomina-
tion, proclaimed, “We are delighted by
the W. A. Babcock, Chief Judge of the
U.S. District Court, District of Colo-
rado, 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 am grateful to 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 ab-
scence of a quorum.

The ACTING PRESIDENT pro tem-
pore. The clerk will call the roll.

The legislative clerk proceeded to
call the roll.

Mr. THOMAS, 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.

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
months ago and at least 10 since I
became chairman this past summer.

Since the beginning of 2002 alone, we
have filled judicial emergency vacan-
cies in Texas, Alabama, and Nevada.

Today, we add Colorado and Arizona
to that list. Unfortunately, the Presi-
dent has yet to work with home state
Senators to send the Senate nominees
to 14 other judicial emergency vacan-
cies around the country.

With the completion of today’s votes,
the Senate has confirmed 11 judges
since beginning this second ses-
sion 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 con-
firmed in all of 1999, 1997 and 1996. In 7
months we have exceeded the 1-year to-
tals for 4 of the 6 years in which a Re-
publican President controlled the pace
of confirmations.

There have been a number of state-
ments 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 Repub-
lican leadership did for President Clin-
ton’s nominees in 1995. In each area—
hearings, number of nominees given
hearings, and number of nominees con-
firmed—this committee has exceeded
the comparable period when Repub-
licans were in power.

Republicans continue to perpetuate
the myth that we are not acting on ju-
dicial nominations when in fact we are.
I would submit that we have been mov-
ing forward at a strong pace and allow-
ing our colleagues to have a voice on
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, we can ex-
pect confirmed of Judge Jor-
genson today, 11 judges will have been
confirmed since the beginning of this
session of Congress. That number ex-
cedes the total number of judges con-
firmed for the past 7 years in January
and February. No judges were con-
firmed in the first 2 months of the year
when Republicans were in the major-
ity.

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 confirma-
tions 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 con-
firm as many or more judges in a
shorter timeframe than were confirmed
in the comparable period when Repub-
licans were in the majority, but we
have also done so at a faster pace than in
any of the recent 6½ years in which Re-
publicans were most recently in the
majority.

In fact, from the time the Senate re-
ceived each nominee’s ABA peer review
ing, we have been able to confirm
d 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 nomi-
ation and confirmation.

I want to make clear 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 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 as fast as the time it took under the previous Republican majority. These figures include recess periods 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 nominees for this last 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 District Vacancy 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 filled 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 October, 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. Byun more so. I have been very 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 done 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 1987, 1989 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 filled by the White House. None has completed the paper-work needed to be included in hearings and none has yet received an ABA peer review.

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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 Senate returns. 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 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 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 asked 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 aban-
donment of the traditional practice and that this administration consider returning to the tried and true practice of shifting the ABA report to the Senate 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 substituting 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 move 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 ABA 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 quickly to confirm 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 major, 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 will distinguish 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:

{Roll call Vote No. 35 Ex.}

YEAS—98

Akaka
Allard
Allen
Baucus
Bayh
Bennett
Boxer
Breaux
Brownback
Burns
Byrd
Campbell
Cantwell
Carnahan
Carper
Chafee
Cheney
Coburn
Collins
Conrad
Corzine
Cranston
Craio

BYRE—DeSalle
Dayton
DeWein
Dodd
Domenici
Dorgan
Dudley
Edwards
Emswiler
Feingold
Feinstein
Fitzgerald
Frist
Graham

S1140 CONGRESSIONAL RECORD — SENATE February 26, 2002
from the Republican leader on how discussion 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 August.

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 imaginableploy 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 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 necessary 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 intersect this at any point along the way. There is no need and no desire to delay this indefinitely. I think a little time—

The PRESIDING OFFICER. 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 have 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 resolve the final bill. As Senator COX said, 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. I 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 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 FISCHOLD, 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 details 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—Resolved

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 and advocacy systems of each State to ensure full participation in the electoral process for individuals with disabilities.

Dodd (for Kennedy) 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. 1. ELECTION DAY HOLIDAY STUDY.

(a) In General.—In carrying out its duty under section 309(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 voting option 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:

(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 Federal 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 this session.

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.

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 is 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 with 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 I will not ask people to break up the hearings they are 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. 297

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, and 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)

SEC. 402. STATE RESPONSIBILITY TO GUARANTEE MILITARY VOTING RIGHTS.


(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 access 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) CONGRESSIONAL ADDENDUM.—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. 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 or 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 groups which have been set up throughout 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 vote?

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 set up 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 considering $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.

I want to 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. 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 entity. The 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 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 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 improve 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 this 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. The 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 that uses Federal 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 received 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 another 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 undermine the protection 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 other agencies 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 election systems and comply with the law. This is not an effort 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 and 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 our success 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 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—that 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 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 how State structures are set up. 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 and at least get along with the least interference with the general public. This is well documented.

When people call in, they provide over-the-phone advice. This is some part where a local official may call 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 accessibility. They are part of the planning process to make sure that something is 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 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 43,000 cases that came into the P&A system last year. Of those 43,002 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 one 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&As 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 most drastic approach would 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 agencies, like P&As, 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. And if one could appeal 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 most egregious cases 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 which would leave the minimum 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 best 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. That 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, making 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 kind and overly generous remarks. We have been united with his 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.

We all learn about 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. He has served 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 whom I stand for and I stand for.

I respond in kind by thanking the Senator from Connecticut. As he said, both of us, in our own individual families, have had personal experiences with disabilities. We both have.P&As have gone through negotiations, and overly generous remarks. We have

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I respond in kind by thanking the Senator from Connecticut. As he said, both of us, in our own individual families, have had personal experiences with disabilities. We both have
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. DOHRN. 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 offered by 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 Senator Harkin, Mrs. 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 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 the Senate to adopt it.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 2931.

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.

Mr. DODD. Mr. President, I suggest the absence of a quorum. I urge 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:

Acknowledging the elderly and disabled, and shall take steps to ensure that States and localities are informed of any changes that are made to the electoral process, preferably through some type of advising and communicating process.

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.

Mr. DODD. Mr. President, I suggest the absence of a quorum. I urge 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. 3. 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 ballot materials mailed under section 4006 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 legislation 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
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 has 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 you 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 one.

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 that everyone can be accessible to handicapped voters and voters with limited English proficiency. Third, this legislation provides for provisional ballots so voters mistakenly left off official registration lists are still allowed to vote. Fourth, this legislation provides for balanced anti-fraud measures to ensure voters are not disenfranchised.

Fortunately, in my State of Delaware there were few problems on election day in 2002 with 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 is a statewide all-voter registration list that will be 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 anti-fraud requirements.

We must 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 grow 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 38 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. 15069)) 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. The funding provided for 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), (e), and (g) of section 509 of the Rehabilitation Act (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 annually.

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 from the Republican side for supporting this modification. Senator HARKIN raises a very good amendment. There was concern raised by Senator MCCONNELL, and
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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 dollar amounts 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 luncheon 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 Senator from Connecticut and his 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 2:15, but later that these will be back on this amendment—I think 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 am a friend and colleague from Connecticut. He 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 in today’s Record are 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 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. Mr. President, 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 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 preschool. 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 a break of close to $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.

The next day’s article, 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 AVOID PAYING TAXES

(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 150 years a Connecticut maker of hammers and wrenches, is among the latest with plans to become incorporated in Bermuda, saying it 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 $60 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; Ingersoll-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.

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.

This 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. Devonsheire.

“We just pay a ‘service organization’ to accept mail,” he said.

Kate Barton, an Ernst & Young tax partner, said that incorporating “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.

“It is the right time to be migrating a corporation’s headquarters to an offshore location,” she asked. “And 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 tax 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. Weisberger, 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 corporations 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 this may be important for 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. taxes,” he said. “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 some legal, accounting and investment advisers. Stanley Works, for example, relied on Ernst & Young for accounting advice,
One page of the document contains the following text:

"I am sure a few get missed," Mr. Willens said with a chuckle. "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 administration has shown no interest in stopping this occurrence or even drawing attention to them. Supporting America is more than waving the flag and saluting—it's about sharing the sacrifices of true soldiers, often wind 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. They cannot afford breaks for 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 this 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 States of 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 patriotic citizen, you are making 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.
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 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 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.

Mr. 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 PRESIDING OFFICER 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 be rescinded.

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.

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, 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 on paper or carved 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.


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 wrote:

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 leaning down to 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 implement 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 go to 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 with us 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 enor- mous 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 Massa- chusetts, Mr. KERRY.

Mr. KERRY. I ask unanimous con- sent that the remarks of Senator KEN- NEDY’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 appre- ciate my colleagues’ patience. I hope we will all have a chance to pay trib- ute.

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 friend and col- league 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 celebra- tion 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 Sen- ate—one of only 16 people in the his- tory of the Senate to reach this institu- tion 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 achieve- ment but really the way in which lit- erally almost every single year that Senator KENNEDY has been here there has been a milestone piece of legisla- tion that has passed either with his significant support and input or with his outright leadership.

The Bosworth Report 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 Roo- sevelt.

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 leader, for 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 extraor- dinary leader because he has excelled while completing his work in the Sen- ate, 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:

Not just the leading Senator of his time, but one of the greats in its history, wise in the workings of this singular institution, es- pecially its demand to be more than partisan to accomplish much.

His partnerships with his fellow Sen- ators are well known and often re- cited—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 go in an effort to accomplish his goals and to further a common agenda—fighting always to prove that ideologies, however incom- patible according to conventional wis- dom, 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 per- sonal 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 dis- tress, times of disease or sickness, be- fore an operation, or 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 encamp- ment, 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 ac- tions, 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 workers who go through their early years without health care, who could not able 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 life- time, and he has made their economic security his agenda. And so many mil- lions 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 re- sponsibility to each other, that Amer- ica is still in the process of becoming, and that we are privileged to serve here to make that dream real for all Ameri- cans.

That 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 MARKLEY

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 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 Super Bowl team won 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 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 big voice and well-recognized lobby in Washington—the poor and the underprivileged. His legislative accomplishments have enhanced the quality of health care we provide and 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 promotes 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 voice 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 can be seen day by day. He fights to increase access to public transportation and improve and highway system. He brings federal dollars to every corner of the Commonwealth through 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 your years of experience.

REMARKS BY REPRESENTATIVE WILLIAM D. DELAHUNT

This month the family, friends and admirers of Senator Ted Kennedy celebrate to benefit from his years of experience. Massachusetts and our country will continue more years with the Senator. I know that in his gift for finding common ground and his mastery of the legislative art.

In no area of his work have those twin attributes been more important than his principal 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 United States Senate or the Massachusetts Senate—has been no small part due to his gift for finding common ground and his mastery of the legislative art.

As a local prosecutor for two decades, I watched the 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 crime.

Ted Kennedy has always understood that government cannot respond effectively to the challenges of our society if they are merely reactive—if they clinging to failed policies and discredited theories our fear of 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 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 of not vengeance but of compassion, asking the Los Angeles district attorney to refrain from seeking the death penalty.

Some politicians have been tempted to cast aside the bipartisan presidency that Ted Kennedy demanded. Not Ted Kennedy. He fought for a balanced crime bill in 1996, yet voted against it when it failed to safeguard the rights of victims. He continued to vote against the death penalty. He stood 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 core of just society, that combination of principle and pragmatism, are among the many reasons I am proud to call Edward M. Kennedy my senator. My constituents, my family. Happy birthday, Ted.

REMARKS BY REPRESENTATIVE BARNY FRANK

The senior Senator from Massachusetts, Mr. Kennedy, has done more to advance fairness in social and economic justice than anyone else in the country. I can think of no group of people suffering from unjustified adversity of whom he has not been simply a champion. He is a passionate, passionate, and, most importantly, the most effective champion.

In fact, his extraordinary lifetime work for social and economic justice has had 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 considerable self-appointed role, I asked myself without anything 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—there is nothing I can add to evaluating a political leader. But to end here somehow seems inadequate—if only to guard against misinterpretation of my opinion by reading it as an endorsement for his retirement. Fortunately, there is one subordinate aspect of Senator Kennedy’s record that I believe calls out for comment—his shattering of a number of political 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 the political world is cleanly divided between idealists, pure but impractical, and pragmatists, ever ready to trade principle for the sake of a deal. And last in this series, Members of Congress are often divided between those who focus on short-term political issues and those 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 part of his legacy. Forty years ago, when Edward Kennedy’s candidacy for the Democratic nomination for the United States Senate. While I continue to have an enormous amount of respect for Senator Kennedy, and for Senator Kennedy’s candidacy for the Democratic nomination for the United States Senate. While I continue to have an enormous amount of respect for Senator Kennedy, and for Senator Kennedy, I want to say here that I have never been happier to have proven 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 Edward 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 country, and has helped to improve the lives 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 unyielding commitment to extend health care coverage to every American. But I want to pay special tribute to Senator Kennedy’s work on behalf of the working men and women of Massachusetts.

As an ironworker for eighteen years, I know firsthand the pride that comes from working for the American dream, 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 labor, and he fights for workers, not just to keep their jobs, but to improve their jobs. 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 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 drive fair wages, and seize our work. His reputation as a trusted negotiator with both workers and management has allowed Senator Kennedy to quiet disputes and bring both 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 our nation was taken out from 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 provide all adult Americans alike 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 has made efforts to expand opportunities for job training centers and career counseling services, which has had 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 clear. Because 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 had an impact 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 leadership, and 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 MCGOVERN

I rise today to pay tribute to a true champion of Massachusetts. Senator 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 Bi- straffa to Bangladesh to Belfast—Senator Kennedy has led the charge.

But though he has reached the pinnacle 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 his efforts.

The Kennedy name, of course, is synonymous with service in Massachusetts. Senator Kennedy not only survived almost unimaginable personal persevered 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 MERRAH

I rise to honor Senator Edward M. Kennedy, Senator Kennedy celebrated his 70th birthday on Friday, February 22, 2002.

Throughout his 40 years in the Senate, 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 Wat Farm in Harvard, from the construction of a new bus terminal 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 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 and has become a true statesman of the Democratic Party, passionately articulating its values and beliefs to a national constituency.

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 today 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 our history, 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
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 process of the peace process simply cannot be overstated.

But there is another side to Ted Kennedy that is often overlooked and 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 and this nation 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 battle on 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 advocate on this issue in the nation. His thoughts on this critical issue lead the network news each night. But unlike most politicians, Kennedy’s best work often 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 went out of his way to make sure the people behind the story were heard. 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 Springfields’ Kennedy School of Social Work, the Federal Hill 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 from July 13, 1969, 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 was that 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 and his 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...
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 years of service. I wish to thank you and your lovely wife Vicki. I wish you both God-speed. 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 Chamber, 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 was there that 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 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 Kennedy name. In the last 30 years, he has accomplished so much. In particular, he has led the effort to bring quality education. He played a key role in the legislation that resulted in the Patients' Bill of Rights that we sponsored and succeeded in getting passage of. He has led the effort to bring quality health care to all Americans. 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 assassinated. 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 Patient's 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 the America’s Promise Act, which Senator Daschle and I helped to pass. He helped to establish atriming teaching 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 a 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 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 that those who were injured in the Cold War were also recognized and compensated. It could not have been done without him.

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 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 Senate. He withstood 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.

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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, 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 time of us found out where he lived.

Ted may not remember, but when we went to the 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. I also want to tell him we 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 Judici- ary 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 the 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 him 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. I yield to my friend, 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 more time to do what I came here to do. I could not let this time go 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, 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 be considered a liberal vote, has 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 person who is 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 whose job it is to keep this place running. 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.

It was my honor 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 be 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 been created, 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 felas 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.

We 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 Family and Medical Leave Act of 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 services bill, the Ryan White Care Act; and, the orphan drug
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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 successfully, 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 Clinton’s 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 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 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 Utahns.

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, I know well how it 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 fought together, 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 would 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 all of 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 things 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, to strive 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.

I understand 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.

Good afternoon.

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 would say that 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 KENNEDY did 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.

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. Acknowledgment of the herculean effort 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 senators 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 from the people, 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 more 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, 1967. 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, not in a 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 declarations on the subjects which are near and dear to his heart. He does wear a microphone, but he hardly needs one when he is speaking.

He fills the Chamber with his enthusiasm and his passion.

When I chaired the subcommittee appropriate for education, there was no appropriation adequate for Senator Kennedy. However much money we put in, he wanted more. Very often—never 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 relief bill, 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 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.

And, Madam President, 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 included 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 a proud 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 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 firsthand his ability to tap into the needs of disadvantaged communities and push 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 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 that critical legislation—the 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. As many of you know, 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 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 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 here today, and I am honored to have been able to serve under his leadership.

Senator Kennedy was 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, and for educational 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 accomplishments during his nearly four decades in the U.S. Senate, many more decades 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 Edward 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 Viicki 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 for the education 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 death, got into the choir loft and listened to the eulogies being given to him. I can't help but think my friend from Massachusetts might 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 a young man at the time he was 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, and I 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 I was not as tall as he and often had to stand on unpainted ovals in the reception room.

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; 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 caricatures of the 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 Clay, Welty, 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 elected to public office in the future.
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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 rather than legislators. 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, capitalist liberal 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 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 your kind 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 it. 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 seven here longer than me. That is equally discouraging. In that sense, I think only two have been here longer than him.

This place has a way of promoting the delusion that you can change the world. 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 have more passion than 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, for whom he has been watching. Although he is 70, in his 70 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 on, 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 30 years. I have known him for 30 years. But the State has changed, that he is the flattest man I have ever known. He has no doubt. Just watch him; he knows and feels it still matters.

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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 we're going to have a celebration 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 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. He makes 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—no, that 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 28, almost 30 years I have been here, how many times the things I regret having been diminished in this place. It used to be you could turn and say that about 80 people here. I should place. It used to be you could turn and see that the story of the people of my State, I have some direct connection with. I still have friends up there. I used to see 3,000 people at the final dinner 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.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. KERRY. 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 with me 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, 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. 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:

The answer is the world’s hope. The cruelty and obstacles of a swiftly changing planet will not yield to the obsolete dogmas and outworn slogans. It cannot be moved by threats of force or the promise of security, 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, but a state of mind, a temper of the will, a quality of the imagination, a predominance of courage over timidity, of appetite for adventure over the love of ease.

He was talking about his brother. I yield the floor.

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.

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 kind words toward my colleagues. 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 deep thanks that the way 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 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 this body of Congress. We did not have very much. Macaroni and cheese was standard fare for our 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 wasn’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 a better life.

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 of us. My mother had to go back to school, whether it was my ability and work, whether an education for all of us.

This man stood up and fought for the things we are concerned 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 have seen the process work here. I still believe in the political process. I have seen it work at the time of the Kennedy assassination. 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 in the political process because of the 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 in the political process because of the strong faith, the sense 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
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. ENSKEN, 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 ENSENCE and Senator BURNS for co-sponsoring 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 non-discriminatory 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 and every 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 permissible. 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 bill’s status in this tithe. 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 and localities 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 Senators 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 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 $2 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.
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.

We have reviewed the text of your proposed amendment and endorse it as a mechanism to guarantee that federal mandates be accompanied by sufficient funds to ensure that our States do those things for which we have never been able to cast a vote in the past.

I happen to believe that 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 these 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 Congress, we feel very confident that the resources are going to be there on a bipartisan basis.

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 mandate 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 hand, 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 and ask for its immediate consideration.

Sincerely,

OLENE S. WALKER,
Lieutenant Governor.

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 place a financial burden on our 29 counties. We are dedicated to providing the best service to 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 endorsed amendment and endorse it as a mechanism to work with you to ensure that all elections are fair, open and efficient.

Sincerely,

RON THORNBURGH,
Kansas Secretary of State, President, National Association of Secretaries of State.

LARRY NAAKE,
Executive Director, National Association of Counties.

WILLIAM FOUNT,
Executive Director, National Conference of State Legislatures.

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.

There being no objection, the letters were ordered to be printed in the record, as follows:

NATIONAL ASSOCIATION OF SECRETARIES OF STATE, NATIONAL CONFERENCES OF STATE LEGISLATURES, AND NATIONAL ASSOCIATION OF COUNTIES

February 25, 2002.

DEAR SENATOR HATCH: 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 place a financial burden on our 29 counties. We are dedicated to providing the best service to
Mr. HATCH. I move to lay that motion on the table.
The motion to lay on the table was agreed to.

Mr. HATCH. Madam President, I send an amendment to the desk.

The Senator from Utah [Mr. HATCH] proposes an amendment numbered 2938.

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. 2938, is printed in the RECORD under “Amendments Submitted.”)

Mr. HATCH. Madam President, I rise to offer another amendment to the bipartisan election and voting rights act of 2002. First let me thank my colleagues Senators Dodd, McConnell, Bond, Schumer, McCain, Toricelli, and others for all the hard work that they have put into this bill. I also want to thank Senator LEAHY for cooperation, and I think that 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 213 million people who registered but did not vote in the 1996 election, more than on e 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 it easier or by simplifying the method of voting itself? As the elected representatives of the people, we should consider every opportunity 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 not yielded the desired 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 1996 have done so at their local Department of Motor Vehicles, the single highest method compared to voter registration through other channels. 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 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 registration information, online voting, and participation in the Internet to foster civic action. I think 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—content that there are numerous benefits to this 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 Nunn supported 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 enhance equal access to the voting place and the integrity of the voting process, it would be irresponsible of us to ignore the potential....
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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 we 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 upon the completion of the 4 minutes is an acceptable opportunity to speak for just a short set of remarks, and then you can set it 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. LELAND. 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 PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. 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.”


(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—

Mr. HATCH. That is fine.

Mr. DODD. I urge the Senator to set it 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 of any substance.

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 would 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 the Senate chooses, or so 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.

The PRESIDING OFFICER. Without objection, the amendment will be set aside. The Senator from Georgia is recognized.

AMENDMENT NO. 2863

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 as follows:

The Senator from Georgia (Mr. CLELAND), for himself and Mr. MILLER, proposes an amendment numbered 2863:

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, and 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 PREISDING 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 PREISDING 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 President 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 what 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, voters did 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, the 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, but on improving our election system but also on 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—who 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. So-called post-election standards in State law set, 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. I understand the bill 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 2020.

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 or third 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. PRUITT). 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

NAYS—0

Akaka
Alaska
Allard
Allen
Baucus
Byrd
Baucus
Bennett
Biden
Boxman
Bond
Borcher
Breaux
Brownback
Bunning
Burns
Byrd
Campbell
Carnahan
Carter
Cleland
Clinton
Cochran
Collins
Conrad
Corzine
Craig
Crafo
Daschle
Dayton
DeWine
Dodd
Domenici

Dorgan
Durbin
Edwards
Enzi
Feingold
Fitzgerald
Frist
Graham
Grassley
Gregg
Hagel
Harkin
Hatfield
Hatch
Helms
Holmes
Hutchinson
Hutchison
Inhofe
Johnson
Kennedy
Kerry
Kohl
Kyl
Landrieu
Levin
Lieberman
Lott
Lugar

McCain
McConnell
Mikulski
Miller
Markoski
Murray
Miles
Nelson (FL)
Nelson (NE)
Nichols
Reed
Reid
Robert
Rockefeller
Sandlin
Sarbanes
Sessions
Shelby
Smith (ND)
Smith (OK)
Snowe
Specter
Stabenow
Stevens
Thomas
Thompson
Torricelli
Voinovich
Warner
Welstone
Wyden

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 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

NAYS—0

Akaka
Alaska
Allard
Allen
Baucus
Byrd
Bennett
Biden
Boxman
Bond
Borcher
Breaux
Brownback
Bunning
Burns
Byrd
Campbell
Carnahan
Carter
Chafee
Chiles
Clinton
Clinton
Cochran
Collins
Conrad
Corzine
Craig
Crafo
Daschle
Dayton
DeWine
Dodd
Domenici

Dorgan
Durbin
Edwards
Enzi
Feingold
Fitzgerald
Frist
Graham
Grassley
Gregg
Hagel
Harkin
Hatfield
Hatch
Helms
Holmes
Hutchinson
Hutchison
Inhofe
Johnson
Kennedy
Kerry
Kohl
Kyl
Landrieu
Levin
Lieberman
Lott
Lugar

McCain
McConnell
Mikulski
Miller
Markoski
Murray
Miles
Nelson (FL)
Nelson (NE)
Nichols
Reed
Reid
Robert
Rockefeller
Sandlin
Sarbanes
Sessions
Shelby
Smith (ND)
Smith (OK)
Snowe
Specter
Stabenow
Stevens
Thomas
Thompson
Torricelli
Voinovich
Warner
Welstone
Wyden

NOT VOTING—2

Ensign
Jeffords
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 Senator from South Dakota 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 2003—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 further debate or 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 express appreciation to the two managers for getting this far on this very complicated issue.

The PRESIDING OFFICER. The Senator from New York.

The PRESIDING OFFICER. 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 2971.

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 PRESIDING OFFICER. Mr. President, I send an amendment to the desk.

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 2971.

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:

(a) IN GENERAL.—Nothing in this Act may be construed to authorize

For the many States that have

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 voter votes.

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 anti-fraud 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 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 anti-fraud 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 register 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 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 the States, and I have heard from 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 will not do anything 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, expressing strong reservations about the provisions and urging that they be changed.

I ask unanimous consent to have these 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 bill, 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
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, 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 vote by mail creates not only an administrative burden on election officials, 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 you 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 lots of the progress we have made in the last decade to allow people to vote. In many areas, it could undo lots of the progress we have made in the last decade to allow people to vote. In many areas, it could undo lots of the progress we have made in the last decade to allow people to vote.

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 successful by the states, could enhance the antifraud provisions without having a chilling effect on voter participation.

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 requirement is certainly not the answer to this issue. Since September 11, the Capital Police Corp of North Carolina govern-
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, but 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 student housing, people are sharing anyway.

Many students who do not have licenses, particularly in urban areas. What would they do? They know that people who are young, young people—whom we must have to bring into the system and get into the habit of voting. Turning them away sends the wrong message at a time when we can least afford it.

What 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, 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 the 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 be more difficult, with 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 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 meet and greets, how many people here know 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—when I was 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, I say to my colleagues, I say to my staff, I say to my friends in New York—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 and attestation is effective, as proven by 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 have effectively used, and have their votes be counted.

I say to my colleagues, this bill has very finite 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.

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 walk down and 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 continue using attestation and provision is effective, as proven by all the States that use it. It prevents fraud just as well as the existing 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. Then you then scan it 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.
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 vote fraud. It would be an additional shame to include a provision in the 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. 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, it would 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 Register 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 effort that a 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. It was reported in the media 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 the election. Therefore, if a citizen in St. Louis registered by mail and was a first-time voter, the city attorney was brought in, and immediately a review of the 3,000 cards was done, and it was learned 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 thing. If those people had been allowed to vote by signature affirmation, guess what. I bet the mail-in vote, the mail-in vote by signature affirmation would be a less accurate vote. I bet the mail-in vote makes it much easier to put fraudulent votes on the voters 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 phonny 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 votes 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 identification which 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 are able to provide 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 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 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. If they come from that place in the 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 everyone write down their names. Under this system, I could register my colleague from New York. I certainly would not do anything unlawful, but who would 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 you a sample of some of the things we have found from news articles. The Palm Beach Post, May 28, 2001, reports 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 voted to have someone else vote 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 Denver Post, 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 cast in precinct 85 where the election judge hired six relatives as clerks, 600 ballots were cast in 49 out of 50 weeks. And only 37 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 November election, 361 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 in require ments 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 northern California artist Judith Selby, who often scours the beach looking for ingredients for her art, 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 Post reported that 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 on ballots which do not belong to them. 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, Alaskans 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 classic scheme approved 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 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 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, Ritzky Mekler could have done it. She got her voter registration, put the dog on the card. As long as somebody went to the trouble to get the dog registered, follows up and signs Ritzky’s name, pretty much the same way when she votes absentee—no problem. Ritzky’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.

Voter 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 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 on a 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 document.

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 go beyond fighting fraud by eliminating the identity provisions, as the scheme would roll back the efforts by several States to require first-time voters who register by mail to be allowed to vote in person the first time after they register by mail.

These States: West Virginia, Virginia, Tennessee, Michigan, Illinois, Nebraska, 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, Nebraska, 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 first 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 people 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 have a feeling we would have agreed to the 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, but we say to charge the penalties 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 M. Barnes? 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 colleagues, the distinguished senior Senator from Missouri, that he may be talking to nursing home residents in his State, but I will put no one 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 older citizens, to 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 election. It was a campaign as clean as those of other States, and that was the appeal and the convenience of this system in place at the end of the line, at the clerks—at least in my State—in the time a new voter registered in a county, the county clerk would have to call the clerk—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.

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 license. 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 is 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 a provisional 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 burden imposed by this photo ID requirement will fall disproportionately on the Latin American community, thereby violating section 2 of the Voting Rights Act.
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 center and things 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 tell you, 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.

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 card they had. 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 we all 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 “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 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 are going to register and a number. 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 don’t have to register and a number. 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.

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I have an amendment that my good friend from Oregon—and we know each other’s States very well, and we also understand the people there very well. I have a feeling they 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 would put voting rights in a mandates list where they have to be 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.

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 would 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 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 Thorne, 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 so ordered to be printed in the RECORD, as follows:

U.S. Department of Justice,
Office of Legislative Affairs,

Hon. Christopher S. Bond,
U.S. Senate,
Washington, D.C.

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 that such persons are 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 involve an undue burden or abridge the right to vote on account of race or color. Far from automatically violating Section 5, identification requirements provide at least one of the documents accepted under this flexible requirement.

I. background.

Initially, we assume for the purpose of this letter that the Section 103(b)(2) of S. 565 would require a change in pre-existing existing voting “qualifications, prerequisites, standards, practices, or procedures” cognizable under Section 5. See, e.g., Young v. Fordice, 529 U.S. 273, 285–86 (1999). 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 response to your letter, we have 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. In 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 requirements of 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) 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

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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 watch it one night when I was watching television. It was about this 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, and 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, some points stick in my mind.

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 do it with 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 knows 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 if 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 contribu-
Ritzey is going to find a way to vote illegally, incorrectly, whether we have this amendment or not. Again, I repeat, all the owner of Ritzey has to do is put a photo ID in that envelope. So do not make it like this amendment allows so easily.

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 disenfranchise a significant number of 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 keep 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—who want to make it the norm because somebody does not have a valid photo ID, utility bill, bank statement, 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 the Senator from Kentucky, again, done with good intention, throws out the baby with the bath water. It disenfranchise a significant number of middle-class Americans.

Mr. SCHUMER. I believe that the Senator from Missouri insists be part of this bill seeks to protect.

Mr. SCHUMER. Since the Senator is asserting there are some Americans who would not have a valid photo ID, utility bill, bank statement, government document, who 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 the Senator from Kentucky, again, done with good intention, throws out the baby with the bath water. It disenfranchise a significant number of middle-class Americans.

Second, I have seen it in the polling places in New York. This is not true—I have seen 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. 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 a valid photo ID, government check, pay-check, 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 one of the things the Senator from Missouri insists be part of the underlying bill?

Mr. SCHUMER. OK. I would answer my good friend. I want to know 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 Missouri, 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. Well, 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 do not have the ID in 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?

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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 do not expect everybody to have a photo ID. Only about 90 percent of all 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 make it 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 to show that 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 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.

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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 and send in a copy they have to produce a copy 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 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 nego- tiated when we negotiated the Dodd-McConnell compromise. We are just going to deal with the people registering that way, yes -- and you, yes, you, here we have for you 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 mul- titudes of pre-existing protective devices. Let me read a relative portion of that arti- cle. Operatives can act as mailmen. Let me read a relative portion of that arti- cle. Operatives can act as mailmen.

Let me go back to the State of Or- egon to talk about percentages. My friend from Oregon believes the anti- fraud protections included in his bill should not apply to Oregon because they are not sufficient protections al- ready in place. My colleague from Or- egon was elected in the first mail-in election, and I understand there is a court challenge to the constitu- tionality of the system. We will be in inter- ested 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 cam- paign 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 direc- tor 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.

The provision, says County Supervisor Tony 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 Wash- ington, government workers in New York get their job through some consultants, as they prefer to be called, simply buy the bal- lots. Failing all else, they steal them from mailboxes.

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 Wash- ington, government workers in New York get their job through some consultants, as they prefer to be called, simply buy the bal- lots. Failing all else, they steal them from mailboxes.

As ballots can be bought, stolen, mis- counted, lost, thrown out or sent to Den- mark, nobody knows with any precision how many votes go uncounted in American elec- tions.

For weeks, Florida has riveted the nation with a mind-numbing array of failures: mis- leading ballots, contradictory counting standards, discarded votes—19,000 in one county alone. But an examination by The Times of Wisconsin to New York shows that Florida is not the exception. It is the rule.

State and local officials give priority to curbing crime, filling potholes and picking up trash. That often leaves elections across the country underfunded, badly managed, ill equipped and poorly staffed. Election work- ers are temporarily hired, training is shoddy and voting systems are fre- quently 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 so- cred. It can be very ugly.”

The examination shows:

New York City use metal lever-action machines so old they are no longer made, each with 27,000 parts. Similar ma- chines in Louisianas 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 absentee ballots. They say they pay canvassers, consultants, as they prefer to be called, simply buy the bal- lots. Failing all else, they steal them from mailboxes.

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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 many voters get robbed.

“Counting votes is like playing horse-shoes,” says Jim Matteo, a former Texas attorney investigator. “You get points for being close.”

WEAK EQUIPMENT

Voting jurisdictions across the country use five different types of punch-card 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 religion. In fact, however, there is no way to choose their candidates, then pull a big lever to record the choices on a mechanical counter.

The machines are called Shoup, 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 the 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 are also comparatively easy to rig. Louisiana changed to a Shoup competitor in lever machines several years ago after state Rep. Emile “Peppi” Bruneau showed walkers, with a little help from a voting machine technician, how to steal a Shoup-equipped election.

With a lighted 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 Flexiglas 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.

With 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—ballots that are both cast and discarded.

Prompted by problems in last month’s election, officials in Wisconsin have decided to scrap their chad-producing systems by the end of the year. The system delivers 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 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 not immune to rigging with members from competing political parties.

Election officials say this system works, but Shawn Newman, an attorney who reported with Ethics and Accountability Now (CLEAN), based in Tacoma, Wash., considers the practice a sham. “Your ballot can be re-marked, remade totally,” he said, “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 $500 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.

Oth er security concerns are raised by Internet voting. Despite what Arizona Demo crats regard as an experiment in their primary this year, William Kimberling, the Federal Election Commission deputy di rector, calls it “a breeding ground for fraud.”

What is never trouble-free is the combination of computers and humans.

Four years ago, a county in 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 32,039 more names on its rolls than it has voting age population. Virginia Breeze, spokesman for the state Division of Elections, says the rolls are hard to purge because people move, but “Alaska has always been boom or bust.”

One of every five names on the Indiana rolls is bogus, according to Aristotle Inter nation, a Washington, D.C.-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 voter registration 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. Some voters live in Indiana. Still others are in prison—or dead.

To compound those troubles, Indiana makes it possible for voters to register from the rolls. One person might register six variations of his name. On the rolls, he would become six different people. Unless he caught them, 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 preregistered, they use these 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 for Lyndon B. Johnson’s political career. The extra ballots were cast in alphabetical order and marked in the same handwriting and with the same ink as the ballots in the Johnson’s campaign office. “I may have paid 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 of the 1968 theft. “They paid to go out and solicit people for their mail-in ballots. Sometimes they actually pay people for these ballots. . . . The political machine 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. They never told me about it. He said he was scared.”

One woman in the trade describes the people 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 politician, you’ll have $1,500. I have 187 people on my list.”

“Absolutely,” says Anita, “I’ve had a girl in my neighborhood that I bring beer to. I see her three times a year. She says, ‘Oh, it’s your election time. I’ve got 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 some good, 10 year old. I’ll give you her ballot. . . .

“She says, ‘You keep up with obituaries. If somebody dies, you get a new person.’”

Confessions 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. The Times of London once published a story by 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 year, 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 neighbors 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 1% said others had signed their ballot envelopes. Rose suspects the real number is higher, because people are reluctant to admit being party to a crime.

If that is indeed the case, it means 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 impossible to know how many 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 Ehrin, 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 2 days of interviews in east Cleveland, only one said he received notification.

"I never got a card, never," says Francis Lundrum, who says he’s a native of the county. He says he was turned away because he was an "illegal alien" at that time. "I was a veteran of the United States armed forces! I want to vote!"

It did no good.

"I am a veteran of the United States armed forces! I want to vote!"

Lundrum and the others who were turned away should have been given provisional ballots, to be certified later. Among those who did not receive the ballots, 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 hard 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, Denmark. Brian and Helle Kain of Odense, Denmark, discovered them in a large envelope containing navigational charts they had ordered from a company in 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 thought Forrest had ordered the ballots. 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 were upset about it. But I guess if you’re going to assume 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 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 or county board of elections.

Gary L. Greenhalgh says he favored "mandatory standards with teeth" when he directed the Federal Election Commission’s national elections standards and 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 putting their factories on the cost. So an association of state election directors hired a consultant to find laboratories to test voting systems. They wanted to mediate among vendors, labs and authorities.

It became an example of interdependence between public election officials and private companies that grew too intimate. In this instance, there was no illegality, not even over-reliance upon the vendors to do official duties—but there was an undeniable conflict of interest.

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 STANDARDS

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 state, county and federal election 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.

* 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 and further research.

* Urge all states to set uniform standards for how to determine a voter’s intent if it is not clear.

* Establish an ethics code for county election officials to prevent revolving-door and conflict-of-interest problems. Set standards and ban 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 held up across the entire population, that might mean 80,000 voters had someone else mark their ballots, 40,000 voters had someone else sign their ballots; 4 percent of voters either 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 under- way. I feel like “Waiting for Godot” to see the successful prosecution of elec- tion fraud when 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 prosecu- tions. We cannot do that here. We can assess the penalties. We need strong poll watchers, watching the other. Re- publicans watching Democrats. We need strong prosecution. The minimal provisions to protect against drop houses and phony registration—which, yes, includes permitting dogs to reg- ister and permitting the name of other people to vote illegally; there were 3,000 phony ballots for a mayor’s race; 30,000 uninvestigated ballots be- fore a general election in Missouri in November of 2000. If you want 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.

The 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 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 do so and 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 non- existent people, dead people, or dogs.

The report of the Senate from New York undoes the compromise we have reached.

The PRESIDING OFFICER. The Sen- ator from Oregon.

Mr. WYDEN. Mr. President, I will take a couple of minutes to respond to the comments the distinguished Sen- ator 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 par- ticipation 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 Or- egon is tremendous benefit in terms of voter participation. The level of par- ticipation is three times as high as that seen in Senate spe- cial election that certified New Sen- ators 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 re- lating 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 in- terested in working with our col- leagues, Senator McCONNEELL and Sen- ator BENVENITI, on this issue because I think we are in a very dif- ficult position, given the last hour and a half of debate. The distinguished Sen- ator from Kentucky has essentially an- nounced 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 this effort up to this point. I was not party to the nego- tiations that took place in committee. I can tell the President and our col- leagues 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 more than a week later 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 prod- uct—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 ef- fect 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 a oppor-

I know there have been months and months of negotiation in good faith in the committee. But this Senator, who has just said here where his State has worked, a State that has empowered so many through vote by mail, didn’t participate in any of those negotia- tions. On top of that, I probably, with- out thinking about Senators DODD and MCCONNEELL, I probably 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 too difficult to vote.

The hour is very late. I cannot be- lieve the distinguished chairman of the committee, Senator DODD, and the dis- tinguished ranking minority member, Senator McCONNEELL, are all that wild anything 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 Demo- crats 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 nego- tiations. 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 wait- ing until 2004. We should be trying to do it this year. I probably would 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 to- gether 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 Sen- ator 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 amend- ment.

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 col- league 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 colleagues from Missouri and colleagues from New York and Oregon. They have been engaged in meaningful debate. I regret that I don’t have more time 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 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 one State but the entire country, one which is desperately in need of repair, so that our great Nation should be a model of how the process works. You have 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 be brought together to work and where others raise legitimate issues. So that percentage increases, and those numbers are larger for new voters.

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 and streamline their systems. In many places our systems of voting are antiquated and people are being disenfranchised. The bill has been under consideration for some time. 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, especially in presidential years, 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 voters who are elderly, or disabled or are absent, to see to it that we would not in any way jeopardize his State or the State of Oregon from continuing to pursue some novel, unique, and very worthwhile ideas on how people can be brought together to work and where others raise legitimate issues. 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 PRESIDENT pro tempore of the Senate 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 all here this past 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 very active in this. He has given us an expert. We are talking about election system, and everyone had to go through one to get here. So this is not a subject matter where other legislatures choose 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 people together and to late tonight. 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 where 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 help, if it has 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 asked Members how they would vote on this. The leader has done that. We 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 to late tonight. 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 where 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.

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CANTWELL, DODD, MCDONNELL, WYDEN, and others to perfect a provision in the bill that would have placed an undue burden on jurisdictions utilizing vote-by-mail.

I thank those Senators who worked on this 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 disenfranchise 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 individual 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 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. 293

Mr. SMITH of New Hampshire. Mr. President, I send an amendment to the desk.
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 wanted to challenge that.

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. I will wait until they are closed.

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 at the results of the 2000 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. In the 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 by the Yale Law School. Most people do not know too much about this issue, but it 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 almost 3 p.m., or a range of 7,500 to 10,000 Republican voters.

Obviously, when you are talking about a few hundred votes—indeed a few dozen votes at times—a few thousand is a huge, huge issue.

Here are excerpts from affidavits about what happened in the Florida Panhandle in 2000. There were some affidavits from poll workers, poll clerks, judges, and clerks. 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 throughout from 6:00 AM until 7:00 PM. Between 6:00 and 7:00 AM —

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 when 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.

The clerk for elections, Okaloosa County, Precinct No. 34:

As the Clerk, my duties included working the booths, 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 the 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 only had 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 7:00 PM for the general election. We had a 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.

With 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 five 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 day but little to no 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 were aired incorrectly. I think, although they will say they did not know because the news release is dated, 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, Florida—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 winner 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, don’t you 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, Florida—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 should allow 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 nauseum, 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 close. 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, 7 and 8 p.m. Central Time, between 7 and 8 p.m. East. And some of the places in Florida in the panhandle are still open, the State of Florida [where the polls have closed].

Dan Rather, CBS, again:

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 Nation and for weeks to come. We 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 is the biggie.

Bernard Shaw, CNN:

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Peter Jennings again:

It’s also not true that recount has been going down steadily over the last few years and that some of those 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:

Bill Nelson, won.

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, on the 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 electoral votes, the name in the panhandle; Arkansas, with 6 electoral votes, and Virginia. There is no qualifier. It did not say it time and again, 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.

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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 21 electoral votes. Where the polls have closed, but no decision is in yet—Florida with 25 electoral college votes.

Peter Jennings:

275 electoral votes needed to win. I’m going to throw it in now and in 9 hours 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 ooh-ooh, 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, not what they read in the paper. 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 Circumstances.’ 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. “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 then it was our coverage that 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 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.

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’s what they were talking about.

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 unconstitutuional. 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 with these common sense 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 prove that the 1998 law was unconstitutional. It is not. 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 state 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:

TO: Hon. Bob Smith, Attention: Edward Corrigan
FROM: Daniel Cohen, Legislative Attorney, American Law Division
SUBJECT: Whether Prohibiting Broadcasting False Information About Federal Election Would Violate the First Amendment

This memorandum is furnished in response to your request for information on 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 a 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 made false statements about the location or times of operation of a polling place, or the display or distribution on campaign materials within 100 feet of the entrance to a polling place. The Court recognized that this affected 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 on the First Amendment and its 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 served 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 held unconstitutional as a prohibition and not any specific legislation.

In fact, though Burson v. Freeman was a 4–3 decision, it appears that the constitutionality of the proposal under consideration might not be 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—was not facially content consider, 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 belied the 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 repressive 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 218–219. It does not appear that a comparable view of the First Amendment has been 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 polling place, or misleading statements about election results. If a statute banned only false or misleading statements that could 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 the proposals under consideration, involve false or misleading information that suppresses potentially millions—in this case thousands—of people to believe that their vote doesn’t count. In this case, they have been reliable models and jumped ahead and found themselves saying, as Senator Greenfield’s book, “Oh, Waiter, One Order of Crow.”

As a result of that, according to many—I am not suggesting this is absolute—the decision 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 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 this—that we can make a more careful examination of these issues the Senator has raised. We might want to address it in a way, in the very early consideration for the Election Day.
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 have 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 use, 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 we 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 would not raise a presidential objection, it is so ordered. The clerk will report. The legislative clerk read as follows:

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. 2. 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 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.—The Commission shall carry 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 or impose 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 the purposes described in this section such sums as may be necessary for fiscal year 2002 and each succeeding fiscal year.

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 2908.

The Senator from Connecticut (Mr. DODD), for Mr. SESSIONS, proposes an amendment numbered 2909.

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. 2908**

(Purpose: To establish the “Help America Vote College Program”)
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 vote by tomorrow. Everyone 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 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.

Mr. GRASSLEY. Mr. President, in recent months the country has 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.

I am pleased to offer my support to the election reform legislation we are considering today. The election of 2000 left many problems in our election system and highlighted some of the barriers to voting which have kept too many of our men and women in uniform from the polls for too many 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.

Mr. KOHL. Mr. President, I am pleased to offer my support to the election reform legislation we are considering today. The election of 2000 left many problems in our election system and highlighted some of the barriers to voting which have kept too many of our men and women in uniform from the polls for too many 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 legislation that is before us 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 would establish voting 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. 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.

Senator Feingold, Senator Durbin, 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 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, I was 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 on the Sunday before the first Tuesday in 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 timing also reduces the risk of 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 the same time. If officials thought the polls 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 observance. I have had no problem with this day of the week.

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 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 the system 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 farmers coming to town to court day, and land-owning voters were often coming to town anyway.

Just as the original selection of our national voting date was done for voter convenience, we must adapt to the changing 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 to choose 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 options to Americans, especially working families.

Since I introduced my weekend voting legislation in 1997, a number of States have been experimenting with new 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 weekend voting, and 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 in May, 46 percent of the voters cast their ballots 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 personnel, vote online. The pilot program was a tremendous success. 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 disenchanted with our country. 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 weekend, 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 law. 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 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 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 an Israeli nurse 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 educational institutions in Israel, which provides health care 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 to 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 the past 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 Baltimore tradition. 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 healthcare, teaches and research both in Israel and around the world, and opens its doors to everyone in need.

Henrietta Szold's greatest contributions have not been limited to her 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 detection; 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 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.

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
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 commemoration of this event, whose Jewish name was Hadassah, 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. It is appropriate that Henrietta Szold was inspired to create Hadassah when she learned of the conditions of impoverished Jews living in the slums of Turkish-ruled Jerusalem.

In February 1912, Hadassah has grown into the largest women's and largest Jewish membership organization in the United States. Today, comprised of 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 Israeli 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 about its founder, Henrietta Szold was born in Baltimore, MD on December 21, 1860. The eldest of eight children, her father, Rabbi Benjamin Szoled, 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 Congregation. 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 inspired 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 adopted this mission, dedicating themselves to the improvement of health care in Palestine and the promotion of Jewish education in Israel. 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 information 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 Aliyah which provides disadvantaged Israeli and immunized children with education and housing; Young Judea, which helps American teenagers build connections to Israeli 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 dedicated to bringing Jewish services and support to Israel and the American Jewish community. I am proud 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 Szoled 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 great leader and a friend.

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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. However, it took a 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 Judah/Young Israel groups 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 jobs, 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 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 and other events. Congresswoman Chellie Pingree (D-ME) invited the Select Committee on Ethics to participate in a reading relay with members of the Select Committee.

“Read Across America,” is a day to celebrate the joy of reading and 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 larger 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, which 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 Lopez, 18, and a 15 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 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 message 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 word and friends of sailors abroad heard 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, the news spread, the news spread. Kasi’s Christmas messages poured in from all over the country. Kasi’s Christmas messages poured in from all over the country. Kasi’s Christmas messages poured in from all over the country. Kasi’s Christmas messages poured in from all over the country.

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 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 urge 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’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 wanted their message to reach 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 impact 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 of 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 service members, 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, brothers, sisters, and sons who serve on our service men and women deployed abroad, and the commanders who lead them.
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 our Nation: honor, courage, and commitment. They have demonstrated 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 every faith in our Marine 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 order, brought peace to 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 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 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 Reserve Forces, including the Marine Corps reservists, serve our 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 their 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 efforts of nearly 90 percent of commercial flight simulators as well as numerous military simulators.

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 foes that 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, 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 benefits 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 also served as a member of the Governor’s Board of Advisors, and the committee 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 member of the Governor’s Board of Advisors, and 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, a pioneer in 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. Glotzback, a native of Topeka, KS, is ending her career in Government service. For half of her time in Government Ms. Glotzback has worked as a secretary for the U.S. Agency for International Development and its predecessor agencies. Ms. Glotzback was there almost at the creation—joining the Economic Cooperation Agency less than a year after it was established 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. Glotzback 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. Glotzback 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 personal 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 promoting American Jewish continuity, pursuing social justice, and helping 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 care protections for American and Israel’s medical infrastructure.

Today in Israel, Hadassah supports 10 inpatient hospitals, 50 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.

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 for our young people to meet 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 State Department 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 the State. Bernadette’s parents and students continue 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 of the U.S. Merchant Marine Academy, who is the first woman 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 and 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 that tradition. She maxed 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 seamanship, not just 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, more involved than their counterparts in other parts of the state.

Calvin was a Methodist 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, 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 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 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 stable 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 on the radar screen account of 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 Committee, he had the highest counted exactly the day before it was taken.

He believed in consensus, in detail and in organization. He was a 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 a Methodist 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, African Americans were not to be served at the counter. Outraged, Calvin did so anyway—then walked out before he could be fired.

In retail clothing as in retail politics, you have to see walk through the front door. That is a legacy worth renewing as the torch of political leadership passes to a new generation.

TRIBUTE TO LILLIAN CIUFO

Mr. TORRICEILLI. 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.

That is a legacy worth renewing as the torch of political leadership passes to a new generation.
CONGRATULATIONS TO DAVIESS COUNTY HIGH SCHOOL

Mr. RUNNING, 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 compliment 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 his days in New York City and at the Pentagon last September, many Americans have realized how important 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 indispensible 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 Salt Lake City, Utah.

But I wish Sheriff Graham’s lengthy time in office has given his constituents the reliable and competent law enforcement personnel 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 49 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. She received her 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.

I commend Bode for his exemplary skill and talent as he receives this prestigious award. An accomplished skier, Bode has won numerous 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
February 26, 2002

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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 medalist.

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. 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 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.

Katie was a member of the 1998 United States Olympic ice hockey team in Nagano, Japan, and 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.

Katie 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 Katie’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 especially 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
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–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 “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 “Animals Destroyed Because of Tuberculosis: Payment of Indemnity” (Doc. No. 01–108–1) 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 Birds, Poultry, or 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. 01–108–1) 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. 01–088–2) 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. 01–088–2) 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. 00–088–2) 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. 00–108–1) 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. 00–088–3) 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. 01–088–2) 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 “Change in Disease Status of the Republic of San Marino and the Independent Principality of Andorra” (Doc. No. 01–088–2) 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 “Commuter Travel 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 “Hot Water Treatment for Limes” (Doc. No. 99–081–1) 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 France” (Doc. No. 00–088–2) 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 Receive 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 Pakistan” (Doc. No. 01–088–2) 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 “Foot-and-Mouth Disease” (Doc. No. 01–010–1) 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 “Change in Disease Status of the Republic of Slovenia” (Doc. No. 01–055–2) 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 Colombia” (Doc. No. 01–088–2) 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 “Change in Disease Status of Guatemala and the Virgin Islands” (Doc. No. 00–099–2) 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 Guinea and Equatorial Guinea” (Doc. No. 00–100–2) 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 “Interim Final Determination that the State of California Has Corrected Deficiencies and Stay of Sanctions, Kern County Air Pollution Control District” (FRL7141–1) received on February 25, 2002; to the Committee on Environment and Public Works.

EC–5535. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Termination of the Designation of the State of California As a Participant under the Visa Waiver Program” (RIN1115–AB93) received on February 21, 2002; to the Committee on Judiciary.

EC–5536. 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–5537. 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 “Civil Assets Forfeiture” (RIN1515–AC69) received on February 25, 2002; to the Committee on Finance.

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; Designation of Quarantined Areas” (Doc. No. 01–010–1) 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 Romania” (Doc. No. 00–098–2) 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 “Asparagus Root Rot; Designation of the State of California As a Participant under the Visa Waiver Program” (RIN1115–AB93) received on February 21, 2002; to the Committee on the Judiciary.

EC–5543. A communication from the Director of the Policy Instructions Branch, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, the report of a rule entitled “Visa Waiver Program” (RIN1115–AB93) received on February 21, 2002; to the Committee on the Judiciary.

EC–5544. A communication from the Deputy Administrator of the United States, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Plant Pest Regulatory System, Fungal Diseases and Disease Status of Slovakia and Slovenia” (Doc. No. 01–030–1) received on February 21, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5545. 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. 00–098–2) received on February 21, 2002; to the Committee on Agriculture, Nutrition, and Forestry.
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, John J. Kupris, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on December 20, 2001.

Air Force nominations beginning Linda P. 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 23, 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 23, 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 23, 2002.

Army nominations beginning Gary J. Brockerhoff and ending Donna M. Wacht, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on January 23, 2002.

Marine Corps nominations beginning Robert J. Abbott and ending Carl J. Woods, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on January 23, 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 23, 2002.

Air Force nominations beginning Kirby D. Ammonson and ending * Dalton F. Wilson, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on January 23, 2002.

Air Force nominations beginning Sandra G. Miley and ending Margaret M. Nonnemacher, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on January 23, 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 23, 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. Alfroid and ending Francis C. Fusconi, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on January 29, 2002.

Air Force nominations beginning Raul A. Ayular 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. Ziebius, 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 11, 2002.

Army nominations beginning V. Michael Allen and ending John J. Kupko II, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on February 11, 2002.

Army nominations beginning Albert H. Helt and ending Michael J. Schrader, 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. Susozi, 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. Susozi, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on February 5, 2002.

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.*

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 to as indicated:

**S. 1129**

By Mr. KERRY:


By 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 (Ms. 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. 834

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. 1082

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. 1228

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. 1278

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 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. 1462

At the request of Mr. HARKIN, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. 1462, 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. BINGMAN, 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.

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.

Amendment No. 2987

At the request of Mr. ROBERTS, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of amendment No. 2987 in 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 grants as authorized under 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 to cover the federal share of the museum’s expansion.

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 serve 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 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 bring 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 museum.
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 is working 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. WELLSSTONE.
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. WELLSSTONE. 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, jumped 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, non-violent 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 certain 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.


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 of family members, 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 5 million use drugs. And nearly four million are in need of treatment but not receiving it.


It costs this Nation almost $276 billion in law enforcement, criminal justice expenses, medical bills, and lost earnings each year. That means that every four people in America are locked up 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 every four people in America are locked up 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.
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, physicians 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 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 policymakers, 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 care that is available. And 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 cut 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. The United Nations reports that 12,000,000 of the patients 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 the age of 18. 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 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 form of treatment. Residential treatment for cocaine addiction costs between $15,000 and $20,000 a year, a substantial savings compared to incarceration (costing near $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.

(7) Many doctors and other health professionals are unprepared to recognize substance abuse in their patients or their families and are ill-equipped to deal with it. Only 56 percent of residency programs have a required curriculum in preventing or treating substance abuse. Fewer than 5 in 5 doctors (only 19 percent) feel confident about diagnosing alcoholism, and only 17 percent feel qualified to identify illegal drug use.

(8) Most doctors are in a position to make a diagnosis of alcoholism or drug addiction but do not believe that treatment works (less than 4 percent for alcoholism and only 2 percent for drugs).

(9) 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, accurately, failed to properly recognize the problem.

(10) 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.

(11) 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 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.

(12) According to the National Clearinghouse for Alcohol and Drug Information, untreated alcoholic or drug abuse accounts 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.

(13) A study conducted by doctors at the University of Wisconsin found a $947 net savings in health-care costs, 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 PROFESSIONAL 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 such Administration to carry out activities to train health professionals (who are generalists and not already specialized 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; and

(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—

(1) with respect to the Health Resources and Services Administration, to support the
Section 4. Substance Abuse Faculty Fellowships

(a) Establishmert.—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 establish, maintain, or expand substance abuse training programs that focus on substance abuse-related issues and on the treatment of persons suffering from substance abuse.

(b) Eligibility.—To be eligible to receive assistance under this section, an institution shall—

(1) 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; or

(v) a graduate program in psychology; and

(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 no more than 75 percent of the annual salary of the individual under such fellowship for a 5-year period.

(2) Fellowships.—Under a fellowship described in 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 to be sustained after the period of the fellowship ends.

(c) Authorization of Appropriations.—There is authorized to be appropriated to carry out this section, $3,500,000 for each of fiscal years 2002 through 2006, of which $1,000,000 in each such fiscal year shall be made available for 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.

Section 5. Oversight Committee

(a) 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 by the Secretary to be knowledgeable about substance abuse, to receive updates concerning and coordinate the Federal activities funded under this Act and the activities of various Federal agencies conducting research on 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 of a U.S.-flag vessel, to issue a certificate of documentation for a U.S.-flag vessel, and to provide for the regulation of U.S.-flag vessels.

The bill was introduced by Senator HOLLINGS, who said: I introduced this 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 12109 of title 46 of the U.S. Code.

The Islander is a motor vessel that is used for commercial fishing. It is 40 feet in length, 13 feet in breadth, and is self-propelled. The vessel was purchased by Robert Scott Fales of Charleston, South Carolina, who purchased 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, Connecticut, it is 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.

The bill is being introduced to exempt 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 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 investments.

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 pensions.

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 that prevented workers from using their retirement funds, actually preventing 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 legislation. Our bill amends existing law to require 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 breach of fiduciary duty, and this will be a deterrent effective 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 put an 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 bill contains a plan that 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. 1052) 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 investment; and)" after "who so requests in writing;".

(2) INFORMATION REQUIRED FROM INDIVIDUAL ACCOUNT PLANS.—Section 105 of such Act (29 U.S.C. 1052) is amended by adding at the end the following new paragraph: "(x)(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 participant, the participants and beneficiaries, of a plan, and an explanation of any limitations or restrictions on the right of the participant or beneficiary to direct an investment; and

(b) CIVIL PENALTIES FOR FAILURE TO PROVIDE QUARTERLY BENEFIT STATEMENTS.—Section 502 of such Act (29 U.S.C. 1132) is amended—

(1) by redesignating paragraph (6) as subsection (6) and

(2) by redesignating paragraph (7) of subsection (f) as paragraph (6); and

(c) by inserting after paragraph (6) of subsection (f) the following new paragraph:

"(h) any penalty that is determined by the Secretary of the Treasury to be more than an appropriate amount to protect the interests of any one entity, such as employer securities.

(3) DEFINITION OF APPLICABLE INDIVIDUAL ACCOUNT PLAN.—Section 3 of such Act (29 U.S.C. 1001) 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 provisions to the contrary contained in regulations promulgated thereunder; and

(b) CIVIL PENALTIES FOR FAILURE TO PROVIDE QUARTERLY BENEFIT STATEMENTS.—Section 502 of such Act (29 U.S.C. 1132) is amended—

(1) by redesignating paragraph (6) as subsection (6) and

(2) by redesignating paragraph (7) of subsection (f) as paragraph (6); and

(3) by inserting after paragraph (6) of subsection (f) the following new paragraph:

"(h) any penalty that is determined by the Secretary of the Treasury to be more than an appropriate amount to protect the interests of any one entity, such as employer securities.

(4) NOTICE OF SUSPENSION, LIMITATION, OR RESTRICTION ON ABILITY OF PARTICIPANT OR BENEFICIARY TO DIRECT INVESTMENTS IN INDIVIDUAL ACCOUNT PLANS.—(1) IN GENERAL.—In the case of an applicable individual account plan, the administrator shall notify participants and beneficiaries of any actions that would have the effect 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 suspension, limitation, or restriction, the anticipated duration of the suspension, limitation, or restriction, and the expected period of the suspension, limitation, or restriction, and

(ii) be furnished at least 30 days in advance of the action described in paragraph (1)(i) to the plan participant or beneficiaries to direct or diversify assets.
SEC. 4. LIMITATIONS ON RESTRICTIONS OF DIRECT INVESTMENTS.—Section 404(c)(1) of such Act (29 U.S.C. 1104(c)(1)) is amended—

(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:

"(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."

(2) RESTRICTION ON DIVESTMENT.—The term ‘applicable defined contribution plan’ means any defined contribution plan that includes an employee stock ownership plan (as defined in section 4975(e)(7)) unless there are any contributions to such plan (or earnings thereunder) that are subject to subsections (k)(3) or (m)(2).

"(1) 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) that are subject to subsections (k)(3) or (m)(2).

"(ii) the advice is provided to the plan or a participant or beneficiary on or after the date on which the participant has completed 3 years of participation (as defined in section 3(21)(A)(i)) held within such plan that are subject to the direction of plan participants and beneficiaries.

"(iii) the advice is provided to the plan or a participant or beneficiary on or after the date on which the participant has completed 3 years of participation (as defined in section 3(21)(A)(i)) held within such plan that are subject to the direction of plan participants and beneficiaries.

"(ii) the advice is provided to the plan or a participant or beneficiary on or after the date on which the participant has completed 3 years of participation (as defined in section 3(21)(A)(i)) held within such plan that are subject to the direction of plan participants and beneficiaries.

"(iii) the advice is provided to the plan or a participant or beneficiary on or after the date on which the participant has completed 3 years of participation (as defined in section 3(21)(A)(i)) held within such plan that are subject to the direction of plan participants and beneficiaries.

"(ii) the advice is provided to the plan or a participant or beneficiary on or after the date on which the participant has completed 3 years of participation (as defined in section 3(21)(A)(i)) held within such plan that are subject to the direction of plan participants and beneficiaries.

"(iii) the advice is provided to the plan or a participant or beneficiary on or after the date on which the participant has completed 3 years of participation (as defined in section 3(21)(A)(i)) held within such plan that are subject to the direction of plan participants and beneficiaries.

"(ii) the advice is provided to the plan or a participant or beneficiary on or after the date on which the participant has completed 3 years of participation (as defined in section 3(21)(A)(i)) held within such plan that are subject to the direction of plan participants and beneficiaries.

"(iii) the advice is provided to the plan or a participant or beneficiary on or after the date on which the participant has completed 3 years of participation (as defined in section 3(21)(A)(i)) held within such plan that are subject to the direction of plan participants and beneficiaries.

"(II) 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

"(III) 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."

SEC. 5. PROHIBITED TRANSACTION EXEMPTION FOR THE PROVISION OF INVESTMENT ADVICE.—

(a) AMENDMENTS TO THE EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974.—Section 404(a)(21)(B) of such Code (relating to diversification of investments) is amended by adding at the end the following new clause:

"(v) of the types of services provided by the fiduciary adviser in connection with the provision of investment advice by the fiduciary adviser, and

"(v) the advice is being given to 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.

"(v) of the types of services provided by the fiduciary adviser in connection with the provision of investment advice by the fiduciary adviser, and

"(v) the advice is being given to 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.

"(v) of the types of services provided by the fiduciary adviser in connection with the provision of investment advice by the fiduciary adviser, and

"(v) the advice is being given to 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.

"(v) of the types of services provided by the fiduciary adviser in connection with the provision of investment advice by the fiduciary adviser, and

"(v) the advice is being given to 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.

"(v) of the types of services provided by the fiduciary adviser in connection with the provision of investment advice by the fiduciary adviser, and

"(v) the advice is being given to 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.
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 or to such extent not be deemed not to have been met in connection with the initial or any subsequent provision of advice described in paragraph (1)(A), unless such participant or beneficiary is, at any time during the provision of advisory services to the plan, participant, or beneficiary, the fiduciary adviser fails to inform the participant or beneficiary in a 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 to establish whether the requirements of the preceding provisions of this subsection and of subsection (b)(14) have been met. A transaction prohibited under section 4975(e)(1) shall not be deemed 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 solely by reason of the provision of investment advice referred to in section 3(21)(A)(ii) (or solely by reason of the provision of investment advice referred to in section (e)(3)(B), in any case in which—

(i) the advice is provided by a fiduciary adviser pursuant to an arrangement between the plan sponsor or other fiduciary and the fiduciary adviser by provision by the fiduciary adviser of investment advice referred to in such section;

(ii) the terms of the arrangement require compliance 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 relating to the advice of a fiduciary adviser, and the fiduciary adviser is a fiduciary of the plan with respect to the provision of the advice.

(c) Availability of plan assets for payment of fiduciary advisers.—Nothing in this paragraph 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).

(d) Definitions.—For purposes of this subsection and subsection (b)(14) —

(A) Fiduciary adviser.—The term ‘fiduciary adviser’ means—Nothing in this paragraph shall be deemed not to have been met in connection with the initial or any subsequent provision of advice by a fiduciary adviser, are the following:

(i) the provision of investment advice to the plan, participant, or beneficiary;

(ii) the sale, acquisition, or holding of a security or other property (including any security or other property, by reason of the provision of investment advice to the plan, participant, or beneficiary, the fiduciary adviser or affiliate) in connection with the provision of 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.

(c) Register.—The term ‘register’ of another entity means an affiliated person of the entity referred to in section 3(21)(B) of the Investment Company Act of 1940 (5 U.S.C. 1934 (15 U.S.C. 78c(a)(18)) (substituting the term ‘registered representative’ of another entity) for ‘registered representative’).

(d) Requirement relating to investment advice.—

(A) Fiduciary adviser.—The term ‘fiduciary adviser’ means—Nothing in this paragraph shall be deemed not to have been met in connection with the initial or any subsequent provision of advice by a fiduciary adviser, are the following:

(i) the provision of investment advice to the plan, participant, or beneficiary;

(ii) the sale, acquisition, or holding of a security or other property (including any security or other property, by reason of the provision of investment advice to the plan, participant, or beneficiary, the fiduciary adviser or affiliate) in connection with the provision of 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.

(e) Requirement relating to investment advice.—

(A) Fiduciary adviser.—The term ‘fiduciary adviser’ means—Nothing in this paragraph shall be deemed not to have been met in connection with the initial or any subsequent provision of advice by a fiduciary adviser, are the following:

(i) the provision of investment advice to the plan, participant, or beneficiary;

(ii) the sale, acquisition, or holding of a security or other property (including any security or other property, by reason of the provision of investment advice to the plan, participant, or beneficiary, the fiduciary adviser or affiliate) in connection with the provision of 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.
"(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 concise 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 REQUEST FOR EVIDENCE AVAILABLE ANNUALLY, ON REQUEST, AND IN THE EVENT OF MATERIAL CHANGE.—The requirements of subparagraph (B)(i) shall not have been satisfied with respect to any plan year beginning after December 31, 2002, if the plan sponsor or other fiduciary fails to—

(i) provide, without charge, current, reasonably accurate information to the recipient of the advice in a form and manner that is reasonably calculated to be understood by the recipient of the advice who is a participant or beneficiary; or

(ii) make such currently accurate information available on request and without charge, to the recipient of the advice, or

(iii) in the event of a material change to the information described in subparagraph (B)(i), 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 section 4975(c)(3)(B) shall not be treated as failing to meet the requirements of this subsection, to ensure adequate principles, including defense of our Nation through his thoughtful analysis of current events.

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 conduct, Daniel Pearl embodied the American ideal of a free and vigorous press.

Whereas America’s war against terrorism is not a war of our Constitution, principles, including defense of our First Amendment Liberties;
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; as follows:

On page 28, between lines 17 and 18, insert the following:

SEC. 402. STATE RESPONSIBILITY TO GUARANTEE MILITARY VOTING RIGHTS.

(a) REGISTRATION IN AND BALLOTING.—Section 102 of the Uniformed and Overseas Absentee Voting Act (42 U.S.C. 1973f-1), as amended by section 156(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 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;

"(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 58, between lines 17 and 18, insert the following:

SEC. 402. STATE RESPONSIBILITY TO GUARANTEE MILITARY VOTING RIGHTS.

(a) REGISTRATION IN AND BALLOTING.—Section 102 of the Uniformed and Overseas Absentee Voting Act (42 U.S.C. 1973f-1), as amended by section 156(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 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;

"(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 2929. 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; as follows:

On page 54, between lines 23 and 24, insert the following:

"(K) the technical feasibility of providing voting materials and 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; as follows:

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On page 54, between lines 23 and 24, insert the following:

"(K) the technical feasibility of providing voting materials and languages for voters who speak those languages and who are limited English proficient; and"
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 representing the recommendations 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 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. 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. 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 2934. Mr. HATCH (for himself, Mr. DODD, Mr. ENSIGN, and Mr. BURNS) 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; 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 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 (hereinafter in this title referred to as the “Committee”).

(b) Membership.—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 Secretaries of Treasury, Commerce, Transportation, and Housing and Urban Development, and the Chairman of the Federal Election Commission, or their designees.

(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 by the President 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)(D) 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 Majority 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.

(f) QUORUM.—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) IN GENERAL.—The Committee shall conduct a thorough study of issues and challenges, specifically to include the potential advantages and/or disadvantages of technologies in the Federal, State, and local elections, particularly to include the potential for reducing election fraud, currently available or in use by election authorities, or other communications technologies, that may be utilized in the electoral process.

(b) REPORT.—Not later than 20 months after the date of enactment of this Act, the Committee shall transmit to Congress the Election Administration Commission established under section 301, for the consideration and 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.

(c) APPEAL OF REPORT.—Any finding or recommendation included in the report shall be agreed to by at least 2/3 of the members of the Committee serving at the time the finding or recommendation is made.

(d) INTERNET POSTING.—The Election Administration Commission may 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, and local government officials, and other groups to testify.

(b) INFORMATION FROM FEDERAL AGENCIES.—The Committee may secure directly from any Federal department or agency such information as is necessary to carry out this subtitle.

(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) UNUSUAL 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) STAFF.—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, for travel between their homes or regular places of business in the performance of services for the Committee.

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 under this subtitle not less than $2,000,000 from the funds appropriated under section 307.

(b) INTERMITTENT SERVICES.—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 whether additional statutory offenses are needed to secure the use of the Internet for election purposes; and
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. 4(a)(8) of the Voting Rights Act of 1965 (42 U.S.C. 1973aa–3) is amended to read as follows:

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(a) IN GENERAL.—Nothing in this Act may be construed to authorize
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SA 2937. Mr. SCHUMER (for himself, Mr. Wyden, Mr. Bingaman, Ms. Cantwell, Mrs. Clinton, Mr. Durbin, Mr. Harkin, Ms. Cantwell, Mr. Dodd, and Mrs. Mikulski) 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 18, line 24, and insert the following:

(b) REQUIREMENTS FOR VOTERS WHO REGISTER BY MAIL.

(1) IN GENERAL.—Notwithstanding section 4(c) of the National Voter Registration Act of 1993 (42 U.S.C. 1973g–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, payroll check, 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;

(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, payroll check, 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)(1), 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 to provide the following:

(I) a copy of a current and valid photo identification;

(II) a copy of a current utility bill, bank statement, Government check, payroll check, 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;

(B) PURPOSES OF PROGRAM.—The purposes of the Program are to:

(I) develop materials, sponsor seminars and workshops, engage in advertising targeted at students, make grants, and take other actions as it considers appropriate to meet the purposes described in subsection (a)(2);

(II) establish a grant program under which the Commission shall ensure that the funds provided are spent for projects and activities which are carried out without partisan bias and which are designed to increase voter participation in the electoral process and to provide citizens with a greater understanding and review regarding any issue, and that each recipient is governed in a balanced manner which does not reflect any partisan bias.

(C) COORDINATION WITH 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.

(D) 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 years 2002 and 2003 and each succeeding fiscal year.

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 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
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. 619, 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 systems.

S. 1064: A bill to amend the Federal Water Pollution Control Act to provide assistance for water technology, sanitation, and conservation and quality improvements.

SEC. 232. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Department of Education during the 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 Investment 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.
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 Cob. 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 by the President on December 20, 2000, to January 23, 2001; Michael Alan Gurin, of Maryland, a career member of the Senior Executive Service, for the rank of Ambassador during tenure of service as U.S. Foreign Service Officer.

IN THE AIR FORCE

The following named officers for appointment in the United States Air Force to the grades indicated under Title 10, U.S.C., Section 824:

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 824:

To be brigadier general

Brigadier General Jeffrey L. Gidley, 0000

Brigadier General Jerry W. Grizzle, 0000

Brigadier General Hope H. Mott, 0000

Brigadier General Phillip B. Oates, 0000

Brigadier General Walter A. Paulson, 0000

Brigadier General Claude A. Williams, 0000

To be major general

Colonel Donald D. Best, 0000

Colonel David P. Burford, 0000

Colonel James L. Fries, 0000

Colonel Alan K. Fryt, 0000

Colonel Kenneth D. Hill, 0000

Colonel Laughlin B. Holliday, 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.
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 track stars who have come before her. While competing at the 2000 Olympic track and field trials in the long jump event, she set a new world record 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 1848 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-Sep-tember 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 rea-soned 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, a failure 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 protect the success from investigating these and other events surrounding Sept- ember 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 on the part of the Administration would not cooperate 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 Administra-tion 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 11. The Administration has decided not to pick up the unusual stock trades on the Friday and Monday before September 11th, but has since decided not to pick up the tiddy 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 a good and strong 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. Inasmuch as 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.

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 young age of 78, 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 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 fair grounds.

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 added, “He was a gentleman to work with. We were both opinionated and agreed to disagree.” Mr. Rupp practiced a style of politics
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 frontline. In 1951, the decision was made to form a woman’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 Irma Cantilla, Mistress-At-Arms Ann Cirasulo and Executive Board members Oliver Gloriande, Bette Natoli, Dolly Goga, Ida Ponte, and Holly Hintzen. These current leaders have carried on the noble precedents set by the founding members.

Mr. Speaker, I ask that my fellow 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 Sportmen’s Club of Fitchburg, Massachusetts, located in north Worcester County, at the eastern end of my district. On March 4, 2002, the Fitchburg Sportmen’s Club will hold its 125th annual banquet celebrating a long and impressive record of serving the local community.

The Fitchburg Sportmen’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 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 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 at Avenue C between 9th 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.

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 unaninuous 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 Olympians. We love the Olympic 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 he 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.

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.

Derek Parra made history and opened the door to future Hispanic-American winter athletes. He paved the way for future generations, proving that with perseverance and hard work, anything is possible.

The storm “blasted through” and left most of the metropolitan area in 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 400 out-of-state driver and skier reports from people reporting tree limbs pulled 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 name 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 the Cherry Hill Church 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 Management Act (FEMA) to provide assistance to the community in recovery. 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 in 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 shows kindness and warmth to every person who enters her restaurant. 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 on her 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 recognize and carry forward 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 unwavering 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 I am pleased that after all of his hard work, 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.

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.

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 must 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, 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 militant, extremist Hindu fundamentalists attacked a Catholic church on the outskirts of Bangalore. Unfortunately, this is just the latest incident in a long-standing campaign of repression against Christians in the downtown religious communities 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 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 religious minorities. 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 Swayamsevak,” 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 the Indian government has been 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 India, the actions are abetting the Al Qaeda terrorists.

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 GRISGOM 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 bringing 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 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 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 to 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.

HONORING LIA M. JELINGER

HON. MARCY KAPUR
OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2002

Ms. KAPUR. 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 with the 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 thereafter.

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 remember 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 them feel better.

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 to 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—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 the gratitude and affection which they bestowed upon her.

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, and hence, whenever 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 anecdote—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. As my colleague and a member of the 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 Joy Oberstar Memorial Lecture Series on Breast Cancer Awareness,
Mr. Speaker, at this time we are in the midst of an Olympic season. If medals were being bestowed in the halls of Congress to those servants 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 gratitude for the sacrifices and service she gave to our country. She will be missed, but her memory will serve as a guidance and inspiration for all of us.

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 1967 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 unselfish 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 many of them serving as 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 grandchildren, Adam II, Joshua, Blair, Jr. and Brandon.

Through his ministry he spreads the word of God and provides spiritual leadership. Now entering his twenty fifth 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 as a victim or bystander. Part of a law enforcement officer’s duty is to 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 under the leadership of Gary Gann 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 the 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 environmental effort and for the work you do here at the University in that area.

As you know, there is a critical vote coming up later in this Congress. One that has enormous consequences for millions of acres of wilderness and all kinds of wildlife. I will address those things, but first I would 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 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, $5 million spent. The dollars spent by our Alaska Coalition paled in comparison to the lobbying effort that attempted to prevent passage of the legislation to protect the Arctic National Wildlife Refuge. That coalition consisted primarily of the oil industry and was held over the summer in Washington. They came to Washington to protect a great treure 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 staff that supported them in that endeavor. 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 was a finite resource. The Dolby Award Afterwards, three of us were invited to a very emotional victory celebration hosted by the Alaska Coalition. That coalition consisted primarily of the oil industry and was held over 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 staff that supported them in that endeavor. I believe I can safely say it was certainly one of the best invitations I’ve received in my lifetime.

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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 has painted itself into a corner. It believes that the oil industry plays such a key role in the national security argument that that 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.

But 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 more. Oil field workers have to worry about 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 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 the Age of Oil.” The publication’s cover proclaimed “The Coming Glut of Oil.”

So, ladies and gentlemen, let me end by asking 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 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. He devoted 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—India is Heading for Similar Break-up." 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 was established in the first place and the Austro-Hungarian Empire no longer exists.

In the article, 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 was established in the first place and the Austro-Hungarian Empire no longer exists.

Influential elements in India’s government and military are pushing 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 last week, and the Indian government will break up the Afghan insurgents. I hope that this happens peacefully.

With the war on terrorism ongoing, we do not need another violent threat to the world. America can encourage this process of nationalism and freedom in South Asia. 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 pushing 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 the groups. India can turn them over to The Hague for investigation and trial by an international tribunal. India’s moral case would then evaporate.

CONGRESSIONAL RECORD — Extensions of Remarks
February 26, 2002

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 being awarded the Police Department’s first policy and procedures manual. He was a member of the Monterey Park Police Department’s Computer Acquisition team and was appointed Monterey Park Police Department’s first computer technician. He also worked on the Monterey Park Police 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.
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, with the expansion of 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 King 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 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 3.5 million 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, forty years ago January 1962, in Seattle, Wash., a major development in health care occurred with the opening of the 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 kidney failure. 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 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.
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 to the Office of the Air Force Chief of Staff. Of note was a tour with Curtis LeMay and one year with John McConnell provided rare and valuable staff experience.

After the fast pace of the Washington area, duty at Clark Air Staff in Hawaii, serving 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 Air Division. He was in Saigon and Phu Bai five years with Curtis LeMay and one year with John McConnell providing rare and valuable staff experience. Among the varied activities of the Wing, which deployed to the Republic of Vietnam to join the 14th Air Division, Fair-B served the Wing from September 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.

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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 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 a board, 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 chase of 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 through the area. After waiting for some time, Casey spotted the fugitives and ultimately coaxed them out of their hiding place, enabling other officers to finish the two killers, being 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 of 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 855 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 sub-title 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 in meeting 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 programs into 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 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.
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 providing critical ammunition, 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 weapons anywhere in the world.

A suspected top associate of Bout’s is under arrest in Belgium, and investigators say he is providing information on how the arms network functions.

While Bout has been suspected of supplying weapons to 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 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 exchanges 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. officials. He traffics almost exclusively in weapons bought in the former Soviet bloc, chiefly Bulgaria and Romania, according to these officials.

There are roles that 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 center of the world diamond trade.

U.N. investigators said, because of its ability to deliver weapons anywhere in the world in the illicit air logistics business, is a key intermediary between Bout and Taylor. The U.N. reports said Bout originally based his operations in Ostend, Belgium, in 1995, and moved to the UAE in 1997 when Belgian Muslim Abu Sayyaf guerrilla movements 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 aid and abettor to criminal and terrorist organizations, rogue heads of state and insurgencies—whoever is able to pay,” Weisky said.

According to a U.N. Security Council report issued in April 2001, Bout is 35 years old. Born 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. He describes his life as being very high risk and usually sporting a buskney mustache. Telephone calls and faxes to Bout’s offices in the UAE went unanswered. An associate of Bout’s坛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 calls.

Bout has refused to talk to U.N. investigators or reporters.

The fleet of about 60 aircraft, including large Russian cargo planes, according to investigators. His operation is tied together by a web of overlapping airlines, companies and government officials, according to government officials 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 U.A.E.

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 Ukraine, 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 formed, Flying Olympia, provided charter flights from Dubai to Afghanistan, the sources said, and so 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, Feleman and other investigators said the report contains 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 Bout’s old 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 responded 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 very significant way, suddenly, he was back on our radar screen in a very very significant way,” the source said, including imposing new and costly equipment requirements on his air fleet.

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.

Mr. Speaker, 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 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 MCMINN
OF COLORADO
IN THE HOUSE OF REPRESENTATIVES
Tuesday, February 26, 2002

Mr. McMINN. 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 rich recognition 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 MICKY 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 player Mickey Vernon who will be honored during Strath Haven High School’s presentation of “Damb 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 resident 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 unity 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 he 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 played 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 his work ethic 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 whole-some 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 congratulat-ing 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. RUBEN HINOJOSA OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, February 26, 2002

Mr. HINOJOSA of Texas. Mr. Speaker, I rise today to pay tribute to my good friend, the 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 of music, film 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. Our bill would make our border more efficient by improving 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 Anzaldus 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 honor 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 spoken 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, “Stepping Stones,” “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 is an advocate for Jewish continuity. She has served as a consultant to the community on educational endeavors, including the Anne Frank
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 regards and sympathy to our Muslim fellow citizens, especially Muslims. Not only did the Muslim community lose loved ones in the attacks of September 11, but they also suffered a backlash of suspicion, 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 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" Gould. 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.

Mrs. Gould was a well-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 rejuvenation 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 the ability to sing, compose, and write. In addition to having been an accomplished performer of Kantan Chamorrina (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 Chamorrina song form which an ancient call-and-response impromptu song form practiced today by a few remaining artists.

Mrs. Gould was also the writer and creator of the Juan Mallimanga 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 was employed as the Guam delegate 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. Dedicated her life towards the preservation of our island’s culture and traditions, she became one of my
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 this 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 Father Breen and St. Edward School 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 with Father Ryan High School. He entered St. Ambrose College in Davenport, Iowa, and began his seminary training there in 1956. He was awarded his bachelor's 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 and change—he has brought his 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 daily 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.
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 those in his family 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 have imposed on 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 and the people of the United States 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 was 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 through 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 prospering 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 this accomplishment and the 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-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, Sonfieldco, 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 Augusts 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’s 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

HONORING DETECTIVE RAY KERN

HONORING GEORGE RADANOVICH OF CALIFORNIA

HONORING POLICE CHIEF KENNETH CRUZ OF GUILFORD ON THE OCCASION OF HIS RETIREMENT
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. Through 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 re-tired 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 56. 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 State 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 respected by 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 man endowed 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 snow, but it is known for its dedication 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 athletes 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 corners 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 long-time 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 nationality. Hadassah doctors have been the 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 Judaea 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, Inc., 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 idea 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 commercially 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 women of Hadassah for their 90 years of service. Hadassah is the largest women’s Zionist organization of America for their 90th Anniversary. Hadassah is the largest Jewish membership organization in the United States. 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 assists 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.

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

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.

IN HONOR OF HADASSAH—THE WOMEN’S ZIONIST ORGANIZATION OF AMERICA

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 on 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.

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 Aliya, 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 in the 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.
Tuesday, February 26, 2002

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:

Condolesces 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:

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.

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.

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.

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.

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 S1147–48

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. Pages 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”.

Dodd (for Sarbanes) Amendment No. 2938, to establish the “Help America Vote College Program”.

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.

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.

Dodd (for Kennedy) Amendment No. 2916, to clarify the application of the safe harbor provisions.

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.

Hatch Amendment No. 2936, to make the provisions of the Voting Rights Act of 1965 permanent.

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.

Smith (NH) Amendment No. 2933, to prohibit the broadcast of certain false and untimely information on Federal elections.

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.

A unanimous-consent agreement was reached providing for further consideration of the bill at 9:30 a.m., on Wednesday, February 27, 2002.

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.

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.

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.

Messages From the House:

Measures Read First Time:

Executive Communications:

Executive Reports of Committees:

Additional Cosponsors:

Statements on Introduced Bills/Resolutions:

Additional Statements:

Amendments Submitted:

Authority for Committees to Meet:

Record Votes: Three record votes were taken today. (Total—37)

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


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.

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. McCabe, 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, Port 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 Riviart, 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


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 affects 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 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 modify 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,


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

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Pending:
Clinton Amendment No. 2906, to establish a residual ballot performance benchmark.

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.

Dodd (for Kennedy) Amendment No. 2916, to clarify the application of the safe harbor provisions.

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.

Hatch Amendment No. 2936, to make the provisions of the Voting Rights Act of 1965 permanent.

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.

Smith (NH) Amendment No. 2933, to prohibit the broadcast of certain false and untimely information on Federal elections.

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.

A unanimous-consent agreement was reached providing for further consideration of the bill at 9:30 a.m., on Wednesday, February 27, 2002.

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.

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.

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.

Messages From the House:

Executive Communications:

Executive Reports of Committees:

Additional Cosponsors:

Statements on Introduced Bills/Resolutions:

Additional Statements:

Amendments Submitted:

Authority for Committees to Meet:

Record Votes: Three record votes were taken today. (Total—37)

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


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.*

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**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.  

*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).  

*Speaker Pro Tempore:* Read a letter from the Speaker wherein he appointed Representative Biggert to act as Speaker pro tempore for today.  

*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.  

*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;  

**Appalachian Regional Development Act Amendments:** S. 1206, to reauthorize the Appalachian Regional Development Act of 1965—clearing the measure for the President; and
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.

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.

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.

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.

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.

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.
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**


**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.

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**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.


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,


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

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