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House of Representatives

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

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
April 9, 2002.

I hereby appoint the Honorable GREG WALDEN 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:

My sisters and brothers, let us pray for peace in the Middle East.

Lord God of Passover and Christ's Paschal Mystery, grant peace to the Israeli and Palestinian peoples. You have told us, ''When you make the two one, you will become the children of God; and when you say, 'Mountain move away,' it will move.''

Deepen faith in You, O Lord, at this moment in history; that Your justice and peace will bless the land that all those of Abrahamic faith call holy.

Without compromising faith in Your loving providence and faithful to religious practice, may the people of the Middle East be rooted in the common purpose and the beauty of human life revealed in Your holy scriptures.

By their faithfulness to the prophetic wisdom contained in their respectful traditions, lead them to compromise false expectations, boundaries and even the land of faithful parents to bring about the peace and unity promised by You, O Lord.

May the freedom of Passover and the new life of Easter end the violence of armaments, language, and age-old sentiments, so that the promised land may bring forth people of promise. For this will restore around the world hope in You, O Lord, now and forever. Amen.

THE JOURNAL

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

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

Mr. PITTS. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER pro tempore. The question is on the Speaker's approval of the Journal.

The question was taken.

Mr. PITTS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

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

Mr. WILSON of South Carolina 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 bills of the following titles in which the concurrence of the House is requested.

S. 1222. An act to redesignate the facility of the United States Postal Service located at 89 River Street in Hoboken, New Jersey, as the ''Frank Sinatra Post Office Building''.

S. 1321. An act to authorize the construction of a Native American Cultural Center and Museum in Oklahoma City, Oklahoma.

S. 1499. An act to provide assistance to small business concerns adversely impacted by the terrorist attacks perpetrated against the United States on September 11, 2001, and for other purposes.

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 21, 2002.

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

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of rule II of the rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on March 21, 2002 at 12:07 p.m.:

That the Senate passed without amendment H.R. 3986.

With best wishes, I am

Sincerely,

MARTHA C. MORRISON,
Deputy Clerk.

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 22, 2002.

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

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of

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the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on March 21, 2002 at 5:05 p.m.:

That the Senate passed without amendment H. Con. Res. 360.

With best wishes, I am

Sincerely,

JEFF TRANDAHL,
Clerk of the House.

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 22, 2002.

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

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on March 22, 2002 at 10:00 a.m.:

That the Senate passed without amendment H.R. 3985.

That the Senate passed S. Res. 231.

With best wishes, I am

Sincerely,

JEFF TRANDAHL,
Clerk of the House.

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 25, 2002.

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

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on March 25, 2002 at 11:30 a.m.:

That the Senate passed without amendment H.R. 1432.

That the Senate passed without amendment H.R. 1748.

That the Senate passed without amendment H.R. 1749.

That the Senate passed without amendment H.R. 2577.

That the Senate passed without amendment H.R. 2876.

That the Senate passed without amendment H.R. 2910.

That the Senate passed without amendment H.R. 3072.

That the Senate passed without amendment H.R. 3379.

That the Senate passed without amendment H. Con. Res. 339.

That the Senate passed without amendment H. Con. Res. 361.

With best wishes, I am

Sincerely,

JEFF TRANDAHL,
Clerk of the House.

ANNOUNCEMENT BY SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 4 of rule 1, Speaker pro tempore WOLF signed the following enrolled bills on Monday, March 25, 2002:

H.R. 2356, to amend the Federal Election Campaign Act of 1971 to provide bipartisan campaign reform;

H.R. 3985, to amend the act entitled ''An Act to Authorize the Leasing of Restricted Indian Lands for Public, Religious, Educational, Recreational, Residential, Business, and other purposes Requiring the Grant of Long-term Leases,'' approved August 9, 1955, to provide for binding arbitration clauses in leases and contracts related to reservation lands of the Gila River Indian community;

H.R. 3986, 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;

And the following enrolled bills on Thursday, March 28, 2002:

H.R. 1432, to designate the facility of the United States Postal Service located at 3698 Inner Perimeter Road in Valdosta, Georgia, as the ''Major Lyn McIntosh Post Office Building;''

H.R. 1748, to designate the facility of the United States Postal Service located at 805 Glen Burnie Road in Richmond, Virginia, as the ''Tom Bliley Post Office Building;''

H.R. 1749, to designate the facility of the United States Postal Service located at 685 Turnberry Road in Newport News, Virginia, as the ''Herbert H. Bateman Post Office Building;''

H.R. 2577, to designate the facility of the United States Postal Service located at 310 South State Street in St. Ignace, Michigan, as the ''Bob Davis Post Office Building;''

H.R. 2876, to designate the facility of the United States Postal Service located in Harlem, Montana, as the ''Francis Bardanouve United States Post Office Building;''

H.R. 2910, to designate the facility of the United States Postal Service located at 3131 South Crater Road in Petersburg, Virginia, as the ''Norman Sisisky Post Office Building;''

H.R. 3072, to designate the facility of the United States Postal Service located at 125 Main Street in Forest City, North Carolina, as the ''Vernon Tarlton Post Office Building;''

And H.R. 3379, to designate the facility of the United States Postal Service located at 375 Carlls Path in Deer Park, New York, as the ''Raymond M. Downey Post Office Building.''

COMMUNICATION FROM STAFF ASSISTANT OF HON. RICHARD A. GEPHARDT, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from Christopher Raymond, staff assistant of the Honorable RICHARD A. GEPHARDT, Member of Congress:

HOUSE OF REPRESENTATIVES,
OFFICE OF THE DEMOCRATIC LEADER,
Washington, DC, April 5, 2002.

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

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a subpoena for testimony issued by the U.S. District Court for the District of Columbia.

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

Sincerely,

CHRISTOPHER RAYMOND,
Staff Assistant.

COMMUNICATION FROM LEGISLATIVE CORRESPONDENT OF HON. NANCY PELOSI, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from Nathaniel Barr, legislative correspondent of the Honorable NANCY PELOSI, Member of Congress:

HOUSE OF REPRESENTATIVES,
Washington, DC, April 5, 2002.

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

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a subpoena for testimony issued by the U.S. District Court for the District of Columbia.

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

Sincerely,

NATHANIEL BARR,
Legislative Correspondent.

COMMUNICATION FROM STAFF ASSISTANT OF HON. RICHARD A. GEPHARDT, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from Jama Adams, staff assistant of the Honorable RICHARD A. GEPHARDT, Member of Congress:

WASHINGTON, DC,
April, 5, 2002.

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

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a subpoena for testimony issued by the U.S. District Court for the District of Columbia.

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

Sincerely,

JAMA ADAMS,
Staff Assistant.

APPOINTMENT OF MEMBER TO SOCIAL SECURITY ADVISORY BOARD

The SPEAKER pro tempore. Without objection, and pursuant to section 703

of the Social Security Act (42 U.S.C. 903) as amended by section 103 of Public Law 103–296, the Chair announces the Speaker's appointment of the following member on the part of the House to the Social Security Advisory Board to fill the existing vacancy thereon:

Mrs. Dorcas R. Hardy, Spotsylvania, Virginia.

There was no objection.

TAX FACTS

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

Mr. PITTS. Mr. Speaker, 6 days from now millions of Americans will be scrambling to get their Federal income taxes done. Every year at this time we are reminded how much of a burden the American tax payer bears. Here are some facts: 10 years ago the IRS said it took the average person 9½ hours to complete a 1040 form. Today it takes 13 hours. That is enough time to play four baseball games. This year it will cost Americans about $194 billion just to comply with the tax code, enough to buy 4.7 million brand-new Cadillacs. The IRS employs over 104,000 people. That is four times as many people that work for the FBI.

Mr. Speaker, if there is a lesson to learn from all of this it is this: that taxes will keep going up and up if we do not constantly fight to keep them down.

In 1913, the first year of the Federal income tax, the top rate was 7 percent and that was the rate for millionaires. Today the top rate is almost 40 percent.

The American people need more tax relief, tax reform and IRS reform; and I urge my colleagues to make this a priority this year.

CONGRATULATIONS TO ILLINOIS HIGH SCHOOL BASKETBALL TEAMS

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

Mr. DAVIS of Illinois. Mr. Speaker, as we return from recess, all of us saw a great deal of basketball; and I want to congratulate three outstanding high schools in my district for having won championships: Westinghouse, State of Illinois Boys' Championship; Providence St. Mel, Elite 8 Illinois high school regional champions. And I might add that 95 percent of all the students at this school go to college. I would also like to give accolades to Marshall High School for winning the city of Chicago's girls' championship under the leadership of Mr. Pitman and Dorothy Gaiter, who is the winningest female basketball coach in the United States of America. I congratulate all of them.

FN MANUFACTURING, A NATIONAL ASSET

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

Mr. WILSON of South Carolina. Mr. Speaker, Operation Anaconda has been successfully concluded, and while we are thankful for the courage and valor of our military in the field, we also owe thanks to those Americans who provide the weapons our troops need, which made this victory and future victories possible.

Last week I toured a national asset in the Second Congressional District of South Carolina, FN Manufacturing of Columbia. This company makes over 75 percent of the machine guns, rifles and other small arms of the U.S. Armed Forces. These are the finest infantry weapons ever made: rugged, dependable and effective.

Five hundred professional South Carolinians, skilled machinists, fabricators, designers, and engineers are dedicated to maintaining their world-famous high qualities. I met in person the hard-working FN employees who are making a difference for peace through strength.

America is fortunate to have a proven supplier whose products are clearly needed and highly praised by those in harm's way as we proceed to victory in the war on terrorism.

PENSION REFORM

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

Ms. WOOLSEY. Mr. Speaker, as a member of the Committee on Education and the Workforce, I can report that the pension reform bill that passed on a partisan vote from our committee does not help employees. Instead, big business is allowed to keep a two-tiered pension system, a system that protects executives but leaves the employees to fend for themselves; and that is wrong.

I offered an amendment in committee, Mr. Speaker. That amendment ensures that hard-working Americans have the same pension protections as their company's executives. Democrats are fighting for employees who work hard, who play by the rules, who plan their retirement, not punish them. Not punish them by allowing executives to raise the pension funds and then get off scott-free.

I urge my Republican colleagues to join us as we fight to enact real pension reform parity between executives and their employees.

GOVERNOR GUINN'S VETO

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

Mr. GIBBONS. Mr. Speaker, yesterday Nevada made history. History, Mr. Speaker, because Nevada's Governor, Kenny Guinn, vetoed a Presidential decision, a decision to ship nuclear waste to the State of Nevada. Almost 2 decades ago when Nevada was given the right to cast this veto, we were under the impression that a recommendation on Yucca Mountain would be based on sound science, assuring the safety and security of Nevadans and every American.

Instead, the process has been riddled with bias, and the DOE recommendation was based on political expediency. For example, the DOE refuses to address the inherent problems that come with transporting the deadliest substance known to man through 43 States and for 3 decades to come.

Mr. Speaker, I applaud Governor Guinn's decision to stand up to the convoluted mess of special interests and corruption that the Department of Energy refers to as the Yucca Mountain project.

I urge my colleagues to join Nevada's Governor and delegation in opposing a project that is immeasurably dangerous to every American.

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ISRAEL'S RIGHT TO DEFEND ITSELF AGAINST TERRORISM

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

Mr. PENCE. Mr. Speaker, I rise today with a heavy heart, for like millions of Americans, I pray for the peace of Jerusalem almost every day, for the peace and security of the Jews and the Christians and the Muslims who call this ancient city their home. And, of course, we now know that after 18 months of suicide bombings and relentless terrorist attacks, Israel has begun to defend itself, rolling armaments and military personnel into the West Bank, and not without results, uncovering 15 explosive labs, arresting 600 fugitives from crime, and of course, there have been no recent suicide bombings since the incursion. Nevertheless, the President of the United States yesterday encouraged Israel to withdraw from the West Bank without delay.

Mr. Speaker, I rise today on behalf of hundreds of thousands of believing Christians and Jews across Indiana, and even many Muslims who pray for the peace of Jerusalem, and say let us stand with Israel without delay.

Let the word go forth from this Chamber, to this administration and to the world, that the citizens of this country and the overwhelming majority of this Congress says America stands with Israel.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. WALDEN of Oregon). Pursuant to clause

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

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

RECOGNIZING ELLIS ISLAND MEDAL OF HONOR AND COMMENDING NATIONAL ETHNIC COALITION OF ORGANIZATIONS

Mr. TOM DAVIS of Virginia. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 377) recognizing the Ellis Island Medal of Honor and commending the National Ethnic Coalition of Organizations.

The Clerk read as follows:

H. RES. 377

Whereas the Ellis Island Medal of Honor, established by the National Ethnic Coalition of Organizations in 1986, pays tribute to individuals of various ethnic origins who have distinguished themselves through their contributions to the United States;

Whereas the Ellis Island Medal of Honor has been awarded on a bipartisan basis to 6 Presidents and numerous Representatives and Senators;

Whereas the National Ethnic Coalition of Organizations is the largest organization of its kind in the United States, representing more than 5,000,000 family members and serving as an umbrella group for more than 250 organizations that span the spectrum of ethnic heritage, culture, and religion;

Whereas the mandate of the National Ethnic Coalition of Organizations is to preserve ethnic diversity, promote equality and tolerance, combat injustice, and bring about harmony and unity among all peoples;

Whereas the Ellis Island Medal of Honor is named for the gateway through which more than 12,000,000 immigrants passed in their quest for freedom of speech, freedom of religion, and economic opportunity;

Whereas the Ellis Island Medal of Honor celebrates the richness and diversity of American life by honoring not only individuals, but the pluralism and democracy that have enabled the Nation's ancestry groups to maintain their identities while becoming integral parts of the American way of life;

Whereas during the 15-year history of the Ellis Island Medal of Honor, more than 1,500 individuals from scores of different ethnic groups have received the Medal, and more than 5,000 individuals are nominated each year for the Medal; and

Whereas at the 2002 Ellis Island Medal of Honor ceremony in New York City, individuals from different ethnic groups will be honored for their contributions to the rescue and recovery efforts of September 11, 2001, the war against terrorism, and the enhancement of the Nation's homeland security: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes the Ellis Island Medal of Honor for acknowledging individuals who live exemplary lives as Americans; and

(2) commends the National Ethnic Coalition of Organizations for its sponsorship of the Ellis Island Medal of Honor.

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

The Chair recognizes the gentleman from Virginia (Mr. TOM DAVIS).

GENERAL LEAVE

Mr. TOM DAVIS of Virginia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the resolution under consideration.

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

There was no objection.

Mr. TOM DAVIS of Virginia. Mr. Speaker, I yield myself such time as I may consume.

House Resolution 377 recognizes the Ellis Island Medal of Honor and commends the National Ethnic Coalition of Organizations.

The National Ethnic Coalition of Organizations represents more than 5 million people and serves as an umbrella group for more than 250 organizations. Those groups span the spectrum of ethnic heritage, culture and religion. The mandate of the Coalition is to preserve ethnic diversity, promote equality and tolerance, combat injustice and bring about harmony and unity among all people.

The Ellis Island Medal of Honor was established by the National Ethnic Coalition of Organizations in 1986. It honors the many groups who have struggled and sacrificed to help build this great Nation. Past medal winners include six Presidents: Presidents Clinton, Bush, Reagan, Carter, Ford and Nixon. Senators, Congressmen, and Nobel Prize winners are also among the 1,500 people who have received Ellis Island Medals of Honor.

The Ellis Island Medal of Honor celebrates the richness and diversity of American life. The award honors more than just individuals. It honors the pluralism and democracy that have enabled our ancestry groups to maintain their identities while becoming integral parts of American life.

By honoring these individuals, we honor all those who share their origins. We acknowledge the contributions they and other groups have made to our country.

The 2002 Ellis Island Medals of Honor will be awarded on May 11. They will honor those individuals from different ethnic groups who contributed to the rescue and recovery efforts stemming from September 11. They will also honor those involved in the war against terrorism and the enhancement of our Nation's homeland security. I congratulate this year's honorees.

I want to commend the gentleman from Indiana (Mr. BURTON), chairman of the Committee on Government Reform, and the gentleman from New York (Mr. RANGEL) for their sponsorship of this resolution and for their support of the Ellis Island Medal of Honor. I would also like to thank the gentleman from California (Mr. WAXMAN), the ranking member, for helping to bring this important resolution to the floor.

Mr. Speaker, our diversity and our tolerance are two uniquely American values that make this country great. During these troubled times of ethnic strife all around the world, these values are worth reflecting on and honoring in this country. I commend the National Ethnic Coalition of Organizations. I urge adoption of this resolution.

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

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

Mr. Speaker, I am pleased to join with the gentleman from Virginia (Mr. TOM DAVIS) in consideration of this resolution.

This resolution, which recognizes the Ellis Island Medal of Honor and commends the National Ethnic Coalition of Organizations, NECO, encourages diversity and tolerance in American life. The mission of the NECO is to preserve ethnic diversity, promote equality and tolerance, combat injustice and bring about harmony and unity to all people.

To promote its mission, the NECO hosts the Ellis Island Medals Awards Gala, which honors Americans of various ethnic origins for their outstanding contributions to this country.

From 1892 to 1954, over 12 million immigrants entered the United States through the portal of Ellis Island, a small island in New York Harbor. Ellis Island is located in the upper bay just off the New Jersey coast, within the shadow of the Statue of Liberty.

From the very beginning of the mass migration that spanned 1880 to 1924, a group of politicians and nativists demanded increased restrictions on immigration. Laws and regulations such as the Chinese Exclusion Act, the Alien Contract Labor Law, and the institution of a literacy test tried to stem the tide of new immigrants to this country.

Ellis Island ceased to be a major entry point for immigrants in 1921 with the passage of Quota Laws and in 1924 with the passage of the National Origins Act. These restrictions were based upon a percentage system according to the number of ethnic groups already living in the United States as per the 1890 and 1910 Census.

It was an attempt to preserve the ethnic flavor of the ''old immigrants,'' those earlier settlers primarily from northern and western Europe. The perception existed that the newly arriving immigrants, mostly from southern and eastern Europe, were somehow inferior to those who came earlier.

It is appropriate then that Congress recognizes organizations like NECO and American citizens who recognize the importance of preserving ethnic diversity and fostering harmony and unity among all peoples.

Who decides whose identity, culture, or ethnicity is more important or has

more value? Who has that authority? No one. No human being has that authority.

We can, however, embrace our own cultures and those that are unknown and unfamiliar to us. America is a land of United States and of united peoples of various cultures and backgrounds. That is America's strength and greatest asset, and this resolution recognizes that.

It is hard to think of Ellis Island at any time without thinking of the words of Emma Lazarus when she wrote, Give me your tired, your huddled masses, teeming to be free.

Yes, Ellis Island has been a beacon of the openness of what America is seeking to become. I am proud to join in this resolution and would urge all of my colleagues to support it.

Mr. BURTON of Indiana. Mr. Speaker, it is with great pride that I rise today to express my appreciation to my colleagues in the House of Representatives who voted to pass H. Res. 377, a resolution that I introduced recognizing the Ellis Island Medal of Honor and commending the National Ethnic Coalition of Organizations (NECO).

NECO's annual medal ceremony and reception on Ellis Island in New York Harbor is the Nation's largest celebration of ethnic pride. Established in 1986 by NECO, the Ellis Island Medals of Honor pay tribute to the ancestry groups that comprise America's unique cultural mosaic. To date, approximately 1400 American citizens have received medals.

NECO is the largest organization of its kind in the U.S. serving as an umbrella group for over 250 ethnic organizations and whose mandate is to preserve ethnic diversity, promote ethnic and religious equality, tolerance and harmony, and to combat injustice, hatred and bigotry. NECO has a new goal in its humanitarian mission: saving the lives of children with life-threatening medical conditions. NECO has founded The Forum's Children Foundation, which brings children from developing nations needing life-saving surgery to the United States for treatment.

Ellis Island Medals of Honor recipients are selected each year through a national nomination process. Screening committees from NECO's member organizations select the final nominees, who are then considered by the Board of Directors. Past Ellis Island Medals of Honor recipients have included several U.S. Presidents, entertainers, athletes, entrepreneurs, religious leaders and business executives, such as Bill Clinton, Ronald Reagan, Jimmy Carter, Gerald Ford, George Bush, Richard Nixon, George Pataki, Mario Cuomo, Bob Hope, Frank Sinatra, Michael Douglas, Gloria Estefan, Coretta Scott King, Rosa Parks, Elie Wiesel, Muhammad Ali, Mickey Mantle, General Normal Schwarzkopf, Barbara Walters, Terry Anderson, Dr. Michael DeBakey, Senator JOHN MCCAIN, and Attorney General Janet Reno.

I would like to close by expressing my deepest gratitude to my good friends Bill Fugazy and Rosemarie Taglione and everyone associated with NECO and the Ellis Island Medal of Honor.

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

Mr. TOM DAVIS of Virginia. Mr. Speaker, I urge adoption of this resolution.

Mr. Speaker, I have no other speakers, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. TOM DAVIS) that the House suspend the rules and agree to the resolution, H. Res. 377.

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. TOM DAVIS of Virginia. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

ACQUISITION STREAMLINING IMPROVEMENT ACT

Mr. TOM DAVIS of Virginia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3921) to amend the Clinger-Cohen Act of 1996 to extend until January 1, 2005, a program applying simplified procedures to the acquisition of certain commercial items, and to require the Comptroller General to submit to Congress a report regarding the effectiveness of such program.

The Clerk read as follows:

H.R. 3921

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 ''Acquisition Streamlining Improvement Act''.

SEC. 2. EXTENSION OF PROGRAM APPLYING SIMPLIFIED PROCEDURES TO CERTAIN COMMERCIAL ITEMS; REPORT ON PROGRAM.

Section 4202 of the Clinger-Cohen Act of 1996 (divisions D and E of Public Law 104–106; 110 Stat. 652; 10 U.S.C. 2304 note) is amended—

(1) in subsection (e), by striking ''January 1, 2003'' and inserting ''January 1, 2005''; and

(2) by adding at the end the following new subsection:

''(f) REPORT.—Not later than March 1, 2004, the Comptroller General shall submit to Congress a report on—

''(1) the effectiveness of the implementation of the provisions enacted by this section;

''(2) the extent to which the amount of time required to award contracts and the administrative costs associated with such contracts were reduced as a result of such implementation;

''(3) the extent to which prices under such contracts reflected the best value; and

''(4) any recommendations for improving the effectiveness of the implementation of the provisions enacted by this section.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. TOM DAVIS) and the gentleman from Texas (Mr. TURNER) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia (Mr. TOM DAVIS).

GENERAL LEAVE

Mr. TOM DAVIS of Virginia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the bill under consideration.

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

There was no objection.

Mr. TOM DAVIS of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would like to thank the leadership of the Chairman of the Committee on Government Reform on this important legislation, and I rise in strong support of H.R. 3921, the Acquisition and Streamlining Improvement Act of 2002. This bill extends for 2 years the Clinger-Cohen Act's successful pilot program for streamlined acquisitions of commercially available items.

The landmark Clinger-Cohen Act recognized the value of these streamlined procedures in its pilot program. They provide the foundation for establishing commercial-like responsiveness in this government when it buys commercial items.

The streamlined procedures apply for purchases of $5 million or less when a contracting officer reasonably expects that offers in response to a solicitation will only include commercial items. They permit the use of shorter deadlines, fewer burdensome government-unique requirements, and minimized administrative costs. In sum, they give contracting officers greater discretion to select the most advantageous offer for the government and to do so in a business-like manner.

This program has been very useful in a number of different areas. For example, the Pentagon recently used this authority to expedite repairs after the tragic terrorism attack on September 11. DOD set a goal of having the Pentagon restored by this fall, the 1-year anniversary of the attack. That is a very aggressive goal for such a complicated job. If one step in the process falls through, the entire project can fail.

One significant step at the Pentagon has been the effort to quickly restore what DOD calls the critical pathway to the damaged wing. DOD used the Clinger-Cohen pilot program authority to buy routers and switches to reestablish the communications grid. Using conventional procurement procedures to buy this equipment would have added extra months and would have jeopardized the whole project's timely completion by the 1-year anniversary.

The Clinger-Cohen pilot program helped DOD cut through the red tape of this critical pathway and on many other projects in the reconstruction. It also provides strategic management tools that the Department of Defense and other Federal agencies need to establish key acquisition projects in the

wake of terrorist attacks. Unfortunately, unless we act now, this important pilot program will expire at the end of this year.

Governmentwide, we see Federal agencies continuing to grapple with barriers to buying the best value in the goods and services they need. Agencies need better management approaches and improved purchasing tools, including the Clinger-Cohen pilot program authority, to help acquisition managers meet their agency goals.

Indeed, the Office of Federal Procurement Policy's survey of procurement executives showed that the streamlined acquisition authority in the Clinger-Cohen pilot has had a positive impact on the Federal procurement process. These procurement executives recommend continuing the program.

The Subcommittee on Technology and Procurement Policy, which I chair, and the Committee on Government Reform, under the leadership of the gentleman from Indiana (Mr. BURTON), have encouraged the development of commonsense approaches to acquisition policy.

I have also been working in the subcommittee with the minority and with the administration for broader acquisition reform. I recently introduced H.R. 3832, the Services Acquisition Reform Act, SARA, which directs the Federal Government to adopt management reform techniques modeled after those of the private sector.

I have also introduced H.R. 3426, the Federal Emergency Procurement Flexibility Act, with the gentleman from Pennsylvania (Mr. WELDON), my good friend, Senator JOHN WARNER and Senator FRED THOMPSON. This legislation came about after we were contacted last year by Governor Ridge and the Homeland Security Office about many of the ongoing barriers Federal agencies are experiencing in accessing the tools necessary to fight the war on terrorism. This legislation will provide agencies with the tools necessary to immediately access the latest commercial technologies, products and services to combat terrorism.

The bill before us today, H.R. 3921, the Acquisitions Streamlining Improvement Act of 2002, allows agencies to continue to use the Clinger-Cohen pilot program streamlined procedures for the purchase of commercial items.

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Mr. Speaker, if an item is available commercially and at a competitive price, the government should not have to go through a long, drawn-out procurement process. Where there are several competitors in a marketplace, and this competition is keeping prices in line, then streamlined acquisition procedures make sense, and save time and money. They make the government run smoother.

In closing, I thank the gentleman from Indiana (Mr. BURTON) who introduced this legislation. I thank the ranking member of the committee, the gentleman from California (Mr. WAXMAN), and the ranking member of the subcommittee, the gentleman from Texas (Mr. TURNER), for working with us to make good suggestions in moving this legislation forward. I urge my colleagues to support this bill.

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

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

Mr. Speaker, I thank the gentleman from Virginia (Mr. TOM DAVIS) for his leadership on this legislation. It is a continuing effort that we are making on our subcommittee that the gentleman from Virginia (Mr. TOM DAVIS) chairs to try to improve the process by which the Federal Government contracts for goods and services. It is, of course, a very challenging effort because it is important to not only improve and streamline the process, but at the same time ensure that the public's interest is protected, that the integrity of the contracting process is preserved, and that the taxpayers get the best deal for their dollars.

Under this bill, pilot authority that was previously granted under law is extended for an additional 2-year period of time, allowing acquisition procedures to be simplified for the purchase of commercial items up to $5 million in value. This authority began in 1996, and it was granted a 1-year extension in last year's defense authorization bill. The bill also requires the General Accounting Office to report to us on the effectiveness of this provision and to determine whether or not it has in fact reduced administrative time and costs in awarding contracts, while at the same time protecting the public's interest.

I thank the gentleman for including several suggestions that came from our side on this issue. I believe we have a strong bill as a result, and I am hopeful that this will once again prove to be a step forward in the acquisition process followed by our Federal agencies. It is part of an effort that also involves strengthening the training, the ability of the contracting officers who, under this legislation and similar legislation, have greater responsibility and less review by their acquisition superiors. The contracting officers are the key to making this effort successful, and I am confident that the efforts that are being made to strengthen contracting throughout the Federal Government will prove beneficial to all.

The decision to allow the use of simplified acquisition procedures to purchase commercial items up to $5 million in value is a well-intended effort to give our contracting officers more flexibility to do their job, thereby saving the taxpayers money and saving additional and unintended wastes of time and effort. This bill, by extending it for another period and sunsetting it, will give us the opportunity to be sure the bill is working as we have intended it.

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

Mr. TOM DAVIS of Virginia. Mr. Speaker, I yield myself such time as I may consume.

I thank the gentleman from Texas (Mr. TURNER) and the ranking member of the Committee on Government Reform (Mr. WAXMAN) for helping bring this bill to the floor. I think this bill is going to continue to improve acquisition responsiveness on the part of the Federal Government so that we can meet our goals, save the taxpayers money, and get the best value. I urge the adoption of this measure.

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

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

The SPEAKER pro tempore (Mr. WALDEN of Oregon). The question is on the motion offered by the gentleman from Virginia (Mr. TOM DAVIS) that the House suspend the rules and pass the bill, H.R. 3921.

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

A motion to reconsider was laid on the table.

WASHINGTON COUNTY, UTAH RECREATIONAL AND VISITOR FACILITIES

Mr. HANSEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3848) to provide funds for the construction of recreational and visitor facilities in Washington County, Utah, and for other purposes.

The Clerk read as follows:

H.R. 3848

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

SECTION 1. FUNDS FOR RECREATIONAL AND VISITOR FACILITIES IN WASHINGTON COUNTY, UTAH.

The Secretary of the Interior, through the Bureau of Land Management, is authorized to grant to the State of Utah $2,500,000 for the development and construction of recreational and visitor facilities in the Sand Hollow Recreation Area located in Washington County, Utah, to fulfill the Federal commitment for the establishment and management thereof.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. HANSEN) and the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) each will control 20 minutes.

The Chair recognizes the gentleman from Utah (Mr. HANSEN).

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

Mr. Speaker, H.R. 3848 provides funding for the development and construction of recreational facilities for the Sand Hollow Recreational Area in Washington County, Utah.

For several years, Washington County has been the fastest growing area in the State of Utah and a premier tourist destination. Several years ago, the Bureau of Land Management, Washington

County Water Conservancy District, and the Utah Division of State Parks, together with local leaders and stakeholders, teamed up to identify necessary recreational opportunities, programs and facilities in the Sand Hollow area near the City of St. George. In May, 2001, these agencies completed a cooperative management plan based on public input and involvement.

The Sand Hollow Area Recreation Management Plan envisions the development of two campgrounds, a full-service marina, a group campground, and four separate day-use pavilions to draw recreationists to a centralized location with diverse recreational opportunities. These facilities are essential to the success of this area, which has the potential to become the predominant recreation area in the region. The recreation area will thus serve as a buffer to urban growth in the St. George area.

The plan divided the initial funding equally between the three agencies, equating to a one-time share of $2.5 million for the Bureau of Land Management. These funds, together with the State and water district funds, will be used to implement the plan and construct the necessary facilities. This bill authorizes the Bureau of Land Management share of these one-time initial costs to the project. I urge my colleagues to support H.R. 3848.

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

Mrs. CHRISTENSEN. Mr. Speaker, I yield myself such time as I may consume.

(Mrs. CHRISTENSEN asked and was given permission to revise and extend her remarks.)

Mrs. CHRISTENSEN. Mr. Speaker, H.R. 3848 is sponsored by the esteemed chairman of the Committee on Resources, the gentleman from Utah (Mr. HANSEN). The bill was introduced just last month and was reported from the Committee on Resources with no hearings. As such, we have limited information on the proposal.

As the gentleman explained, the bill authorizes the Bureau of Land Management to make a grant to the State of Utah in the amount of $2.5 million for the development and construction of recreational and visitor facilities at a State recreational area in Washington County, Utah.

While the local BLM may have indicated their willingness to help fund this project, the agency lacks the authority to spend Federal funds on facilities on State lands.

However, we would not object to consideration of H.R. 3848 by the House today. The bill is solely an authorization and should not be construed as establishing a precedent for other requests for Federal funds.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. HANSEN) that the House suspend the rules and pass the bill, H.R. 3848.

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

A motion to reconsider was laid on the table.

CLARK COUNTY, NEVADA, PUBLIC LAND CONVEYANCE

Mr. HANSEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2937) to provide for the conveyance of certain public land in Clark County, Nevada, for use as a shooting range, as amended.

The Clerk read as follows:

H.R. 2937

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

SECTION 1. CONVEYANCE OF PROPERTY TO CLARK COUNTY, NEVADA.

(a) FINDINGS.—The Congress finds that—

(1) the Las Vegas area has experienced such rapid growth in the last few years that traditional locations for target shooting are now too close to populated areas for safety;

(2) there is a need to designate a centralized location in the Las Vegas Valley where target shooters can practice safely; and

(3) a central facility is also needed for persons training in the use of firearms, such as local law enforcement and security personnel.

(b) PURPOSES.—The purposes of this Act are—

(1) to provide a suitable location for the establishment of a centralized shooting facility in the Las Vegas Valley; and

(2) to provide the public with—

(A) opportunities for education and recreation; and

(B) a location for competitive events and marksmanship training.

(c) CONVEYANCE.—As soon as practicable after the date of enactment of this Act, the Secretary of the Interior shall convey to Clark County, Nevada, subject to valid existing rights, for no consideration, all right, title, and interest of the United States in and to the parcels of land described in subsection (d).

(d) LAND DESCRIPTIONS.—The parcels of land to be conveyed under subsection (c) are the parcels of land that are described as follows:

(1) Approximately 320 acres of land in Clark County, Nevada, in S½, sec. 25, T. 18 S., R. 60 E., Mount Diablo Base and Meridian.

(2) Approximately 320 acres of land in Clark County, Nevada, in S½, sec. 26, T. 18 S., R. 60 E., Mount Diablo Base and Meridian.

(3) Approximately 320 acres of land in Clark County, Nevada, in S½, sec. 27, T. 18 S., R. 60 E., Mount Diablo Base and Meridian.

(4) Approximately 640 acres of land in Clark County, Nevada, in sec. 34, T. 18 S., R. 60 E., Mount Diablo Base and Meridian.

(5) Approximately 640 acres of land in Clark County, Nevada, in sec. 35, T. 18 S., R. 60 E., Mount Diablo Base and Meridian.

(6) Approximately 640 acres of land in Clark County, Nevada, in sec. 36, T. 18 S., R. 60 E., Mount Diablo Base and Meridian.

(e) USE OF LAND.—

(1) IN GENERAL.—The parcels of land conveyed under subsection (c)—

(A) shall be used by Clark County for the purposes described in subsection (b) only; and

(B) shall not be disposed of by the county.

(2) REVERSION.—If Clark County ceases to use any parcel for the purposes described in subsection (b)—

(A) title to the parcel shall revert to the United States, at the option of the United States; and

(B) Clark County, Nevada, shall be responsible for any reclamation necessary to revert the parcel to the United States.

(f) ADDITIONAL TERMS AND CONDITIONS.—The Secretary of the Interior may require such additional terms and conditions in connection with the conveyance as the Secretary considers appropriate to protect the interests of the United States.

(g) RELEASE OF LAND.—The Congress—

(1) finds that the parcels of land conveyed under subsection (c), comprising a portion of the Quail Springs Wilderness Study Area, NV–050–411, managed by the Bureau of Land Management and reported to the Congress in 1991, have been adequately studied for wilderness designation under section 603 of the Federal Land Management Policy Act of 1976 (43 U.S.C. 1782); and

(2) declares that those parcels are no longer subject to the requirements contained in subsection (c) of that section pertaining to the management of wilderness study areas in a manner that does not impair the suitability of such areas for preservation as wilderness.

(h) ADMINISTRATIVE COSTS.—The Secretary shall require that Clark County, Nevada, pay all survey costs and other administrative costs necessary for the preparation and completion of any patents of and transfer of title to property under this section.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. HANSEN) and the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) each will control 20 minutes.

The Chair recognizes the gentleman from Utah (Mr. HANSEN).

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

Mr. Speaker, H.R. 2937, introduced by the gentleman from Nevada (Mr. GIBBONS) would provide for the conveyance of certain public lands in Clark County, Nevada, for use as a regional public shooting range.

Unprecedented residential growth over the past 20 years in and around the city of Las Vegas, Clark County, Nevada, has forced a number of shooting ranges to close. Those few shooting ranges that remain are close to being in violation of local ordinances that prohibit the discharge of firearms in or near residential areas.

Mr. Speaker, to address this matter, H.R. 2937 authorizes and directs the Secretary of the Interior to convey approximately 2,880 acres of public lands to Clark County, Nevada, for the creation of a regional public shooting range. The actual usable land for the shooting range will be approximately 1,400 acres. The balance would go towards a buffer zone for the west and south sides of the range. This new public facility would provide users, archery, trap, skeet, rifle and pistol, and air pellets, with a safe location for competitive events and marksmanship training as well as opportunities for education and recreation. The new shooting range will also be utilized by city and county police departments.

The bill includes revision language should Clark County, Nevada, cease to use the land as prescribed. In addition,

release language is included which declares the land conveyed has been adequately studied for wilderness designation under the Federal Land Management Policy Act; and once it is conveyed to Clark County, Nevada, the land is no longer subject to FLMPA requirements. I urge my colleagues to support H.R. 2937, as amended.

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

Mrs. CHRISTENSEN. Mr. Speaker, I yield myself such time as I may consume.

(Mrs. CHRISTENSEN asked and was given permission to revise and extend her remarks.)

Mrs. CHRISTENSEN. Mr. Speaker, H.R. 2937, sponsored by the gentleman from Nevada (Mr. GIBBONS), would convey 4.5 square miles of Federal land in Clark County, Nevada, to Clark County, free of charge.

The acreage in question is currently managed by the Bureau of Land Management as part of the Quail Springs Wilderness Study Area, and the legislation releases the land from WSA status.

The purpose of the legislation is to provide a centralized firearms training facility and shooting range in the Las Vegas Valley. Among other effects, the rapid population expansion which has taken place in the valley has created a dangerous situation whereby once rural activities such as firearms practice, is now taking place in close proximity to populated areas. This transfer will allow development of a safe facility for these activities, with a sufficient buffer area.

While such a transaction raises several concerns, not the least of which is the status of this land as a wilderness study area, we do not intend to oppose this measure. The administration supports H.R. 2937, and a companion bill has been introduced by the majority whip, Senator HARRY REID of Nevada. We commend our colleague on this legislation.

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

Mr. HANSEN. Mr. Speaker, I yield such time as he may consume to the gentleman from Nevada (Mr. GIBBONS), the author of this legislation.

Mr. GIBBONS. Mr. Speaker, I thank the gentleman for allowing H.R. 2937 to be considered here today. I would further like to thank the chairman of the Subcommittee on National Parks, Recreation and Public Lands, the gentleman from California (Mr. RADANOVICH), for expediting passage of this legislation in the Committee on Resources.

Mr. Speaker, H.R. 2937 is a bill to provide for the conveyance of certain public lands in Clark County, Nevada, for use as a public shooting range. This legislation enjoys strong bipartisan and bicameral support from our Nevada delegation.

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Nevada Senators HARRY REID and JOHN ENSIGN have introduced a companion bill in the United States Senate, and this legislation enjoys support from the administration as well.

For 15 consecutive years, Nevada has had the fastest growing population of any State. For 20 years, Clark County, Nevada has been the fastest growing county, with the majority of that growth taking place in the Second Congressional District. Accommodating that growth and meeting its challenges is something that I often discuss before this body.

Nevadans take great pride in the outdoor recreational opportunities that our great State has to offer. Unfortunately, Nevada has 87 percent publicly owned lands, which means that most of the recreation must take place on our public lands. Regardless, protecting the multiple use of our lands in Nevada is very important to our citizens.

The legislation before us today helps accommodate another longtime recreational favorite in Nevada, target shooting. H.R. 2937 will designate approximately 2,800 acres of public land north of Las Vegas to be used as a permanent shooting range. About half of the 2,800 acres will actually contain the shooting range, with the other 1,400 acres serving as a required buffer zone to ensure public safety. This new shooting facility will not only provide the public with a safe place to shoot, it will serve as a training facility for our law enforcement personnel in southern Nevada.

This legislation also includes reversionary language should Clark County cease to use the land as prescribed in this bill. Further, the 2,800 acres is currently designated a wilderness study area by the BLM. Yet, Mr. Speaker, the BLM has adequately studied this land and determined that it is not suitable for wilderness area designation. Therefore, Mr. Speaker, release language is included that declares the land conveyed has been adequately studied for wilderness designation under the Federal Land Policy and Management Act, or FLPMA as it is known.

Mr. Speaker, this legislation represents a simple land conveyance. It makes good sense. H.R. 2937 is supported by our law enforcement personnel, Clark County, and the public at large. Again, I want to thank the chairman and the ranking member for this opportunity. I urge my colleagues to support this legislation.

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

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

The SPEAKER pro tempore (Mr. WALDEN of Oregon). The question is on the motion offered by the gentleman from Utah (Mr. HANSEN) that the House suspend the rules and pass the bill, H.R. 2937, as amended.

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

A motion to reconsider was laid on the table.

BEAR RIVER MIGRATORY BIRD REFUGE SETTLEMENT ACT OF 2002

Mr. HANSEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3958) to provide a mechanism for the settlement of claims of the State of Utah regarding portions of the Bear River Migratory Bird Refuge located on the shore of the Great Salt Lake, Utah, as amended.

The Clerk read as follows:

H.R. 3958

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 ''Bear River Migratory Bird Refuge Settlement Act of 2002''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) The Secretary of the Interior and the State of Utah have negotiated a preliminary agreement concerning the ownership of lands within the Bear River Migratory Bird Refuge located in Bear River Bay of the Great Salt Lake, Utah.

(2) The State is entitled to ownership of those sovereign lands constituting the bed of the Great Salt Lake, and, generally, the location of the sovereign lands boundary was set by an official survey of the Great Salt Lake meander line.

(3) The establishment of the Refuge in 1928 along the shore of the Great Salt Lake, and lack of a meander line survey within the Refuge, has led to uncertainty of ownership of some those sovereign lands.

(4) In order to settle the uncertainty concerning the sovereign land boundary caused by the gap in the surveyed Great Salt Lake meander line within the Refuge, the Secretary and the State have agreed to the establishment of a fixed sovereign land boundary along the southern boundary of the Refuge and the State has agreed to release any claim to the lake bed above such boundary line.

(5) The Secretary and the State have expressed their intentions to establish a mutually agreed upon procedure to address the conflicting claims to ownership of the lands and interests in land within the Refuge.

SEC. 3. DEFINITIONS.

In this Act:

(1) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(2) REFUGE.—The term ''Refuge'' means the Bear River Migratory Bird Refuge located in Bear River Bay of the Great Salt Lake, Utah.

(3) AGREEMENT.—The term ''agreement'' means the agreement to be signed by the Secretary and the State to establish a mutually agreeable procedure for addressing the conflicting claims to ownership of the lands and interests in land within the Refuge.

(4) STATE.—The term ''State'' means the State of Utah.

SEC. 4. REQUIRED TERMS OF LAND CLAIMS SETTLEMENT, BEAR RIVER MIGRATORY BIRD REFUGE, UTAH.

(a) SPECIFIC TERMS REQUIRED IN AGREEMENT.—The Secretary shall not enter into an agreement with the State for the quitclaim or other transfer of lands or interests in lands within the Refuge unless the terms of the agreement include each of the following provisions:

(1) Nothing in the agreement shall be construed to impose upon the State or any of agency of the State any obligation to convey to the United States any interest in water owned or controlled by the State, except upon appropriate terms and for adequate consideration.

(2) Nothing in the agreement shall constitute admission or denial of the United States claim to a Federal reserved water right.

(3) The State shall support the United States application to add an enlarged Hyrum Reservoir, or another storage facility, as an alternate place of storage under the Refuge's existing

1,000 cubic feet per second State certified water right. Such support shall be contingent upon demonstration by the United States that no injury to water rights shall occur as a result of the addition.

(4) Nothing in the agreement shall affect jurisdiction by the State or the United States Fish and Wildlife Service over wildlife resources management, including fishing, hunting and trapping, within the Refuge.

(5) If the State elects to bring suit against the United States challenging the validity of the deed issued pursuant to the agreement, and if such suit is successful in invalidating such deed, the State will—

(A) pay the United States for the fair market value of all real property improvements on the property at the time of invalidation, such as dikes, water control structures and buildings;

(B) repay any amounts paid by the United States because of ownership of the land by the United States from the date of establishment of the Refuge, such as payments in lieu of taxes; and

(C) repay any amounts paid to the State pursuant to the agreement.

(6) Subject to the availability of funds for this purpose, the Secretary shall agree to pay $15,000,000 to the State upon delivery by the State of a quitclaim deed that meets all applicable standards of the Department of Justice and covers all lands and interests in lands claimed by the State within the Refuge. Such payment shall be subject to the condition that the State use the payment for the purposes, and in the amounts, specified in subsections (b) and (c).

(b) WETLANDS AND WILDLIFE PROTECTION PROGRAMS.—

(1) DEPOSIT.—The State shall deposit $10,000,000 of the amount paid pursuant to the agreement, as required by subsection (a)(6), in a restricted account, known as the Wetlands and Habitat Protection Account, to be used as provided in paragraph (2).

(2) AUTHORIZED USES.—The Executive Director of the Utah Department of Natural Resources may withdraw from the Wetlands and Habitat Protection Account, on an annual basis, amounts equal to the interest earned on the amount deposited under paragraph (1) for the following purposes:

(A) Wetland or open space protection in and near the Great Salt Lake.

(B) Enhancement and acquisition of wildlife habitat in and near the Great Salt Lake.

(c) RECREATIONAL TRAILS AND STREAMS DEVELOPMENT AND EXPANSION.—The Utah Department of Natural Resources shall use $5,000,000 of the amount paid pursuant to the agreement, as required by subsection (a)(6), for the following purposes:

(1) Development, improvement, and expansion of motorized and non-motorized recreational trails on public and private lands in the State, with priority given to providing trail access to the Great Salt Lake as part of the proposed Shoshone and Ogden-Weber trail systems.

(2) Preservation, reclamation, enhancement, and conservation of streams in the State.

(d) COORDINATION OF PROJECTS.—The Executive Director of the Utah Department of Natural Resources shall seek to maximize the use of funds under subsections (b) and (c) through coordination with nonprofit organizations, Federal agencies, other agencies of the State, and local governments, and shall give priority to those projects under such subsections that include Federal, State, or private matching funds.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $15,000,000 for the payment required by subsection (a)(6) to be included as a term of the agreement.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. HANSEN) and the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) each will control 20 minutes.

The Chair recognizes the gentleman from Utah (Mr. HANSEN).

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

H.R. 3958 provides a mechanism for the settlement of claims between the U.S. Department of Interior and the State of Utah regarding portions of the Bear River Migratory Bird Refuge located on the north shore of the Great Salt Lake and authorizes a reimbursement to the State of $15 million for the lands, oil, gas and mineral rights within the refuge.

The Bear River Migratory Bird Refuge was created in 1928 by Congress. Today, the refuge consists of 74,000 acres. Of these acres, the State of Utah claims 18,000 acres below the meander line of the Great Salt Lake as State sovereign lands. For nearly 75 years, the State and Federal governments have disputed the ownership of these lands. A 1976 Supreme Court decision, Utah v. United States, quieted title to the bed of the Great Salt Lake up to and including the surveyed meander line, excepting the refuge from the decision.

On September 28, 2001, negotiations between the Fish and Wildlife Service and the State resulted in a settlement agreement to be signed by the Secretary and by the Governor of the State. The settlement agreement is conditional upon congressional authorization and appropriation of required funds as well as State legislative approval. The 2002 Utah legislature approved the necessary measures. H.R. 3958 fulfills congressional action necessary for the Secretary of Interior to sign the final agreement.

To assure that reimbursement moneys from the settlement are used to benefit wildlife, this bill requires the State to place two-thirds of the funds in a permanent interest-bearing account to fund wetland and wildlife habitat projects in the State of Utah in perpetuity. The remaining one-third of the funds will be used for trail and stream enhancement. In return, the State will drop its claim to the disputed portion of the refuge. I urge my colleagues to support H.R. 3958.

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

Mrs. CHRISTENSEN. Mr. Speaker, I yield myself such time as I may consume.

(Mrs. CHRISTENSEN asked and was given permission to revise and extend her remarks.)

Mrs. CHRISTENSEN. Mr. Speaker, H.R. 3958 would provide the framework for a quitclaim settlement between the Federal Government and the State of Utah concerning lands and other interests at the Bear River Migratory Bird Refuge. This legislation is necessary to enable the Secretary of the Interior to sign the final agreement negotiated between the U.S. Fish and Wildlife Service and the State regarding a 75-year-old dispute concerning ownership to the beds and waters of the Great Salt Lake within the refuge. This legislation would not codify the agreement. Rather, H.R. 3958 would simply specify the required terms of the settlement.

Additionally, H.R. 3958 would authorize $15 million subject to the availability of appropriations as reimbursement to the State to quiet title to the lands, oil, gas and mineral rights within the refuge. In exchange, the State will drop its claim to the 18,000 acres within the refuge that are subject to the dispute and receive valuable funding to support habitat conservation and outdoor recreation activities benefiting both the refuge and the State lands and waters.

Mr. Speaker, the Bear River Migratory Bird Refuge is one of the oldest and most popular refuges within the entire National Wildlife Refuge System. This legislation should enhance future Federal management authority at the refuge. I commend Chairman HANSEN for bringing this bill before the House today. We are pleased to support it.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. HANSEN) that the House suspend the rules and pass the bill, H.R. 3958, 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. HANSEN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

UPPER MISSISSIPPI RIVER BASIN PROTECTION ACT OF 2001

Mr. HANSEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3480) to promote Department of the Interior efforts to provide a scientific basis for the management of sediment and nutrient loss in the Upper Mississippi River Basin.

The Clerk read as follows:

H.R. 3480

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Upper Mississippi River Basin Protection Act of 2001''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Definitions.
Sec. 3. Reliance on sound science.

TITLE I—SEDIMENT AND NUTRIENT MONITORING NETWORK

Sec. 101. Establishment of monitoring network.

Sec. 102. Data collection and storage responsibilities.
Sec. 103. Relationship to existing sediment and nutrient monitoring.
Sec. 104. Collaboration with other public and private monitoring efforts.
Sec. 105. Cost share requirements.
Sec. 106. Reporting requirements.
Sec. 107. National Research Council assessment.
TITLE II—COMPUTER MODELING AND RESEARCH
Sec. 201. Computer modeling and research of sediment and nutrient sources.
Sec. 202. Use of electronic means to distribute information.
Sec. 203. Reporting requirements.
TITLE III—AUTHORIZATION OF APPROPRIATIONS
Sec. 301. Authorization of appropriations.

SEC. 2. DEFINITIONS.

In this Act:

(1) The terms ''Upper Mississippi River Basin'' and ''Basin'' mean the watershed portion of the Upper Mississippi River and Illinois River basins, from Cairo, Illinois, to the headwaters of the Mississippi River, in the States of Minnesota, Wisconsin, Illinois, Iowa, and Missouri. The designation includes the Kaskaskia watershed along the Illinois River and the Meramec watershed along the Missouri River.

(2) The terms ''Upper Mississippi River Stewardship Initiative'' and ''Initiative'' mean the activities authorized or required by this Act to monitor nutrient and sediment loss in the Upper Mississippi River Basin.

(3) The term ''sound science'' means a scientific method that uses the best available technical and scientific information and techniques to identify and understand natural resource management needs and appropriate treatments, to implement conservation measures, and to assess the results of treatments on natural resource health and sustainability in the Upper Mississippi River Basin.

SEC. 3. RELIANCE ON SOUND SCIENCE.

It is the policy of Congress that Federal investments in the Upper Mississippi River Basin must be guided by sound science.

TITLE I—SEDIMENT AND NUTRIENT MONITORING NETWORK

SEC. 101. ESTABLISHMENT OF MONITORING NETWORK.

(a) ESTABLISHMENT.—As part of the Upper Mississippi River Stewardship Initiative, the Secretary of the Interior shall establish a sediment and nutrient monitoring network for the Upper Mississippi River Basin for the purposes of—

(1) identifying and evaluating significant sources of sediment and nutrients in the Upper Mississippi River Basin;

(2) quantifying the processes affecting mobilization, transport, and fate of those sediments and nutrients on land and in water;

(3) quantifying the transport of those sediments and nutrients to and through the Upper Mississippi River Basin;

(4) recording changes to sediment and nutrient loss over time;

(5) providing coordinated data to be used in computer modeling of the Basin, pursuant to section 201; and

(6) identifying major sources of sediment and nutrients within the Basin for the purpose of targeting resources to reduce sediment and nutrient loss.

(b) ROLE OF UNITED STATES GEOLOGICAL SURVEY.—The Secretary of the Interior shall carry out this title acting through the office of the Director of the United States Geological Survey.

(c) HEADQUARTERS.—Sediment and nutrient monitoring information shall be headquartered at the Upper Midwest Environmental Sciences Center in La Crosse, Wisconsin.

SEC. 102. DATA COLLECTION AND STORAGE RESPONSIBILITIES.

(a) GUIDELINES FOR DATA COLLECTION AND STORAGE.—The Secretary of the Interior shall establish guidelines for the effective design of data collection activities regarding sediment and nutrient monitoring, for the use of suitable and consistent methods for data collection, and for consistent reporting, data storage, and archiving practices.

(b) RELEASE OF DATA.—Data resulting from sediment and nutrient monitoring in the Upper Mississippi River Basin shall be released to the public using generic station identifiers and hydrologic unit codes. In the case of a monitoring station located on private lands, information regarding the location of the station shall not be disseminated without the landowner's permission.

(c) PROTECTION OF PRIVACY.—Data resulting from sediment and nutrient monitoring in the Upper Mississippi River Basin is not subject to the mandatory disclosure provisions of section 552 of title V, United States Code, but may be released only as provided in subsection (b).

SEC. 103. RELATIONSHIP TO EXISTING SEDIMENT AND NUTRIENT MONITORING.

(a) INVENTORY.—To the maximum extent practicable, the Secretary of the Interior shall inventory the sediment and nutrient monitoring efforts, in existence as of the date of the enactment of this Act, of Federal, State, local, and nongovernmental entities for the purpose of creating a baseline understanding of overlap, data gaps and redundancies.

(b) INTEGRATION.—On the basis of the inventory, the Secretary of the Interior shall integrate the existing sediment and nutrient monitoring efforts, to the maximum extent practicable, into the sediment and nutrient monitoring network required by section 101.

(c) CONSULTATION AND USE OF EXISTING DATA.—In carrying out this section, the Secretary of the Interior shall make maximum use of data in existence as of the date of the enactment of this Act and of ongoing programs and efforts of Federal, State, tribal, local, and nongovernmental entities in developing the sediment and nutrient monitoring network required by section 101.

(d) COORDINATION WITH LOWER ESTUARY ASSESSMENT GROUP.—The Secretary of the Interior shall carry out this section in coordination with the Lower Estuary Assessment Group, as authorized by section 902 of the Estuaries and Clean Waters Act of 2000 (Public Law 106–457; 33 U.S.C. 2901 note).

SEC. 104. COLLABORATION WITH OTHER PUBLIC AND PRIVATE MONITORING EFFORTS.

To establish the sediment and nutrient monitoring network, the Secretary of the Interior shall collaborate, to the maximum extent practicable, with other Federal, State, tribal, local and private sediment and nutrient monitoring programs that meet guidelines prescribed under section 102(a), as determined by the Secretary.

SEC. 105. COST SHARE REQUIREMENTS.

(a) REQUIRED COST SHARING.—The non-Federal sponsors of the sediment and nutrient monitoring network shall be responsible for not less than 25 percent of the costs of maintaining the network.

(b) IN-KIND CONTRIBUTIONS.—Up to 80 percent of the non-Federal share may be provided through in-kind contributions.

(c) TREATMENT OF EXISTING EFFORTS.—A State or local monitoring effort, in existence as of the date of the enactment of this Act, that the Secretary of the Interior finds adheres to the guidelines prescribed under section 102(a) shall be deemed to satisfy the cost share requirements of this section.

SEC. 106. REPORTING REQUIREMENTS.

The Secretary of the Interior shall report to Congress not later than 180 days after the date of the enactment of this Act on the development of the sediment and nutrient monitoring network.

SEC. 107. NATIONAL RESEARCH COUNCIL ASSESSMENT.

The National Research Council of the National Academy of Sciences shall conduct a comprehensive water resources assessment of the Upper Mississippi River Basin.

TITLE II—COMPUTER MODELING AND RESEARCH

SEC. 201. COMPUTER MODELING AND RESEARCH OF SEDIMENT AND NUTRIENT SOURCES.

(a) MODELING PROGRAM REQUIRED.—As part of the Upper Mississippi River Stewardship Initiative, the Director of the United States Geological Survey shall establish a modeling program to identify significant sources of sediment and nutrients in the Upper Mississippi River Basin.

(b) ROLE.—Computer modeling shall be used to identify subwatersheds which are significant sources of sediment and nutrient loss and shall be made available for the purposes of targeting public and private sediment and nutrient reduction efforts.

(c) COMPONENTS.—Sediment and nutrient models for the Upper Mississippi River Basin shall include the following:

(1) Models to relate nutrient loss to landscape, land use, and land management practices.

(2) Models to relate sediment loss to landscape, land use, and land management practices.

(3) Models to define river channel nutrient transformation processes.

(d) COLLECTION OF ANCILLARY INFORMATION.—Ancillary information shall be collected in a GIS format to support modeling and management use of modeling results, including the following:

(1) Land use data.

(2) Soils data.

(3) Elevation data.

(4) Information on sediment and nutrient reduction improvement actions.

(5) Remotely sense data.

(e) HEADQUARTERS.—Information developed by computer modeling shall be headquartered at the Upper Midwest Environmental Sciences Center in La Crosse, Wisconsin.

SEC. 202. USE OF ELECTRONIC MEANS TO DISTRIBUTEINFORMATION.

Not later than 90 days after the date of the enactment of this Act, the Director of the United States Geological Survey shall establish a system that uses the telecommunications medium known as the Internet to provide information regarding the following:

(1) Public and private programs designed to reduce sediment and nutrient loss in the Upper Mississippi River Basin.

(2) Information on sediment and nutrient levels in the Upper Mississippi River and its tributaries.

(3) Successful sediment and nutrient reduction projects.

SEC. 203. REPORTING REQUIREMENTS.

(a) MONITORING ACTIVITIES.—Commencing one year after the date of the enactment of this Act, the Director of the United States Geological Survey shall provide to Congress and make available to the public an annual report regarding monitoring activities conducted in the Upper Mississippi River Basin.

(b) MODELING ACTIVITIES.—Every three years, the Director of the United States Geological Survey shall provide to Congress and make available to the public a progress report regarding modeling activities.

TITLE III—AUTHORIZATION OF APPROPRIATIONS

SEC. 301. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There is authorized to be appropriated to the Secretary of the Interior $6,250,000 each fiscal year to carry out this Act.

(b) WATER RESOURCE AND WATER QUALITY MANAGEMENT ASSESSMENT.—There is authorized to be appropriated $650,000 to allow the National Research Council to perform the assessment required by section 107.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. HANSEN) and the gentleman from Wisconsin (Mr. KIND) each will control 20 minutes.

The Chair recognizes the gentleman from Utah (Mr. HANSEN).

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

H.R. 3480, the Upper Mississippi River Basin Protection Act of 2001, provides for the Department of the Interior, U.S. Geological Survey to supplement, coordinate and manage data collection on sediments and nutrients in the Upper Mississippi River Basin and use the data to perform computer modeling to provide the baseline data and modeling tools needed to make scientifically sound and cost-effective river management decisions. The legislation includes a provision requiring landowner permission prior to disseminating information from monitoring stations located on private lands to protect the privacy of individual landowners. Finally, it provides for the National Research Council of the National Academy of Sciences to conduct a comprehensive water resources assessment of the Upper Mississippi River Basin.

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

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

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

Mr. KIND. Mr. Speaker, this legislation offered today is meant to better preserve and protect one of the great national treasures that exist in this country, the Mississippi River Basin. I would like to thank, first of all, Chairman HANSEN of our committee and Chairman CALVERT of the subcommittee and their staffs for the assistance and the cooperation we received in putting this legislation together. I also want to thank Ranking Member RAHALL and also Ranking Member SMITH of the subcommittee and their staff for all the help and assistance that we have received.

This is simple legislation, Mr. Speaker. The intent of it is to authorize the U.S. Geological Survey to be able to put together the science and implement the science so we can better track and monitor the nutrients and sediments that flow into the Upper Mississippi River Basin. It would develop for the first time a public-private approach and coordination in order to develop a comprehensive monitoring and a state-of-the-art computer modeling program in order to track the sediment and nutrient flows into the river basin.

This legislation has been near and dear to my heart, Mr. Speaker. As a young boy growing up in western Wisconsin, I spent an inordinate amount of my time growing up on the Mississippi River. I guess you could refer to me as the ''Tom Sawyer'' of the United States Congress, but since we already have a TOM SAWYER from Ohio I guess I will just accept the label of Huck Finn. Huck was probably more colorful, anyway. But as a young kid growing up, I spent a lot of my time on the Mississippi enjoying the recreational activities, the swimming, the fishing, the hunting, but I still remember those days during the sixties and during the seventies when I would go down to my favorite swimming beaches and find that they were closed because of high bacteria count, or going down to my favorite fishing holes and finding notices that were posted around these popular fishing areas warning the fishermen not to eat the fish that they were catching because of the contamination and the effect on the quality of the fish supplies. I knew even then as a young boy that something was not quite right.

Since those days, a lot of progress has been made in regards to the health, viability and sustainability of the river basin. There is still much work that needs to be done. If you talk to the experts in the river system both in the north and the southern part, the one thing that has really been lacking or missing is a comprehensive scientific program so we can collect the baseline data at sub-basin level in order to understand more the effects of the sediment and nutrient flows going into this valuable ecosystem.

Why is this important? It is important on a number of fronts, not least of which is economic. This is a multiple-use river system, from commercial navigation to tourist activity to recreation activity. It has been in the past with the lock and dam system; it is today and it will continue to be so in the future. But there also is the need for balance and balanced use in regards to the river basin. There is a $1.2 billion recreation impact in the Upper Mississippi States alone and a $6.6 billion tourism impact. In fact, we have more visitors every year to the Upper Mississippi Wildlife Refuge than they do in the Yellowstone National Park System. It is also the primary drinking supply source for over 22 million Americans. It is North America's largest migratory route, with over 40 percent of the waterfowl species using the river basin as its main corridor during its migratory pattern every year. It also provides us, as this picture demonstrates, the fertile farmland which makes the Midwest the breadbasket of the United States and the rest of the world.

But there are also some challenges with the system. Because of the sediment flows flowing into the river, it is costing us roughly $100 million every year just to maintain a 9-foot navigable channel with the dredging costs in order to keep the commercial navigation flowing along the river system. Our farmers are losing valuable topsoil. In fact, they are losing $300 million worth of applied nitrogen every year that ultimately flows into the rivers and streams and affects the ecosystem adversely.

This litigation has received wide bipartisan support, from the original cosponsors when I introduced the legislation to a variety of experts in the Upper Mississippi States. It is consistent with the Mississippi River and the Gulf of Mexico Hypoxia Task Force that was formed over the last few years, studying the nutrient problems that are affecting especially the Gulf of Mexico and the dead zone that is being created there. The Upper Mississippi, although it supplies 22 percent of the water that ultimately flows into the Gulf of Mexico, nevertheless it is the source of 32 percent of the nutrients that are flowing into the Gulf of Mexico, and it is consistent with the recommendations that they are making for a public and private coordinated approach with Federal, State, local agencies, private entities and tribes to do a better job of collaborating and to standardize the data that is now being collected.

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At one point during the research of this legislation, I discovered there were 77 different private entities that were doing some form of water quality testing, but there was very little sharing of information because the data was not standardized. This legislation will address that problem.

But it also addresses a very important privacy protection concern that some groups that we worked with raised, and I feel the language that we have in here with regard to the protection of sharing personal data of private landowners meets the test that a lot of these groups were raising.

It is also consistent with what a number of States have talked about that is needed in regards to the River Basin and its protection. In fact, a number of States have also weighed in on the need to increase monitoring and modeling efforts throughout the Upper Mississippi River Basin.

In October of 2001, in a letter to a Bush administration official, six Governors of the States bordering the Mississippi wrote that, ''A monitoring effort conducted jointly by the U.S. Geological Survey and the States is required within the Basin to determine the water quality effects of the actions taken and to measure the success of efforts on a sub-basin and project level.''

H.R. 3480 does exactly what the Governors of those States were recommending, bringing in a variety of groups in order to have a more comprehensive monitoring and computer

modeling system so that the science will be able to demonstrate where the hot spots exist, where the problem areas are, so we are in a better position then of making policy choices of how better to direct the limited resources to get the optimal effect of the investment in land stewardship through , voluntary and incentive-based land conservation programs, and the benefit that is going to bring to the entire river basin area.

My district, Mr. Speaker, has more miles that border the Mississippi River than any other congressional district in the Nation, and therefore I felt a certain personal responsibility to keep an eye on the river and to promote good policy and legislation that will enhance the long-term sustainability of this great natural resource.

It is one of the reasons I was motivated to help form a bipartisan Mississippi River Task Force so that we can start working more effectively together between the upper Mississippi region and the southern Mississippi River region on issues of common ground and to better educate ourselves in regard to the different uses of this valuable river system.

Finally, Mr. Speaker, I do want to thank a few individuals who have been very helpful in support of this legislation. I want to, of course, thank the original cosponsors of this legislation, including the other cochairs of the Upper Mississippi River Task Force, the gentleman from Minnesota (Mr. GUTKNECHT), the gentleman from Iowa (Mr. LEACH), and the gentleman from Illinois (Mr. COSTELLO).

I also want to thank the congressional cochairs of the entire Mississippi River Caucus, the gentleman from Missouri (Mr. HULSHOF) and the gentleman from Iowa (Mr. BOSWELL) for their support and their staff's support for this legislation.

In addition, I want to thank Ms. Holly Stoerker of the Upper Mississippi River Basin Association, Mr. Doug Daigle of the Mississippi River Basin Alliance, Dr. Jerry Schnoor of the University of Iowa, and Dr. Barry Drazkowski and the administration and staff at St. Mary's University in Minnesota for a lot of the ideas that are contained within this legislation. Their expertise and testimony during the hearings that we have had on this legislation was essential in crafting the bipartisan approach that this legislation takes.

Also greatly appreciated is the tireless work of a few individuals in my office, former Sea Grant fellow Allen Hance, who is now with the Northeast Midwest Institute, along with other Sea Grant fellows, Laura Cimo, Jeff Stein and Ed Buckner, who have worked in my office, worked specifically on this legislation dealing with a lot of the shareholders and groups interested in this legislation, as well as other issues affecting the Mississippi River Basin area.

I also want to thank a couple permanent members on my staff, Ben Proctor, who is with us on the floor today, and also Brad Pfaff, who has carried a lot of the weight with this legislation during the period of time we have been working on it. Their help has been greatly appreciated.

H.R. 3480 represents a commonsense move toward building the scientific foundation necessary to remedy nutrient and sediment problems throughout the Mississippi River Basin. I believe this is a needed, cost-effective step in preserving the Upper Mississippi River and its multiple-use heritage for future generations, and I would urge my colleagues to support this legislation.

Mr. PETRI. Mr. Speaker, I rise in support of H.R. 3480, the Upper Mississippi River Basin Protection Act.

For quite some time there have been several federal, state, and local programs designed to address the problem of sediment and nutrient loss in the Upper Mississippi River Basin, but there has been little coordination between them. This bill will provide this much needed coordination and enable a more comprehensive approach to addressing this problem.

In Wisconsin, and particularly in my district, agriculture is a vital industry. The soil erosion suffered by farmers in the area reduces and threatens the long-term sustainability and income of my state's family farms.

Furthermore, the cost of dredging the sediment fills in the river's main shipping channel costs over $100 million each year. These fills also threaten the region's $1.2 billion recreation and $6.6 billion tourism industries.

While the Upper Mississippi River Basin contributes 22 percent of the water flowing into the Lower Mississippi, it contributes 31 percent of the nitrogen, threatening the water quality of that part of the river.

By designating the U.S. Geological Survey as the lead agency, this bill will provide the much needed coordination, monitoring, and scientific data collection to implement informed and effective conservation decisions for the river basin. I urge my colleagues to support its passage.

Mr. GUTKNECHT. Mr. Speaker, as a cochair of the Upper Mississippi River Task Force, I am proud that the House is considering the Upper Mississippi River Basin Protection Act today.

This bill is good for farmers, and it is good for the environment.

Every year, farmers collectively lose more than $300 million in applied nitrogen due to erosion. Not only does this hurt the Mississippi River ecosystem—it hurts farmers' checkbooks.

Soil erosion also causes sedimentation problems on the river. Dredging costs due to increased sedimentation run over $100 million each year, and removing the sediment is integral to keeping the river a viable transportation mechanism. Sediments also fill critical wetland areas in the Mississippi River basin, threatening the plants and wildlife.

Currently there is insufficient data on the amounts and sources of sediments and nutrients in the upper Mississippi River basin. Local, state, and federal water quality monitoring and modeling efforts are not coordinated or standardized. This legislation will develop a coordinated public-private approach to reducing nutrient and sediment losses in the upper Mississippi River basin, and will establish a water quality monitoring network and an integral computer modeling program.

This bill will provide the baseline data needed to make scientifically sound and cost-effective decisions that will benefit all who depend on the health of the upper Mississippi River basin for transportation, recreation, or whatever their needs may be.

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

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

The SPEAKER pro tempore (Mr. WALDEN of Oregon). The question is on the motion offered by the gentleman from Utah (Mr. HANSEN) that the House suspend the rules and pass the bill, H.R. 3480.

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

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. HANSEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 3848, H.R. 2937, H.R. 3958 and H.R. 3480.

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

There was no objection.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the House by Ms. Evans, one of his secretaries.

CONGRATULATING PEOPLE OF UTAH, SALT LAKE ORGANIZING COMMITTEE AND ATHLETES OF WORLD FOR SUCCESSFUL AND INSPIRING 2002 OLYMPIC WINTER GAMES

Mr. SMITH of New Jersey. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 363) congratulating the people of Utah, the Salt Lake Organizing Committee and the athletes of the world for a successful and inspiring 2002 Olympic Winter Games, as amended.

The Clerk read as follows:

H. RES. 363

Whereas the State of Utah hosted the world during the largest and most successful Olympic Winter Games ever held;

Whereas the people of Utah opened their hearts and their homes to the athletes of the world and represented the Nation well to the world community;

Whereas the Salt Lake Organizing Committee, its president, Mitt Romney, and its chairman, Robert Garff did a spectacular job in staging a great Winter Olympics with class, dignity, and a proper focus on the athletic competition;

Whereas 2,535 athletes, from a record 78 countries, prepared with unmatched dedication, competed with unrivaled courage, and inspired the world with their spirit of peaceful competition;

Whereas African-American and Mexican-American athletes won medals for the first time in Winter Olympics history;

Whereas over 500 athletes from 36 nations competed in the 2002 Paralympic Winter Games, also held in Salt Lake City, and reminded the world that physical challenges are no limit to human achievement;

Whereas the 211 members of the United States Olympic Team won a Winter Olympics record 34 medals, including a record 10 gold medals, and gave a grateful Nation another new group of heroes at a time when the Nation has rediscovered the true meaning of heroism;

Whereas the silent heroes, over 7,000 members of Federal, State, and local law enforcement and public safety agencies, and over 5,400 brave members of the Armed Forces continued their selfless service to ensure the Winter Olympics were safe and secure for athletes and spectators alike;

Whereas over 19,500 Utahns and other United States citizens volunteered their time and talents to show the world the best that the United States has to offer; and

Whereas the 2002 Olympic Winter Games accomplished the principles set forth by the Olympic movement, including the aim to ''encourage the Olympic spirit of peace and harmony, which brings the people from across the world together around Olympic sport'': Now, therefore, be it

Resolved, That the House of Representatives congratulates the people of Utah, the Salt Lake Organizing Committee, the United States Olympic Team, and the athletes of the world for an outstanding and inspiring 2002 Olympic Winter Games, and thanks the thousands of law enforcement and public safety personnel, military servicemen and women, and volunteers who contributed so much to ensure the Winter Olympics were safe, secure, and friendly.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. SMITH) and the gentleman from California (Mr. LANTOS) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey (Mr. SMITH).

GENERAL LEAVE

Mr. SMITH of New Jersey. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H. Res. 363, as amended.

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

There was no objection.

Mr. SMITH of New Jersey. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H. Res. 363, as amended, at the request of the distinguished gentleman from Utah (Chairman HANSEN), congratulating the people of Utah, the Salt Lake Organizing Committee and the competing athletes for an inspiring Olympic Winter Games. The Committee on International Relations, on which I serve as vice chairman, waived its consideration of this measure before the Easter recess to facilitate its consideration by the House today.

I am very pleased to join with my colleagues, particularly those from the State of Utah, in congratulating for a job well done not only each and every one of the 211 members of the United States Winter Olympics team, who won a record 34 medals and competed with great tenacity, focus and sportsmanship, but also the over 7,000 members of the law enforcement and public safety agencies and over 5,400 members of the Armed Forces who ensured that the games were safe for athletes and spectators alike. That was no small feat, Mr. Speaker, in light of the 9–11 world that we live in where terrorism and threats are a daily routine.

We also note with deep appreciation that the Olympic games would not have been possible without the active involvement of close to 20,000 Americans, whose volunteer efforts in Utah and around the country made a critical difference to the success of these games. Their legacy is an inspiration to all Americans and a shining example of what this country represents.

My understanding is that this resolution, as amended, does have broad bipartisan support, and I do hope that every Member of this Chamber will support it.

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

Mr. LANTOS. Mr. Speaker, I yield myself such time as I may consume, and I rise in strong support of this resolution.

Mr. Speaker, the resolution recognizes and congratulates the achievements of those who contributed to making the 2002 Winter Olympics such a remarkable success. The people and the government of Salt Lake City and of the State of Utah were gracious hosts who made both our international guests and our fellow Americans from around our Nation feel welcome and at home. The Salt Lake Organizing Committee, under the leadership of Mitt Romney, recovered from a shaky start and produced a truly outstanding competition.

Mr. Speaker, most importantly, I want to congratulate the athletes from around the globe for their spirited competition, which was obviously the most important ingredient in the enormously successful Winter Olympic Games in Salt Lake City, Utah.

Mr. Speaker, our resolution expresses our gratitude for our own United States Olympic athletes who provided inspiration with their unprecedented success in winning 34 medals, and, I am proud to add, including the first ever medals earned by African American and Mexican American athletes in the Winter Olympics. This is an historic achievement.

Our resolution recognizes the less-visible heroes of this year's Olympics, the law enforcement officers and military personnel who rose to the challenge posed by the events of September 11 by ensuring that the Winter Games were safe and secure for athletes and spectators alike.

Finally, Mr. Speaker, I want to congratulate my good friend and colleague, the distinguished gentleman from Utah (Mr. HANSEN), the gentleman from Utah (Mr. MATHESON) and a former member of our Committee on International Relations, the gentleman from Florida (Mr. HASTINGS), for their work on this important resolution.

I urge all of my colleagues to support H. Res. 363.

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

Mr. SMITH of New Jersey. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Utah (Mr. HANSEN), the sponsor of the resolution.

Mr. HANSEN. Mr. Speaker, I thank the gentleman from New Jersey for being so gracious and yielding me this time.

Mr. Speaker, I rise today in support of this resolution, as amended, and urge all of my colleagues to extend our congratulations to my home State, the State of Utah, for hosting, in the words of one NBC sportscaster, ''far and away the most successful Olympics, summer or winter, in history.''

I would extend a special thanks to my friend and colleague, the gentleman from Florida (Mr. HASTINGS), for his work to make this resolution better and for laying aside his own resolution to bring this compromise to the floor.

Just over 1 month ago, the State of Utah and her citizens were introduced to the world, and, boy, did they ever shine. From the emotional opening ceremonies to the celebration of the closing ceremonies, the Salt Lake Organizing Committee, under the inspirational leadership of their President Mitt Romney, Chairman Bob Garff and Chief Operating Officer Fraser Bullock, they truly made America proud, while keeping the focus on peaceful international competition and the spirit of human achievement.

Never in the history of the Olympics has there been such a spirit of enthusiasm and volunteerism exhibited by the host community. Visitors from around the world were uniformly impressed by the helpfulness and friendliness of the locals.

Salt Lake City, Utah, in the words of one Washington Post writer, is the ''nice'' capital of the world.

Mr. Speaker, not only did my home State shine in its hosting of the Winter Olympics, but the home team, the U.S. Olympians, took home an unprecedented number of medals, 34 in all, including the first ever winter gold medals for African American and Mexican American athletes. The previous U.S. record for a Winter Games was only 13 medals. I commend all of our U.S. Olympic team athletes for their tremendous showing.

We are also proud to host the Paralympic Games, where hundreds of athletes reminded us that all physical limitations are no boundary to human achievement.

After the horrendous attacks on our country on September 11, United States citizens and the international community as a whole approached the 2002 Winter Olympics with some trepidation. There was even talk of canceling the games. But the Salt Lake Organizing Committee and the people of Utah could not be deterred by fear.

Thanks to the united efforts of thousands of Federal, State and local law enforcement and National Guard and other military personnel, the Olympic games went off without a single incident. The Nation owes all of those silent heroes our deepest thanks for their continued sacrifice.

Mr. Speaker, I would like to ask all of my colleagues to support this legislation, but before we do, I also have one tiny little black mark on the flawlessness of these games, and I say this with my tongue planted firmly in my cheek.

To Mr. Woody Paige, the Denver Post sportswriter, who in a presumed fit of jealousy over Utah having better skiing attractions and amenities than Colorado, maligned the local culture, ridiculed the religious beliefs of millions of Americans, and then failed at an insincere apology.

Mr. Paige asserted that Utah had only beginner-level skiing. I would love to see Mr. Paige try the men's downhill course, The Grizzly, at Snowbasin, a 77 percent drop, going 85 miles an hour in the first 300 feet. In fact, we Utahans have a standing invitation to him, with the press and public watching, for Mr. Paige to attempt this ''beginner's run.'' I will be there for his debut, ringing my cow bell, and perhaps if he makes it down in one piece, he will reassess his opinion of Utah's ''Greatest Snow on Earth.''

Mr. Speaker, I want to thank the good folks of Massachusetts for giving us Mitt Romney for the time that they did, and now we give him back to you, and are sure he will serve you well for the next 4 years as he has served us in Utah.

Mr. LANTOS. Mr. Speaker, I am delighted to yield such time as he may consume to my good friend, the gentleman from Florida (Mr. HASTINGS).

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Mr. HASTINGS of Florida. Mr. Speaker, I thank my very good friend, the gentleman from California (Mr. LANTOS), for giving me an opportunity to speak on this matter, as well as the gentleman from Utah (Mr. HANSEN). The chairman of the committee and I spoke about this matter shortly after the Olympics and our respective offices were proceeding apace with legislation; and now we come to this, and I am delighted today that it has come to fruition.

I rise today to join with my colleagues in congratulating all of the people of Utah, the Salt Lake Organizing Committee, and the athletes of the world for a successful, inspirational, and a truly breathtaking 2002 Olympic Winter Games. I do not talk too much of the winter stuff, because I come from Florida; but the fact is that it was exciting, and I had an opportunity to view much of it.

The 2002 Olympic Games represented the best of human spirit. The games were an exemplary exhibition of dedication, perseverance, and unity that we all strive for and need during these violent times. This year marked the 19th Winter Games, which brought 78 nations and more than 2,500 athletes to this global arena and gave us some of the most historical and memorable moments of any of the Winter Games.

These games showed us tremendous American diversity and determination, and that is where my interest came in with reference to this resolution. It showed us determination and diversity when, for the first time ever at our Winter Games, African American and Hispanic American athletes graced the winner's podium. I hope that the accomplishments of those African Americans, particularly bobsledder Vonetta Flowers and Hispanic American speed skaters Jennifer Rodriguez and Derek Parra, have opened doors for all of those who dare to dream, despite difficult circumstances.

The 2002 games also showed us the spirit which forms the very foundation of these games. When the Kazakhstan Women's Hockey team came to the Olympics wearing hospital scrubs with holes in them, a transportation volunteer took notice and started a collection. As a result, anonymous gift baskets were placed on the team's bus.

Mr. Speaker, these games were a tremendous success. The athletes shined and the fans cheered. All of this was made possible by sheer hard work and determination of the thousands of volunteers, law enforcement agencies, and our armed services. The 60 security organizations entrusted with the responsibility of protecting the athletes, coaches, judges and spectators rose to the challenge to provide the safest Olympic games ever and set an impressive precedent for providing security in the future.

I would also like to congratulate and thank the residents of Salt Lake City for opening up their homes and, more importantly, their hearts to the world and making this a truly magnificent experience for all Americans.

I also am immensely proud of the success of the 2002 Paralympic Winter Games. The athletes taking part in these games represent the epitome of resolve and dedication. I think that Rudy Garcia-Tolson, a 13-year-old boy who has lost both of his legs to congenital birth defects, but has gone on to compete in triathlons, said it best when he stated, ''My spirit thinks I am a regular boy and an athlete. My spirit soars.''

Today I congratulate those who protected, provided, and performed in the 2002 Winter Olympic Games in Salt Lake City. Thanks to the countless efforts of hundreds of determined men and women, this year's Olympics were victorious over anxiety and skepticism and brought off a spectacle that was equal parts entertainment and uplift.

The 2002 Winter Olympic Games and 2002 Paralympic Winter Games have brought forth the feeling of unity that is much needed in today's world. If thousands of athletes, fans, volunteers, and service persons can come together for a few weeks and personify the human spirit, then there is no reason to doubt that the nations of this world can come together and join in that human spirit.

I thank the gentleman from California (Mr. LANTOS) and the gentleman from Utah (Chairman HANSEN).

Mr. SMITH of New Jersey. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. LANTOS. Mr. Speaker, I want to commend the gentleman from Florida (Mr. HASTINGS), my friend, for an extraordinarily eloquent and powerful statement.

Mr. CANNON. Mr. Speaker, it is my great pleasure to rise today in support of House Resolution 363.

In 1995, Salt Lake city was awarded the honor of hosting the 2002 Winter Olympic Games. Seven years and thousands of volunteer hours later, the state of Utah welcomed the world to the largest and most successful Winter Olympics ever. Accomplishing this amazing event was no small feat and the tens of thousands of people involved deserve to be recognized for their work and dedication.

There is little doubt that the Olympics would not have been as successful without the time and incredible efforts of the Salt Lake Organizing Committee, headed by President Mitt Romney and Chairman Robert Garff. But equally important were the tireless efforts of the nearly 20,000 volunteers who opened their homes and hearts to the world. Without their time, talents and generosity, the XIX Winter Olympics would not have been the success it was.

After September 11, some questioned whether the spirit of the Games could be preserved in light of security concerns. But thanks to the collaboration of over 7,000 federal, state, and local law enforcement officers and 5,400 members of the Armed Forces, not one serious incident occurred during the Olympics and Paralympics. The selfless courage of these men and women ensured the safety and security of all the athletes and visitors to the Games.

In the aftermath of September 11, the athletes became new heroes for America. These individuals captured our hearts through their amazing sacrifices and triumphs. For the first time in Winter Olympic history, an African-American and Mexican-American won medals, inspiring children and adults alike to strive for excellence.

As Representatives of the United States, we must recognize and congratulate through this resolution all Americans who helped make the 2002 Winter Olympic Games the most successful and memorable ever.

Mr. BLUMENAUER. Mr. Speaker, the success of the 2002 Olympic games in Sale Lake City reflects well the hard work and extraordinary efforts of its

host city and of the thousands of athletes who participated in the games. In particular, I would like to congratulate the people who work at the Utah Transit Authority and Utah Department of Transportation for their role in making these Games the most mobility-friendly in history.

Transit provided a safe, effective and efficient transportation alternative for tens of thousands of visitors from around the world, while also serving local residents who rode transit and helped reduce congestion. The efforts of Utah's transportation professionals helped to ensure that the transportation system worked seamlessly during the Olympics.

Salt Lake City developed TRAX, its light rail system, in anticipation of the 2002 Olympics to reduce growing congestion levels in the region. Since service began on the TRAX system in 1999, which opened a year ahead of schedule and under budget, residents in Utah have flocked to use it. Ridership has greatly exceeded projections, and remains high on the system even following the Olympic Games.

In addition to the amazing effort of Utah's transit employees, transit systems from around the nation helped support the Olympic games. Buses and light rail cars borrowed from across the country, in addition to 1,100 transit operators from other cities who came to Salt Lake City to assist the UTA, made the difference in the quality of transit service provided to the approximately 1.7 million spectators, athletes, trainers, officials, journalists, sponsors and staff attending the 2002 Olympics. The Amalgamated Transit Union also played a key role in encouraging drivers and maintenance personnel to participate in the Olympics by helping the Salt Lake Organizing Committee. The willingness of transit agencies from throughout the United States to support Salt Lake City during the 2002 Olympics demonstrates yet another winning team for our country.

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

The SPEAKER pro tempore (Mr. WALDEN of Oregon). The question is on the motion offered by the gentleman from New Jersey (Mr. SMITH) that the House suspend the rules and agree to the resolution, H. Res. 363, as amended.

The question was taken.

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

Mr. SMITH of New Jersey. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

BUSINESS CHECKING FREEDOM ACT OF 2002

Mr. TOOMEY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1009) to repeal the prohibition on the payment of interest on demand deposits, as amended.

The Clerk read as follows:

H.R. 1009

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 ''Business Checking Freedom Act of 2002''.

SEC. 2. INTEREST-BEARING TRANSACTION ACCOUNTS AUTHORIZED.

(a) REPEAL OF PROHIBITION ON PAYMENT OF INTEREST ON DEMAND DEPOSITS.—

(1) FEDERAL RESERVE ACT.—Section 19(i) of the Federal Reserve Act (12 U.S.C. 371a) is amended to read as follows:

''(i) [Repealed]''.

(2) HOME OWNERS' LOAN ACT.—The first sentence of section 5(b)(1)(B) of the Home Owners' Loan Act (12 U.S.C. 1464(b)(1)(B)) is amended by striking ''savings association may not—'' and all that follows through ''(ii) permit any'' and inserting ''savings association may not permit any''.

(3) FEDERAL DEPOSIT INSURANCE ACT.—Section 18(g) of the Federal Deposit Insurance Act (12 U.S.C. 1828(g)) is amended to read as follows:

''(g) [Repealed]''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect at the end of the 2-year period beginning on the date of the enactment of this Act.

SEC. 3. INTEREST-BEARING TRANSACTION ACCOUNTS AUTHORIZED FOR ALL BUSINESSES.

Section 2 of Public Law 93–100 (12 U.S.C. 1832) is amended—

(1) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(2) by inserting after subsection (a) the following:

''(b) Notwithstanding any other provision of law, any depository institution may permit the owner of any deposit or account which is a deposit or account on which interest or dividends are paid and is not a deposit or account described in subsection (a)(2) to make up to 24 transfers per month (or such greater number as the Board of Governors of the Federal Reserve System may determine by rule or order), for any purpose, to another account of the owner in the same institution. An account offered pursuant to this subsection shall be considered a transaction account for purposes of section 19 of the Federal Reserve Act unless the Board of Governors of the Federal Reserve System determines otherwise.''.

SEC. 4. PAYMENT OF INTEREST ON RESERVES AT FEDERAL RESERVE BANKS.

(a) IN GENERAL.—Section 19(b) of the Federal Reserve Act (12 U.S.C. 461(b)) is amended by adding at the end the following new paragraph:

''(12) EARNINGS ON RESERVES.—

''(A) IN GENERAL.—Balances maintained at a Federal reserve bank by or on behalf of a depository institution may receive earnings to be paid by the Federal reserve bank at least once each calendar quarter at a rate or rates not to exceed the general level of short-term interest rates.

''(B) REGULATIONS RELATING TO PAYMENTS AND DISTRIBUTION.—The Board may prescribe regulations concerning—

''(i) the payment of earnings in accordance with this paragraph;

''(ii) the distribution of such earnings to the depository institutions which maintain balances at such banks or on whose behalf such balances are maintained; and

''(iii) the responsibilities of depository institutions, Federal home loan banks, and the National Credit Union Administration Central Liquidity Facility with respect to the crediting and distribution of earnings attributable to balances maintained, in accordance with subsection (c)(1)(A), in a Federal reserve bank by any such entity on behalf of depository institutions.

''(C) DEPOSITORY INSTITUTIONS DEFINED.—For purposes of this paragraph, the term 'depository institution', in addition to the institutions described in paragraph (1)(A), includes any trust company, corporation organized under section 25A or having an agreement with the Board under section 25, or any branch or agency of a foreign bank (as defined in section 1(b) of the International Banking Act of 1978).''.

(b) AUTHORIZATION FOR PASS THROUGH RESERVES FOR MEMBER BANKS.—Section 19(c)(1)(B) of the Federal Reserve Act (12 U.S.C. 461(c)(1)(B)) is amended by striking ''which is not a member bank''.

(c) CONSUMER BANKING COSTS ASSESSMENT.—

(1) IN GENERAL.—Section 1002 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 1811 note) is amended to read as follows:

''SEC. 1002. SURVEY OF BANK FEES AND SERVICES.

''(a) ANNUAL SURVEY REQUIRED.—The Board of Governors of the Federal Reserve System shall obtain annually a sample, which is representative by type and size of the institution (including small institutions) and geographic location, of the following retail banking services and products provided by insured depository institutions and insured credit unions (along with related fees and minimum balances):

''(1) Checking and other transaction accounts.

''(2) Negotiable order of withdrawal and savings accounts.

''(3) Automated teller machine transactions.

''(4) Other electronic transactions.

''(b) MINIMUM SURVEY REQUIREMENT.—The annual survey described in subsection (a) shall meet the following minimum requirements:

''(1) CHECKING AND OTHER TRANSACTION ACCOUNTS.—Data on checking and transaction accounts shall include, at a minimum, the following:

''(A) Monthly and annual fees and minimum balances to avoid such fees.

''(B) Minimum opening balances.

''(C) Check processing fees.

''(D) Check printing fees.

''(E) Balance inquiry fees.

''(F) Fees imposed for using a teller or other institution employee.

''(G) Stop payment order fees.

''(H) Nonsufficient fund fees.

''(I) Overdraft fees.

''(J) Deposit items returned fees.

''(K) Availability of no-cost or low-cost accounts for consumers who maintain low balances.

''(2) NEGOTIABLE ORDER OF WITHDRAWAL ACCOUNTS AND SAVINGS ACCOUNTS.—Data on negotiable order of withdrawal accounts and savings accounts shall include, at a minimum, the following:

''(A) Monthly and annual fees and minimum balances to avoid such fees.

''(B) Minimum opening balances.

''(C) Rate at which interest is paid to consumers.

''(D) Check processing fees for negotiable order of withdrawal accounts.

''(E) Fees imposed for using a teller or other institution employee.

''(F) Availability of no-cost or low-cost accounts for consumers who maintain low balances.

''(3) AUTOMATED TELLER TRANSACTIONS.—Data on automated teller machine transactions shall include, at a minimum, the following:

''(A) Monthly and annual fees.

''(B) Card fees.

''(C) Fees charged to customers for withdrawals, deposits, and balance inquiries through institution-owned machines.

''(D) Fees charged to customers for withdrawals, deposits, and balance inquiries through machines owned by others.

''(E) Fees charged to noncustomers for withdrawals, deposits, and balance inquiries through institution-owned machines.

''(F) Point-of-sale transaction fees.

''(4) OTHER ELECTRONIC TRANSACTIONS.—Data on other electronic transactions shall include, at a minimum, the following:

''(A) Wire transfer fees.

''(B) Fees related to payments made over the Internet or through other electronic means.

''(5) OTHER FEES AND CHARGES.—Data on any other fees and charges that the Board of Governors of the Federal Reserve System determines to be appropriate to meet the purposes of this section.

''(6) FEDERAL RESERVE BOARD AUTHORITY.—The Board of Governors of the Federal Reserve System may cease the collection of information with regard to any particular fee or charge specified in this subsection if the Board makes a determination that, on the basis of changing practices in the financial services industry, the collection of such information is no longer necessary to accomplish the purposes of this section.

''(c) ANNUAL REPORT TO CONGRESS REQUIRED.—

''(1) PREPARATION.—The Board of Governors of the Federal Reserve System shall prepare a report of the results of each survey conducted pursuant to subsections (a) and (b) of this section and section 136(b)(1) of the Consumer Credit Protection Act.

''(2) CONTENTS OF THE REPORT.—In addition to the data required to be collected pursuant to subsections (a) and (b), each report prepared pursuant to paragraph (1) shall include a description of any discernible trend, in the Nation as a whole, in a representative sample of the 50 States (selected with due regard for regional differences), and in each consolidated metropolitan statistical area (as defined by the Director of the Office of Management and Budget), in the cost and availability of the retail banking services, including those described in subsections (a) and (b) (including related fees and minimum balances), that delineates differences between institutions on the basis of the type of institution and the size of the institution, between large and small institutions of the same type, and any engagement of the institution in multistate activity.

''(3) SUBMISSION TO CONGRESS.—The Board of Governors of the Federal Reserve System shall submit an annual report to the Congress not later than June 1, 2004, and not later than June 1 of each subsequent year.

''(4) TRANSITION PROVISION.—Notwithstanding section 4(c)(3) of the Business Checking Freedom Act of 2002, the Board of Governors of the Federal Reserve System shall, on an interim basis, continue to comply with the requirements for the bank fee survey under the amendment made to this section by section 108 of the Riegle-Neal Interstate Banking and Branching Efficiency Act of 1994 for reports submitted to the Congress under this section not later than June 1, 2003, except that the Board shall incorporate within any such report, to the extent possible, any additional information on any credit card fee or charge that is available to the Board even though such information is not required by such amendment.

''(d) DEFINITIONS.—For purposes of this section, the term ''insured depository institution'' has the meaning given such term in section 3 of the Federal Deposit Insurance Act, and the term ''insured credit union'' has the meaning given such term in section 101 of the Federal Credit Union Act.''.

(2) AMENDMENT TO THE TRUTH IN LENDING ACT.—

(A) IN GENERAL.—Paragraph (1) of section 136(b) of the Truth in Lending Act (15 U.S.C. 1646(b)(1)) is amended to read as follows:

''(1) COLLECTION REQUIRED.—The Board shall collect, on a semiannual basis, from a broad sample of financial institutions which offer credit card services, credit card price and availability information including—

''(A) the information required to be disclosed under section 127(c) of this chapter;

''(B) the average total amount of finance charges paid by consumers; and

''(C) the following credit card rates and fees:

''(i) Application fees.

''(ii) Annual percentage rates for cash advances and balance transfers.

''(iii) Maximum annual percentage rate that may be charged when an account is in default.

''(iv) Fees for the use of convenience checks.

''(v) Fees for balance transfers.

''(vi) Fees for foreign currency conversions.''.

(B) EFFECTIVE DATE.—The amendment made by subparagraph (A) shall take effect on January 1, 2003.

(3) REPEAL OF SUNSET PROVISION.—Section 108 of the Riegle-Neal Interstate Banking and Branching Efficiency Act of 1994 is hereby repealed.

(4) NONAPPLICABILITY OF OTHER PROVISION OF LAW.—Section 3003(a)(1) of the Federal Reports Elimination and Sunset Act of 1995 (31 U.S.C. 1113 note) shall not apply to any report required to be submitted under section 1002(b) of Financial Institutions Reform, Recovery, and Enforcement Act of 1989.

(d) TECHNICAL AND CONFORMING AMENDMENTS.—Section 19 of the Federal Reserve Act (12 U.S.C. 461) is amended—

(1) in subsection (b)(4) (12 U.S.C. 461(b)(4)), by striking subparagraph (C) and redesignating subparagraphs (D) and (E) as subparagraphs (C) and (D), respectively; and

(2) in subsection (c)(1)(A) (12 U.S.C. 461(c)(1)(A)), by striking ''subsection (b)(4)(C)'' and inserting ''subsection (b)''.

SEC. 5. INCREASED FEDERAL RESERVE BOARD FLEXIBILITY IN SETTING RESERVE REQUIREMENTS.

Section 19(b)(2)(A) of the Federal Reserve Act (12 U.S.C. 461(b)(2)(A)) is amended—

(1) in clause (i), by striking ''the ratio of 3 per centum'' and inserting ''a ratio not greater than 3 percent (and which may be zero)''; and

(2) in clause (ii), by striking ''and not less than 8 per centum,'' and inserting ''(and which may be zero),''.

SEC. 6. TRANSFER OF FEDERAL RESERVE SURPLUSES.

(a) IN GENERAL.—Section 7(b) of the Federal Reserve Act (12 U.S.C. 289(b)) is amended by adding at the end the following new paragraph:

''(4) ADDITIONAL TRANSFERS TO COVER INTEREST PAYMENTS FOR FISCAL YEARS 2002 THROUGH 2006.—

''(A) IN GENERAL.—In addition to the amounts required to be transferred from the surplus funds of the Federal reserve banks pursuant to subsection (a)(3), the Federal reserve banks shall transfer from such surplus funds to the Board of Governors of the Federal Reserve System for transfer to the Secretary of the Treasury for deposit in the general fund of the Treasury, such sums as are necessary to equal the net cost of section 19(b)(12) in each of the fiscal years 2002 through 2006.

''(B) ALLOCATION BY FEDERAL RESERVE BOARD.—Of the total amount required to be paid by the Federal reserve banks under subparagraph (A) for fiscal years 2002 through 2006, the Board of Governors of the Federal Reserve System shall determine the amount each such bank shall pay in such fiscal year.

''(C) REPLENISHMENT OF SURPLUS FUND PROHIBITED.—During fiscal years 2002 through 2006, no Federal reserve bank may replenish such bank's surplus fund by the amount of any transfer by such bank under subparagraph (A).''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—Section 7(a) of the Federal Reserve Act (12 U.S.C. 289(a)) is amended by adding at the end the following new paragraph:

''(3) PAYMENT TO TREASURY.—During fiscal years 2002 through 2006, any amount in the surplus fund of any Federal reserve bank in excess of the amount equal to 3 percent of the paid-in capital and surplus of the member banks of such bank shall be transferred to the Secretary of the Treasury for deposit in the general fund of the Treasury.''.

SEC. 7. RULE OF CONSTRUCTION.

In the case of an escrow account maintained at a depository institution in connection with a real estate transaction—

(1) the absorption, by the depository institution, of expenses incidental to providing a normal banking service with respect to such escrow account;

(2) the forbearance, by the depository institution, from charging a fee for providing any such banking function; and

(3) any benefit which may accrue to the holder or the beneficiary of such escrow account as a result of an action of the depository institution described in subparagraph (1) or (2) or similar in nature to such action, shall not be treated as the payment or receipt of interest for purposes of this Act and any provision of Public Law 93-100, the Federal Reserve Act, the Home Owners' Loan Act, or the Federal Deposit Insurance Act relating to the payment of interest on accounts or deposits at depository institutions.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. TOOMEY) and the gentleman from Texas (Mr. GONZALEZ) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania (Mr. TOOMEY).

GENERAL LEAVE

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

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

There was no objection.

Mr. TOOMEY. Mr. Speaker, I yield myself 5 minutes as I rise today in support of H.R. 1009, the Business Checking Freedom Act of 2002.

Let me begin by saying that as a former small business owner, I have seen firsthand just how challenging it can be to run and operate a small business and the endless headaches that come with playing so many roles: making a payroll every Friday, complying

with an almost endless amount of regulation, paperwork, and taxes.

It is an unfortunate fact that regulation itself, applied equally to large and small entities, is more burdensome to the smaller businesses, because they just have fewer resources with which to meet the needs of the regulatory environment and to cover the overhead costs. Despite these obstacles, many small businesses are thriving.

What I think we can do here in Congress is ask ourselves, Are there ways that we can help these businesses to thrive, help them expand their bottom line, help them to hire more workers, become more productive, and contribute more to our economy? I think we can do that by fostering an environment where the free enterprise market system can thrive. Part of that means eliminating unnecessary regulation. That is something we can do today.

It may be hard to believe for many folks, but we actually have a law on the books today that prohibits banks from even having the option of offering to pay interest on the checking accounts held by businesses with those banks. It is actually illegal for a bank in America to pay interest to a business that keeps a balance in its checking account.

Now, this has implications. The inability of depository institutions to pay interest on these business checking accounts really hurts all sectors of our economy, but the harm is especially pronounced on small businesses. Specifically, it means that the small florist shop in Pennsburg, Pennsylvania, cannot earn any interest on the hard-earned balance that they have to keep in their checking account to pay the bills. Over the course of a year or two, that could mean several hundred dollars. In time it could mean the difference between making a payroll and not making a payroll.

It means the auto mechanics shop on Northampton Street in Easton, Pennsylvania, cannot earn the interest on their hard-earned checking account balance, and that could make the difference in investing in the latest technology for diagnostic equipment for car repairs.

Now more than ever, a change in this law would be very helpful to businesses as they struggle through this economic slowdown and try to get this economy moving again.

Today, what Congress can do to help is we can pass H.R. 1009, the Business Checking Freedom Act of 2002. The bill contains several commonsense reforms; but most importantly, it eliminates the ban on the payment of interest on business checking accounts that is currently imposed on banks after a 2-year transition period. The ban has been in effect since the Great Depression. Frankly, it was probably never a very good idea, but it is certainly long overdue for appeal now; and today is our chance to abolish this ban.

Support for this bill is nearly universal. The U.S. Chamber of Commerce, the NFIB, the America's Community Bankers, the National Association of Federal Credit Unions, the Association for Financial Professionals, and the Independent Insurance Agents of America are just a handful of the independent organizations that support this bill.

In addition, on March 19 of this year, President Bush announced that repealing the prohibition on business interest checking would be included as part of his small business legislative plan.

In addition to the President, the Federal regulators support this legislative change as well. In their 1996 joint report, ''Streamlining of Regulatory Requirements,'' the Board of Governors of the Federal Reserve System, the FDIC, the Office of the Comptroller of the Currency, and the Office of Thrift Supervision stated that they believe that the 1933 statutory prohibition against payment of interest on business checking accounts ''no longer serves a public purpose.''

There is another important feature that I would like to touch on briefly in this bill, and that is that in addition to providing small business with much-needed relief, H.R. 1009 would authorize a payment of interest on certain reserves that banks are required to maintain at the Federal Reserve, the so-called ''sterile reserves.'' Just as it makes no sense to prohibit banks from paying interest on business checking, it also makes no sense to continue to prohibit the Federal Reserve from paying interest to banks on their sterile reserves.

Federal Reserve Chairman Alan Greenspan has testified before our committee, the Committee on Financial Services, that repealing the prohibition against paying interest on sterile reserves would have the additional benefit of facilitating the Federal Reserve's management of U.S. monetary policy. In part because the Fed pays no interest on these Reserves, balances at Federal Reserve banks have declined dramatically in recent years. The Federal Reserve believes that paying interest on these reserves would have the effect of stemming that decline and thereby enhancing their ability to conduct monetary policy.

I would like to thank the gentleman from Ohio (Mr. OXLEY), the chairman of this committee, and the gentleman from New York (Mr. LAFALCE), the ranking member, for their strong support of this bill and for bringing it to the House floor today. I would also like to thank the gentlewoman from New York (Mrs. KELLY) and the gentleman from Pennsylvania (Mr. KANJORSKI) for their contributions, their support, and their leadership on this legislation. I believe this legislation is long overdue. I am hopeful that the other Chamber will soon bring it up as well. I urge my colleagues to pass this pro-small business, pro-small bank, pro-free market legislation.

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

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

I rise in strong support of H.R. 1009. This legislation repeals an outdated prohibition against banks paying interest to their business customers on their checking accounts, and we support it wholeheartedly.

The repeal of the ban on interest-bearing checking accounts represents another important step in the modernization of our financial services industry. This ban was adopted in the Great Depression out of fear that banks seeking business accounts would bid against each other with higher interest rates and, thus, contribute to bank insolvencies. Federal banking agencies have all concluded that the ban no longer serves a useful public purpose and that it is outdated in this modern financial services environment.

Mr. Speaker, H.R. 1009 promotes healthy competition within the financial services community for commercial checking accounts, which can only benefit the business community, particularly the small business community, with more efficient, cost-effective financial services.

Current law and market conditions prevent many small businesses from obtaining easy access to interest-bearing checking accounts, while many larger businesses and their banks have found a way around the interest prohibition through complicated sweep accounts and other devices. This legislation would end this discrepancy between small and large businesses and, ultimately, increase the efficiency of the Nation's economy.

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I do share the concerns of many of my colleagues on the Committee on Financial Services that the Federal Reserve sterile reserve interest payment provisions of this bill may contribute to the budget deficit. But I believe that H.R. 1009, on balance, makes an important and necessary contribution to the long-term health of our Nation's economy.

I would also like to note that this bill includes a Democratic-sponsored provision that will provide an annual assessment by the Federal Reserve of the fees charged retail bank accounts. With fees representing an ever-growing share of bank earnings, an annual survey of retail bank fees is, in my view, increasingly important.

Mr. Speaker, I believe H.R. 1009 makes an important contribution to improving the financing opportunities for many small businesses across the country.

Mr. Speaker, I urge my colleagues to vote for the bill, and I reserve the balance of my time.

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

Mr. Speaker, I would like to thank the gentleman from Texas (Mr. GONZALEZ) for his leadership and support of this legislation.

Mr. Speaker, I yield 3 minutes to the gentlewoman from Illinois (Mrs. BIGGERT).

Mrs. BIGGERT. Mr. Speaker, I want to thank the gentleman from Pennsylvania for yielding this time to me, and for agreeing to engage in a colloquy on section 7 of the Business Checking Freedom Act of 2002.

I also want to thank him for including in this bill section 7, rule of construction. This provision addresses the treatment of certain services and benefits provided by banks in connection with escrow accounts for real estate closing transactions. It makes certain that the current legal definition of interest and the existing legal treatment of real estate closing escrow transactions remain the same.

Under current Federal law and regulations, particularly the Federal Reserve's regulation Q, banks may provide depositors with services and benefits, instead of interest. I originally asked that a similar provision be included in H.R. 974 in committee.

My interest in the issue stems from my experiences handling real estate closings early in my legal career and seeing firsthand the importance of regulation Q. I am grateful that adjustments are being made in the current version, and that the bill is moving forward.

Section 7 is especially important to title insurance companies, agents, and attorneys, who, like other businesses, often receive free or lower-cost bank services instead of interest on their real estate escrow accounts.

By not treating such services and benefits as constituting the payment of interest, the Federal Reserve ensures a real estate closing system that benefits both those who are delivering real estate services and those borrowers who receive the ultimate benefits of more efficient, lower-cost services.

In my legal practice, I became very familiar with these types of arrangements, and can attest to the fact that they facilitated and made more efficient the real estate closing process.

I strongly support this provision of the bill, and would ask the gentleman from Pennsylvania (Mr. TOOMEY) if he is of the same view regarding the intent of this provision.

Mr. TOOMEY. Mr. Speaker, will the gentlewoman yield?

Mrs. BIGGERT. I yield to the gentleman from Pennsylvania.

Mr. TOOMEY. Mr. Speaker, I would tell the gentlewoman, having supported this provision since we first considered this bill last year, I assure the gentlewoman that I agree with her. This provision rightfully preserves the current status of real estate escrow accounts held in connection with real estate closing transactions, and specifically in services and benefits that banks may provide instead of interest on such accounts.

Mrs. BIGGERT. I thank the gentleman for this clarification, Mr. Speaker.

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

Mr. TOOMEY. Mr. Speaker, I yield such time as he may consume to the gentleman from Alabama (Mr. BACHUS), chairman of the Subcommittee on Financial Institutions and Consumer Credit.

Mr. BACHUS. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I rise in strong support of H.R. 1009. I first want to commend the gentleman from Pennsylvania (Mr. TOOMEY) for bringing this legislation to the floor. This is important legislation.

Members will recall that the House passed legislation very similar to this, which the gentleman from Pennsylvania (Mr. TOOMEY) sponsored back in April of last year. Then, at the end of last year, we passed the terrorist insurance legislation. We passed several other important pieces of legislation designed to get the economy going, designed to eliminate unnecessary regulations, to stimulate growth, to create jobs, and to end the recession in our regulations.

This legislation, like the terrorist insurance legislation that President Bush strongly urged the other body to get to work in passing, has not been passed by the other body. It is time that we sent this legislation out with a strong vote and a strong message to the other body to get to work passing this legislation and other important legislation.

This legislation had strong bipartisan support. I want to commend the gentleman from Texas (Mr. GONZALEZ) and the gentleman from Pennsylvania (Mr. TOOMEY). In speaking on this legislation, they basically have already outlined to this House amply why we need this legislation.

Mr. Speaker, this is critically important to small businesses. Large corporations use sweep accounts. They use sophisticated computer programs and complex programs to earn interest on their commercial deposits. Small business owners do not get those same benefits.

Money center banks can attract deposits from large corporate customers. They promise them, through sweep accounts, that they will be compensated for the use of their money. Our small community banks do not do this, or it would cost them a great expense to do this.

This legislation would simply enable the small businesses, whether it is a florist, a body shop, an auto body shop, a law firm, a doctor's office, a beauty shop, it will allow them to get the same benefits that large corporations are getting today.

It will also allow the small community banks to attract deposits. We all know that that is key for the small banks or community banks in attracting deposits, keeping those deposits and keeping those monies in the local communities.

Again, I want to commend the gentleman from Pennsylvania (Mr. TOOMEY) and the other party, the minority party, the gentleman from Pennsylvania (Mr. KANJORSKI) and the gentleman from Texas (Mr. GONZALEZ).

Also, finally, I want to commend the gentlewoman from New York (Mrs. KELLY) for her work on this bill, and the chairman of the full committee, the gentleman from Ohio (Mr. OXLEY).

Mr. TOOMEY. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. ROYCE).

Mr. ROYCE. Mr. Speaker, I thank the gentleman for giving me this time, and I rise in strong support of the bill offered by the gentleman from Pennsylvania (Mr. TOOMEY), which is titled H.R. 1009, the Business Checking Freedom Act.

Mr. Speaker, this bill really follows in the footsteps of groundbreaking legislation that we already passed in the House of Representatives when we repealed outdated Depression era constraints on the financial services industry and moved to move that industry into the 21st century.

Giving banks the ability to pay interest on business checking accounts has been endorsed by the President as part of his small business agenda. The Federal Reserve Board also has long supported efforts to allow banks to offer interest on demand accounts, and the measure enjoys a broad base of industry support, including support from the National Federation of Independent Businesses, from the U.S. Chamber of Commerce, from America's Community Bankers, from the National Association of Federal Credit Unions, from the Association of Financial Professionals, and from the Independent Insurance Agents of America.

The inability of depository institutions to pay interest on business accounts hurts all sectors of the economy and decreases the overall competitiveness of the American markets. This legislation gives small businesses the jumpstart they need to create new jobs and improve the economy while removing burdensome regulations from small banks and allowing the market to work. I think that is the point that the author, the gentleman from Pennsylvania (Mr. TOOMEY), makes so well.

Mr. Speaker, I strongly encourage all of my colleagues to support this legislation and to strike a victory for the American economy. I recognize that many businesses, by the way, maintain what are called ''now accounts.'' Those that do will not receive this benefit. I hope that in the future, as this legislation moves, the restriction on interest on corporate now accounts is also repealed.

Lastly, I just want to thank the gentleman from Pennsylvania (Mr. TOOMEY) for the opportunity to speak in support of his important bill.

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

Mr. Speaker, I think the case has been made very clearly that it is long past time to repeal this really archaic Depression era law that no longer serves any useful purpose, if it ever did.

I urge my colleagues to support this bill.

Mr. OXLEY. Mr. Speaker, the legislation the House considers today represents the Financial Services Committee's continuing efforts to modernize America's laws so that they promote economic growth and the free market. Today's legislation is but one of many needed reforms to ensure that outdated thinking doesn't stifle the competitive forces of markets, and the changes made by H.R. 1009 are long overdue.

Under current law, small businesses are the only entities which must leave their capital lying idle in non-interest bearing accounts. The Business Checking Freedom Act of 2002 corrects this problem. This change is simply common sense, which is why a similar measure sponsored by Representative KELLY was passed by this body over a year ago. Unfortunately, as has been the case with so many important reforms passed by the House this Congress, the other body has refused to take up Representative KELLY's bill for consideration. While the other body waits, millions of small businesses across America are denied the opportunity to earn interest, which they could put towards hiring more workers and improving their operations.

H.R. 1009 is an important reform that will have tangible effects on our economy. That's why the President included these reforms in his plan for revitalizing small business and entrepreneurship. It is also why Federal Reserve Chairman Alan Greenspan supports this bill. By passing this legislation today the House will continue to demonstrate its leadership in improving our laws to reflect the realities of the 21st century.

Mr. Speaker, it is time for the other body to follow our lead. I thank Representative TOOMEY for his outstanding leadership in this area. His efforts will help small businessmen and women across America, and as Chairman of the Financial Services Committee I am grateful. I urge all of my colleagues to support H.R. 1009.

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

The SPEAKER pro tempore (Mr. WALDEN of Oregon). The question is on the motion offered by the gentleman from Pennsylvania (Mr. TOOMEY) that the House suspend the rules and pass the bill, H.R. 1009, as amended.

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

A motion to reconsider was laid on the table.

RECESS

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

Accordingly (at 3 o'clock and 40 minutes p.m.), the House stood in recess until approximately 6:30 p.m.

□ 1836

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mrs. BIGGERT) at 6 o'clock and 36 minutes p.m.

ANNOUNCEMENT OF INTENTION TO OFFER MOTION TO INSTRUCT CONFEREES ON H.R. 2646, FARM SECURITY ACT OF 2001

Mr. PHELPS. Madam Speaker, pursuant to clause 7(c) of rule XXII, I hereby announce my intention to offer the following motion to instruct House conferees tomorrow on H.R. 2646.

The form of the motion is as follows: Mr. PHELPS moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 2646, an act to provide for the continuation of agricultural programs through fiscal year 2011, be instructed to agree to the provisions contained in section 1071 of the Senate amendment, relating to reenactment of the family farmer bankruptcy provisions contained in chapter 12 of Title 11, United States Code.

Madam Speaker, I plan to offer this motion with the gentleman from Pennsylvania (Mr. HOLDEN).

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Votes will be taken in the following order:

Journal vote, de novo;

House Resolution 377, by the yeas and nays;

H.R. 3958, by the yeas and nays;

House Resolution 363, by the yeas and nays.

The Chair will reduce to 5 minutes the time for any electronic vote after the first such vote in this series.

THE JOURNAL

Pursuant to clause 8 of rule XX, the pending business is the question of the Speaker's approval of the Journal of the last day's proceedings.

The question is on agreeing to the Speaker's approval of the Journal.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. LAHOOD. Madam Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 361, nays 43, answered ''present'' 1, not voting 29, as follows:

[Roll No. 80]

YEAS—361

Abercrombie
Ackerman
Akin
Allen
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Boozman
Boswell
Boucher
Boyd
Brady (TX)
Brown (OH)
Brown (SC)
Bryant
Burr
Callahan
Camp
Cantor
Capito
Capps
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clyburn
Coble
Combest
Conyers
Cooksey
Cox
Coyne
Cramer
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Doggett
Dooley
Doolittle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Ferguson
Flake
Fletcher
Foley
Forbes
Ford
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (WI)
Greenwood
Grucci
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Herger
Hill
Hilleary
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hostettler
Houghton
Hoyer
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
LaFalce
LaHood
Lampson
Langevin
Lantos
Larson (CT)
LaTourette
Leach
Lee
Levin
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Lynch
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McGovern
McHugh
McInnis
McIntyre
McKeon
Meehan
Meek (FL)
Meeks (NY)
Millender-McDonald
Miller, Dan
Miller, Gary
Miller, Jeff
Mink
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Obey
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Pence
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Pomeroy
Portman
Price (NC)
Putnam
Quinn
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryun (KS)
Sanchez

Sanders
Sandlin
Sawyer
Saxton
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stearns
Stenholm
Stump
Stupak
Sullivan
Sununu
Tanner
Tauscher
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Turner
Upton
Velazquez
Vitter
Walden
Walsh
Wamp
Waters
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Wexler
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)

NAYS—43

Aderholt
Brady (PA)
Capuano
Condit
Costello
Crane
DeFazio
Dingell
English
Everett
Filner
Green (TX)
Gutknecht
Hefley
Hilliard
Kennedy (MN)
Kucinich
Larsen (WA)
Latham
LoBiondo
McDermott
McNulty
Menendez
Miller, George
Moore
Oberstar
Olver
Peterson (MN)
Pombo
Sabo
Schaffer
Slaughter
Strickland
Sweeney
Taylor (MS)
Thompson (CA)
Thompson (MS)
Udall (CO)
Udall (NM)
Visclosky
Weller
Whitfield
Wicker

ANSWERED ''PRESENT''—1

Tancredo

NOT VOTING—29

Becerra
Blagojevich
Borski
Brown (FL)
Burton
Buyer
Calvert
Cannon
Clement
Collins
Doyle
Fossella
Gephardt
Gutierrez
Hulshof
Hunter
Jones (NC)
Lewis (CA)
McKinney
Mica
Mollohan
Platts
Pryce (OH)
Radanovich
Riley
Ryan (WI)
Sessions
Traficant
Young (FL)

□ 1909

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mrs. BIGGERT) (during the vote). At a certain time during this vote, some voting stations were temporarily inoperative. The Chair urges all Members to verify their votes prior to the Chair's announcement of the result.

□ 1909

So the Journal was approved.

The result of the vote was announced as above recorded.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair's prior announcement on voting on House Resolution 363 is corrected to postpone that yea and nay vote until tomorrow.

There will now be two 5-minute votes.

RECOGNIZING ELLIS ISLAND MEDAL OF HONOR AND COMMENDING NATIONAL ETHNIC COALITION OF ORGANIZATIONS

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the resolution, H. Res. 377.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. TOM DAVIS) that the House suspend the rules and agree to the resolution, H. Res. 377, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 403, nays 0, not voting 31, as follows:

[Roll No. 81]

YEAS—403

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

NOT VOTING—31

Becerra
Blagojevich
Borski
Brown (FL)
Burton
Buyer
Calvert
Cannon
Clement
Collins
Doyle
Fossella
Gephardt
Gutierrez
Hoyer
Hulshof
Jones (NC)
Lewis (CA)
McKinney
Mica
Mollohan
Pryce (OH)
Radanovich
Riley
Ryan (WI)
Sessions
Traficant
Velazquez
Waters
Watson (CA)
Young (FL)

□ 1919

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

BEAR RIVER MIGRATORY BIRD REFUGE SETTLEMENT ACT OF 2002

The SPEAKER pro tempore (Mrs. BIGGERT). The pending business is the question of suspending the rules and passing the bill, H.R. 3958, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. HANSEN) that the House suspend the rules and

pass the bill, H.R. 3958, as amended, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 396, nays 6, not voting 32, as follows:

[Roll No. 82]

YEAS—396

Abercrombie
Ackerman
Aderholt
Akin
Allen
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Boozman
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Bryant
Burr
Callahan
Camp
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clyburn
Combest
Condit
Conyers
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doolittle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Filner
Fletcher
Foley
Forbes
Ford
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hostettler
Houghton
Hoyer
Hunter
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick
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Vitter
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Walsh
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Mollohan
Pryce (OH)
Radanovich
Riley
Roukema
Ryan (WI)
Scott
Sessions
Smith (MI)
Traficant
Young (FL)

□ 1929

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3925, DIGITAL TECH CORPS ACT OF 2002

Mrs. MYRICK, from the Committee on Rules, submitted a privileged report (Rept. No. 107–393) on the resolution (H. Res. 380) providing for consideration of the bill (H.R. 3925) to establish an exchange program between the Federal Government and the private sector in order to promote the development of expertise in information technology management, and for other purposes, which was referred to the House Calendar and ordered to be printed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Any record vote on the postponed question will be taken tomorrow.

ANNOUNCEMENT OF INTENTION TO OFFER MOTION TO INSTRUCT ON H.R. 2646, FARM SECURITY ACT OF 2001

Mr. FLAKE. Madam Speaker, pursuant to clause 7(c) of rule XXII, I hereby announce my intention to offer a motion to instruct conferees on H.R. 2646 tomorrow. The form of the motion is as follows:

Mr. FLAKE of Arizona moves that the managers on the part of the House at the conference on disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 2646 (an act to provide for the continuation of agricultural programs through fiscal year 2011) be instructed to agree to section 1144(g)(1)(C) of the Food Security Act of 1985, as added by section 204 of the Senate amendment.

□ 1930

TAXPAYER PROTECTION AND IRS ACCOUNTABILITY ACT OF 2002

Mr. THOMAS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3991) to amend the Internal Revenue Code of 1986 to protect taxpayers and ensure accountability of the Internal Revenue Service, as amended.

The Clerk read as follows:

H.R. 3991

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

SECTION 1. SHORT TITLE; ETC.

(a) SHORT TITLE.—This Act may be cited as the ''Taxpayer Protection and IRS Accountability Act of 2002''.

(b) AMENDMENT OF 1986 CODE.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

(c) TABLE OF CONTENTS.—

Sec. 1. Short title; etc.

TITLE I—PENALTIES AND INTEREST

Sec. 101. Reduction of Federal tax deposit penalty.
Sec. 102. Failure to pay estimated tax penalty converted to interest charge on accumulated unpaid balance.
Sec. 103. Exclusion from gross income for interest on overpayments of income tax by individuals.
Sec. 104. Abatement of interest.
Sec. 105. Deposits made to suspend running of interest on potential underpayments.
Sec. 106. Expansion of interest netting for individuals.

Sec. 107. Waiver of certain penalties for first-time unintentional minor errors.
Sec. 108. Frivolous tax submissions.
TITLE II—FAIRNESS OF COLLECTION PROCEDURES
Sec. 201. Partial payment of tax liability in installment agreements.
Sec. 202. Additional considerations to be taken into account as bases for accepting offer-in-compromise.
Sec. 203. Extension of time for return of property.
Sec. 204. Seven-day threshold on tolling of statute of limitations during tax review.
Sec. 205. Study of liens and levies.
TITLE III—EFFICIENCY OF TAX ADMINISTRATION
Sec. 301. Revisions relating to termination of employment of Internal Revenue Service employees for misconduct.
Sec. 302. Confirmation of authority of Tax Court to apply doctrine of equitable recoupment.
Sec. 303. Jurisdiction of Tax Court over collection due process cases.
Sec. 304. Office of Chief Counsel review of offers in compromise.
Sec. 305. Study of taxpayer notification alternatives.
TITLE IV—CONFIDENTIALITY AND DISCLOSURE
Sec. 401. Collection activities with respect to joint return disclosable to either spouse based on oral request.
Sec. 402. Taxpayer representatives not subject to examination on sole basis of representation of taxpayers.
Sec. 403. Disclosure in judicial or administrative tax proceedings of return and return information of persons who are not party to such proceedings.
Sec. 404. Prohibition of disclosure of taxpayer identification information with respect to disclosure of accepted offers-in-compromise.
Sec. 405. Compliance by contractors with confidentiality safeguards.
Sec. 406. Higher standards for requests for and consents to disclosure.
Sec. 407. Notice to taxpayer concerning administrative determination of browsing; annual report.
Sec. 408. Expanded disclosure in emergency circumstances.
Sec. 409. Disclosure of taxpayer identity for tax refund purposes.
TITLE V—MISCELLANEOUS
Sec. 501. Clarification of definition of church tax inquiry.
Sec. 502. Expansion of declaratory judgment remedy to tax-exempt organizations.
Sec. 503. Employee misconduct report to include summary of complaints by category.
Sec. 504. Annual report on awards of costs and certain fees in administrative and court proceedings.
Sec. 505. Annual report on abatement of penalties.
Sec. 506. Better means of communicating with taxpayers.
Sec. 507. Explanation of statute of limitations and consequences of failure to file.
Sec. 508. Amendment to Treasury auction reforms.
Sec. 509. Enrolled agents.
TITLE VI—AUTHORIZATION OF APPROPRIATION
Sec. 601. Low-income taxpayer clinics.

TITLE I—PENALTIES AND INTEREST

SEC. 101. REDUCTION OF FEDERAL TAX DEPOSIT PENALTY.

(a) IN GENERAL.—Subparagraph (A) of section 6656(b)(1) is amended to read as follows:

''(A) IN GENERAL.—Except as provided in subparagraph (B), the term 'applicable percentage' means 2 percent.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to deposits required to be made after December 31, 2002.

SEC. 102. FAILURE TO PAY ESTIMATED TAX PENALTY CONVERTED TO INTEREST CHARGE ON ACCUMULATED UNPAID BALANCE.

(a) PENALTY MOVED TO INTEREST CHAPTER OF CODE.—The Internal Revenue Code of 1986 is amended by redesignating section 6654 as section 6641 and by moving section 6641 (as so redesignated) from part I of subchapter A of chapter 68 to the end of subchapter E of chapter 67 (as added by subsection (e)(1) of this section).

(b) PENALTY CONVERTED TO INTEREST CHARGE.—The heading and subsections (a) and (b) of section 6641 (as so redesignated) are amended to read as follows:

''SEC. 6641. INTEREST ON FAILURE BY INDIVIDUAL TO PAY ESTIMATED INCOME TAX.

''(a) IN GENERAL.—Interest shall be paid on any underpayment of estimated tax by an individual for a taxable year for each day of such underpayment. The amount of such interest for any day shall be the product of the underpayment rate established under subsection (b)(2) multiplied by the amount of the underpayment.

''(b) AMOUNT OF UNDERPAYMENT; INTEREST RATE.—For purposes of subsection (a)—

''(1) AMOUNT.—The amount of the underpayment on any day shall be the excess of—

''(A) the sum of the required installments for the taxable year the due dates for which are on or before such day, over

''(B) the sum of the amounts (if any) of estimated tax payments made on or before such day on such required installments.

''(2) DETERMINATION OF INTEREST RATE.—

''(A) IN GENERAL.—The underpayment rate with respect to any day in an installment underpayment period shall be the underpayment rate established under section 6621 for the first day of the calendar quarter in which such installment underpayment period begins.

''(B) INSTALLMENT UNDERPAYMENT PERIOD.—For purposes of subparagraph (A), the term 'installment underpayment period' means the period beginning on the day after the due date for a required installment and ending on the due date for the subsequent required installment (or in the case of the 4th required installment, the 15th day of the 4th month following the close of a taxable year).

''(C) DAILY RATE.—The rate determined under subparagraph (A) shall be applied on a daily basis and shall be based on the assumption of 365 days in a calendar year.

''(3) TERMINATION OF ESTIMATED TAX INTEREST.—No day after the end of the installment underpayment period for the 4th required installment specified in paragraph (2)(B) for a taxable year shall be treated as a day of underpayment with respect to such taxable year.''.

(c) INCREASE IN SAFE HARBOR WHERE TAX IS SMALL.—

(1) IN GENERAL.—Clause (i) of section 6641(d)(1)(B) (as so redesignated) is amended to read as follows:

''(i) the lesser of—

''(I) 90 percent of the tax shown on the return for the taxable year (or, if no return is filed, 90 percent of the tax for such year), or

''(II) the tax shown on the return for the taxable year (or, if no return is filed, the tax for such year) reduced (but not below zero) by $2,000, or''.

(2) CONFORMING AMENDMENT.—Subsection (e) of section 6641 (as so redesignated) is amended by striking paragraph (1) and redesignating paragraphs (2) and (3) as paragraphs (1) and (2), respectively.

(d) CONFORMING AMENDMENTS.—

(1) Paragraphs (1) and (2) of subsection (e) (as redesignated by subsection (c)(2)) and subsection (h) of section 6641 (as so designated) are each amended by striking ''addition to tax'' each place it occurs and inserting ''interest''.

(2) Section 167(g)(5)(D) is amended by striking ''6654'' and inserting ''6641''.

(3) Section 460(b)(1) is amended by striking ''6654'' and inserting ''6641''.

(4) Section 3510(b) is amended—

(A) by striking ''section 6654'' in paragraph (1) and inserting ''section 6641'';

(B) by amending paragraph (2)(B) to read as follows:

''(B) no interest would be required to be paid (but for this section) under 6641 for such taxable year by reason of the $2,000 amount specified in section 6641(d)(1)(B)(i)(II).'';

(C) by striking ''section 6654(d)(2)'' in paragraph (3) and inserting ''section 6641(d)(2)''; and

(D) by striking paragraph (4).

(5) Section 6201(b)(1) is amended by striking ''6654'' and inserting ''6641''.

(6) Section 6601(h) is amended by striking ''6654'' and inserting ''6641''.

(7) Section 6621(b)(2)(B) is amended by striking ''addition to tax under section 6654'' and inserting ''interest required to be paid under section 6641''.

(8) Section 6622(b) is amended—

(A) by striking ''PENALTY FOR'' in the heading; and

(B) by striking ''addition to tax under section 6654 or 6655'' and inserting ''interest required to be paid under section 6641 or addition to tax under section 6655''.

(9) Section 6658(a) is amended—

(A) by striking ''6654, or 6655'' and inserting ''or 6655, and no interest shall be required to be paid under section 6641,''; and

(B) by inserting ''or paying interest'' after ''the tax'' in paragraph (2)(B)(ii).

(10) Section 6665(b) is amended—

(A) in the matter preceding paragraph (1) by striking '', 6654,''; and

(B) in paragraph (2) by striking ''6654 or''.

(11) Section 7203 is amended by striking ''section 6654 or 6655'' and inserting ''section 6655 or interest required to be paid under section 6641''.

(e) CLERICAL AMENDMENTS.—

(1) Chapter 67 is amended by inserting after subchapter D the following:

''Subchapter E—Interest on Failure by Individual to Pay Estimated Income Tax

''Sec. 6641. Interest on failure by individual to pay estimated income tax.''.

(2) The table of subchapters for chapter 67 is amended by adding at the end the following new items:

''Subchapter D. Notice requirements.

''Subchapter E. Interest on failure by individual to pay estimated income tax.''.

(3) The table of sections for part I of subchapter A of chapter 68 is amended by striking the item relating to section 6654.

(f) EFFECTIVE DATE.—The amendments made by this section shall apply to installment payments for taxable years beginning after December 31, 2002.

SEC. 103. EXCLUSION FROM GROSS INCOME FOR INTEREST ON OVERPAYMENTS OF INCOME TAX BY INDIVIDUALS.

(a) IN GENERAL.—Part III of subchapter B of chapter 1 (relating to items specifically excluded from gross income) is amended by inserting after section 139 the following new section:

"SEC. 139A. EXCLUSION FROM GROSS INCOME FOR INTEREST ON OVERPAYMENTS OF INCOME TAX BY INDIVIDUALS.

''(a) IN GENERAL.—In the case of an individual, gross income shall not include interest paid under section 6611 on any overpayment of tax imposed by this subtitle.

''(b) EXCEPTION.—Subsection (a) shall not apply in the case of a failure to claim items resulting in the overpayment on the original return if the Secretary determines that the principal purpose of such failure is to take advantage of subsection (a).

''(c) SPECIAL RULE FOR DETERMINING MODIFIED ADJUSTED GROSS INCOME.—For purposes of this title, interest not included in gross income under subsection (a) shall not be treated as interest which is exempt from tax for purposes of sections 32(i)(2)(B) and 6012(d) or any computation in which interest exempt from tax under this title is added to adjusted gross income.''.

(b) CLERICAL AMENDMENT.—The table of sections for part III of subchapter B of chapter 1 is amended by inserting after the item relating to section 139 the following new item:

''Sec. 139A. Exclusion from gross income for interest on overpayments of income tax by individuals.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to interest received in calendar years beginning after the date of the enactment of this Act.

SEC. 104. ABATEMENT OF INTEREST.

(a) ABATEMENT OF INTEREST WITH RESPECT TO ERRONEOUS REFUND CHECK WITHOUT REGARD TO SIZE OF REFUND.—Paragraph (2) of section 6404(e) is amended by striking ''unless—'' and all that follows and inserting ''unless the taxpayer (or a related party) has in any way caused such erroneous refund.''.

(b) ABATEMENT OF INTEREST TO EXTENT INTEREST IS ATTRIBUTABLE TO TAXPAYER RELIANCE ON WRITTEN STATEMENTS OF THE IRS.—Subsection (f) of section 6404 is amended—

(1) in the subsection heading, by striking ''PENALTY OR ADDITION'' and inserting ''INTEREST, PENALTY, OR ADDITION''; and

(2) in paragraph (1) and in subparagraph (B) of paragraph (2), by striking ''penalty or addition'' and inserting ''interest, penalty, or addition''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to interest accruing on or after the date of the enactment of this Act.

SEC. 105. DEPOSITS MADE TO SUSPEND RUNNING OF INTEREST ON POTENTIAL UNDERPAYMENTS.

(a) IN GENERAL.—Subchapter B of chapter 67 (relating to interest on overpayments) is amended by redesignating section 6612 as section 6613 and by inserting after section 6611 the following new section:

"SEC. 6612. DEPOSITS MADE TO SUSPEND RUNNING OF INTEREST ON POTENTIAL UNDERPAYMENTS, ETC.

''(a) AUTHORITY TO MAKE DEPOSITS OTHER THAN AS PAYMENT OF TAX.—A taxpayer may make a cash deposit with the Secretary which may be used by the Secretary to pay any tax imposed under subtitle A or B or chapter 41, 42, 43, or 44 which has not been assessed at the time of the deposit. Such a deposit shall be made in such manner as the Secretary shall prescribe.

''(b) NO INTEREST IMPOSED.—To the extent that such deposit is used by the Secretary to pay tax, for purposes of section 6601 (relating to interest on underpayments), the tax shall be treated as paid when the deposit is made.

''(c) RETURN OF DEPOSIT.—Except in a case where the Secretary determines that collection of tax is in jeopardy, the Secretary shall return to the taxpayer any amount of the deposit (to the extent not used for a payment of tax) which the taxpayer requests in writing.

''(d) PAYMENT OF INTEREST.—

''(1) IN GENERAL.—For purposes of section 6611 (relating to interest on overpayments), a deposit which is returned to a taxpayer shall be treated as a payment of tax for any period to the extent (and only to the extent) attributable to a disputable tax for such period. Under regulations prescribed by the Secretary, rules similar to the rules of section 6601(e)(2) shall apply.

''(2) DISPUTABLE TAX.—

''(A) IN GENERAL.—For purposes of this section, the term 'disputable tax' means the amount of tax specified at the time of the deposit as the taxpayer's reasonable estimate of the maximum amount of any tax attributable to disputable items.

''(B) SAFE HARBOR BASED ON 30-DAY LETTER.—In the case of a taxpayer who has been issued a 30-day letter, the maximum amount of tax under subparagraph (A) shall not be less than the amount of the proposed deficiency specified in such letter.

''(3) OTHER DEFINITIONS.—For purposes of paragraph (2)—

''(A) DISPUTABLE ITEM.—The term 'disputable item' means any item of income, gain, loss, deduction, or credit which the taxpayer reasonably believes the Secretary has a reasonable basis for disputing the treatment on the taxpayer's return.

''(B) 30-DAY LETTER.—The term '30-day letter' means the first letter of proposed deficiency which allows the taxpayer an opportunity for administrative review in the Internal Revenue Service Office of Appeals.

''(4) RATE OF INTEREST.—The rate of interest allowable under this subsection shall be the Federal short-term rate determined under section 6621(b), compounded daily.

''(e) USE OF DEPOSITS.—

''(1) PAYMENT OF TAX.—Except as otherwise provided by the taxpayer, deposits shall be treated as used for the payment of tax in the order deposited.

''(B) RETURNS OF DEPOSITS.—Deposits shall be treated as returned to the taxpayer on a last-in, first-out basis.''

(b) CLERICAL AMENDMENT.—The table of sections for subchapter B of chapter 67 is amended by striking the last item and inserting the following new items:

''Sec. 6612. Deposits made to suspend running of interest on potential underpayments, etc.

''Sec. 6613. Cross references.''

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall apply to deposits made after the date of the enactment of this Act.

(2) COORDINATION WITH DEPOSITS MADE UNDER REVENUE PROCEDURE 84–58.—In the case of an amount held by the Secretary of the Treasury or his delegate on the date of the enactment of this Act as a deposit in the nature of a cash bond deposit pursuant to Revenue Procedure 84–58, the date that the taxpayer identifies such amount as a deposit made pursuant to section 6612 of the Internal Revenue Code (as added by this Act) shall be treated as the date such amount is deposited for purposes of such section 6612.

SEC. 106. EXPANSION OF INTEREST NETTING FOR INDIVIDUALS.

(a) IN GENERAL.—Subsection (d) of section 6621 (relating to elimination of interest on overlapping periods of tax overpayments and underpayments) is amended by adding at the end the following: ''Solely for purposes of the preceding sentence, section 6611(e) shall not apply in the case of an individual.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to interest accrued after December 31, 2002.

SEC. 107. WAIVER OF CERTAIN PENALTIES FOR FIRST-TIME UNINTENTIONAL MINOR ERRORS.

(a) IN GENERAL.—Section 6651 (relating to failure to file tax return or to pay tax) is amended by adding at the end the following new subsection:

''(i) TREATMENT OF FIRST-TIME UNINTENTIONAL MINOR ERROR.—In the case of a return of tax imposed by subtitle A filed by an individual, the Secretary may waive an addition to tax under subsection (a) if—

''(1) the individual has a history of compliance with the requirements of this title,

''(2) it is shown that the failure is due to an unintentional minor error,

''(3) the penalty would otherwise be disproportionate to the amount involved, and

''(4) waiving the penalty would promote compliance with the requirements of this title and effective tax administration.

The preceding sentence shall not apply if the Secretary has waived any addition to tax under this subsection with respect to any prior failure by such individual.''

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on January 1, 2003.

SEC. 108. FRIVOLOUS TAX SUBMISSIONS.

(a) CIVIL PENALTIES.—Section 6702 is amended to read as follows:

"SEC. 6702. FRIVOLOUS TAX SUBMISSIONS.

''(a) CIVIL PENALTY FOR FRIVOLOUS TAX RETURNS.—A person shall pay a penalty of $5,000 if—

''(1) such person files what purports to be a return of a tax imposed by this title but which—

''(A) does not contain information on which the substantial correctness of the self-assessment may be judged, or

''(B) contains information that on its face indicates that the self-assessment is substantially incorrect; and

''(2) the conduct referred to in paragraph (1)—

''(A) is based on a position which the Secretary has identified as frivolous under subsection (c), or

''(B) reflects a desire to delay or impede the administration of Federal tax laws.

''(b) CIVIL PENALTY FOR SPECIFIED FRIVOLOUS SUBMISSIONS.—

''(1) IMPOSITION OF PENALTY.—Except as provided in paragraph (3), any person who submits a specified frivolous submission shall pay a penalty of $5,000.

''(2) SPECIFIED FRIVOLOUS SUBMISSION.—For purposes of this section—

''(A) SPECIFIED FRIVOLOUS SUBMISSION.—The term 'specified frivolous submission' means a specified submission if any portion of such submission—

''(i) is based on a position which the Secretary has identified as frivolous under subsection (c), or

''(ii) reflects a desire to delay or impede the administration of Federal tax laws.

''(B) SPECIFIED FRIVOLOUS SUBMISSION.—The term 'specified submission' means—

''(i) a request for a hearing under—

''(I) section 6320 (relating to notice and opportunity for hearing upon filing of notice of lien), or

''(II) section 6330 (relating to notice and opportunity for hearing before levy), and

''(ii) an application under—

''(I) section 7811 (relating to taxpayer assistance orders),

''(II) section 6159 (relating to agreements for payment of tax liability in installments), or

''(III) section 7122 (relating to compromises).

''(3) OPPORTUNITY TO WITHDRAW SUBMISSION.—If the Secretary provides a person with notice that a submission is a specified

frivolous submission and such person withdraws such submission promptly after such notice, the penalty imposed under paragraph (1) shall not apply with respect to such submission.

''(c) LISTING OF FRIVOLOUS POSITIONS.—The Secretary shall prescribe (and periodically revise) a list of positions which the Secretary has identified as being frivolous for purposes of this subsection. The Secretary shall not include in such list any position that the Secretary determines meets the requirement of section 6662(d)(2)(B)(ii)(II).

''(d) REDUCTION OF PENALTY.—The Secretary may reduce the amount of any penalty imposed under this section if the Secretary determines that such reduction would promote compliance with and administration of the Federal tax laws.

''(e) PENALTIES IN ADDITION TO OTHER PENALTIES.—The penalties imposed by this section shall be in addition to any other penalty provided by law.''.

(b) TREATMENT OF FRIVOLOUS REQUESTS FOR HEARINGS BEFORE LEVY.—

(1) FRIVOLOUS REQUESTS DISREGARDED.—Section 6330 (relating to notice and opportunity for hearing before levy) is amended by adding at the end the following new subsection:

''(g) FRIVOLOUS REQUESTS FOR HEARING, ETC.—Notwithstanding any other provision of this section, if the Secretary determines that any portion of a request for a hearing under this section or section 6320 meets the requirement of clause (i) or (ii) of section 6702(b)(2)(A), then the Secretary may treat such portion as if it were never submitted and such portion shall not be subject to any further administrative or judicial review.''.

(2) PRECLUSION FROM RAISING FRIVOLOUS ISSUES AT HEARING.—Section 6330(c)(4) is amended—

(A) by striking ''(A)'' and inserting ''(A)(i)'';

(B) by striking ''(B)'' and inserting ''(ii)'';

(C) by striking the period at the end of the first sentence and inserting ''; or''; and

(D) by inserting after subparagraph (A)(ii) (as so redesignated) the following:

''(B) the issue meets the requirement of clause (i) or (ii) of section 6702(b)(2)(A).''.

(3) STATEMENT OF GROUNDS.—Section 6330(b)(1) is amended by striking ''under subsection (a)(3)(B)'' and inserting ''in writing under subsection (a)(3)(B) and states the grounds for the requested appeal''.

(c) TREATMENT OF FRIVOLOUS REQUESTS FOR HEARINGS UPON FILING OF NOTICE OF LIEN.—Section 6320 is amended—

(1) in subsection (b)(1), by striking ''under subsection (a)(3)(B)'' and inserting ''in writing under subsection (a)(3)(B) and states the grounds for the requested appeal''.

(2) in subsection (c), by striking ''and (e)'' and inserting ''(e), and (g)''.

(d) TREATMENT OF FRIVOLOUS APPLICATIONS FOR OFFERS-IN-COMPROMISE AND INSTALLMENT AGREEMENTS.—Section 7122 is amended by adding at the end the following new subsection:

''(e) FRIVOLOUS SUBMISSIONS, ETC.—Notwithstanding any other provision of this section, if the Secretary determines that any portion of an application for an offer-in-compromise or installment agreement submitted under this section or section 6159 meets the requirement of clause (i) or (ii) of section 6702(b)(2)(A), then the Secretary may treat such portion as if it were never submitted and such portion shall not be subject to any further administrative or judicial review.''.

(e) CONFORMING AMENDMENT.—The table of sections for part I of subchapter B of chapter 68 is amended by striking the item relating to section 6702 and inserting the following new item:

''Sec. 6702. Frivolous tax submissions.''

(f) EFFECTIVE DATE.—The amendments made by this section shall apply to submissions made and issues raised after the date on which the Secretary first prescribes a list under section 6702(c) of the Internal Revenue Code of 1986, as amended by subsection (a).

TITLE II—FAIRNESS OF COLLECTION PROCEDURES

SEC. 201. PARTIAL PAYMENT OF TAX LIABILITY IN INSTALLMENT AGREEMENTS.

(a) IN GENERAL.—

(1) Section 6159(a) (relating to authorization of agreements) is amended—

(A) by striking ''satisfy liability for payment of'' and inserting ''make payment on'', and

(B) by inserting ''full or partial'' after ''facilitate''.

(2) Section 6159(c) (relating to Secretary required to enter into installment agreements in certain cases) is amended in the matter preceding paragraph (1) by inserting ''full'' before ''payment''.

(b) REQUIREMENT TO REVIEW PARTIAL PAYMENT AGREEMENTS EVERY TWO YEARS.—Section 6159 is amended by redesignating subsections (d) and (e) as subsections (e) and (f), respectively, and inserting after subsection (c) the following new subsection:

''(d) SECRETARY REQUIRED TO REVIEW INSTALLMENT AGREEMENTS FOR PARTIAL COLLECTION EVERY TWO YEARS.—In the case of an agreement entered into by the Secretary under subsection (a) for partial collection of a tax liability, the Secretary shall review the agreement at least once every 2 years.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to agreements entered into on or after the date of the enactment of this Act.

SEC. 202. ADDITIONAL CONSIDERATIONS TO BE TAKEN INTO ACCOUNT AS BASES FOR ACCEPTING OFFER-IN-COMPROMISE.

(a) IN GENERAL.—Paragraph (3) of section 7122(c) (relating to special rules relating to treatment of offers) is amended by striking ''and'' at the end of subparagraph (A), by striking the period at the end of subparagraph (B) and inserting a semicolon, and by adding at the end the following new subparagraphs:

''(C) in all cases, consideration shall be given to—

''(i) whether the taxpayer has a history of complying with the requirements of this title,

''(ii) whether there is evidence of an error by the Internal Revenue Service in determining or administering the tax which is the subject of the offer-in-compromise, and

''(iii) whether the taxpayer has made a good faith effort to resolve and pay the liability;

''(D) a reasonable annual allowance shall be made for voluntary payments for the support of any dependent (as defined in section 152) of the taxpayer;

''(E) a reasonable allowance shall be made for payments on unsecured debt of the taxpayer to the extent such debt is attributable to Federal, State, or local income taxes, medical care expenses, burial expenses, or other basic living expenses; and

''(F) consideration shall be given to the level of the taxpayer's education and financial and business experience relative the complexity of the transaction giving rise to the liability.''

(b) LIMITATIONS.—Subsection (c) of section 7122 is amended by adding at the end the following new paragraph:

''(4) LIMITATIONS ON CERTAIN FACTORS IN CONSIDERING OFFER-IN-COMPROMISE.—

''(A) PERIOD FOR CERTAIN CONSIDERATIONS.—Subparagraph (E) of paragraph (3) shall apply only during the 3-year period beginning on whichever of the following is the earliest:

''(i) The date of the receipt by the taxpayer of the notice of the decision of the Internal Revenue Service Office of Appeals.

''(ii) The date of the notice of deficiency.

''(iii) The date on which the first letter of proposed deficiency which allows the taxpayer an opportunity for administrative review in the Internal Revenue Service Office of Appeals is sent.

''(B) DOLLAR LIMITATIONS.—

''(i) ALLOWANCES.—The allowances under subparagraphs (D) and (E) shall not exceed the dollar amount in effect under section 2503(b).

''(ii) CONSIDERATION OF EDUCATION AND FINANCIAL SOPHISTICATION.—Subparagraph (F) of paragraph (3) shall apply only if the amount of the liability does not exceed the dollar amount in effect under section 2503(b).''

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to proposed offers-in-compromise submitted after the date of the enactment of this Act.

SEC. 203. EXTENSION OF TIME FOR RETURN OF PROPERTY.

(a) EXTENSION OF TIME FOR RETURN OF PROPERTY SUBJECT TO LEVY.—Subsection (b) of section 6343 (relating to return of property) is amended by striking ''9 months'' and inserting ''2 years''.

(b) PERIOD OF LIMITATION ON SUITS.—Subsection (c) of section 6532 (relating to suits by persons other than taxpayers) is amended—

(1) in paragraph (1) by striking ''9 months'' and inserting ''2 years'', and

(2) in paragraph (2) by striking ''9-month'' and inserting ''2-year''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to—

(1) levies made after the date of the enactment of this Act, and

(2) levies made on or before such date if the 9-month period has not expired under section 6343(b) of the Internal Revenue Code of 1986 (without regard to this section) as of such date.

SEC. 204. SEVEN-DAY THRESHOLD ON TOLLING OF STATUTE OF LIMITATIONS DURING TAX REVIEW.

(a) IN GENERAL.—Section 7811(d)(1) (relating to suspension of running of period of limitation) is amended by inserting after ''application,'' the following: ''but only if the date of such decision is at least 7 days after the date of the taxpayer's application''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to applications filed after the date of the enactment of this Act.

SEC. 205. STUDY OF LIENS AND LEVIES.

The Secretary of the Treasury, or the Secretary's delegate, shall conduct a study of the practices of the Internal Revenue Service concerning liens and levies. The study shall examine—

(1) the declining use of liens and levies by the Internal Revenue Service, and

(2) the practicality of recording liens and levying against property in cases in which the cost of such actions exceeds the amount to be realized from such property.

Not later than 1 year after the date of the enactment of this Act, the Secretary shall submit such study to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate.

TITLE III—EFFICIENCY OF TAX ADMINISTRATION

SEC. 301. REVISIONS RELATING TO TERMINATION OF EMPLOYMENT OF INTERNAL REVENUE SERVICE EMPLOYEES FOR MISCONDUCT.

(a) IN GENERAL.—Subchapter A of chapter 80 (relating to application of internal revenue laws) is amended by inserting after section 7804 the following new section:

"SEC. 7804A. TERMINATION OF EMPLOYMENT FOR MISCONDUCT.

''(a) IN GENERAL.—Subject to subsection (c), the Commissioner of Internal Revenue shall terminate the employment of any employee of the Internal Revenue Service if there is a final administrative or judicial determination that such employee committed any act or omission described under subsection (b) in the performance of the employee's official duties or where a nexus to the employee's position exists.

''(b) ACTS OR OMISSIONS.—The acts or omissions referred to under subsection (a) are—

''(1) willful failure to obtain the required approval signatures on documents authorizing the seizure of a taxpayer's home, personal belongings, or business assets;

''(2) willfully providing a false statement under oath with respect to a material matter involving a taxpayer or taxpayer representative;

''(3) with respect to a taxpayer or taxpayer representative, the willful violation of—

''(A) any right under the Constitution of the United States;

''(B) any civil right established under—

''(i) title VI or VII of the Civil Rights Act of 1964;

''(ii) title IX of the Education Amendments of 1972;

''(iii) the Age Discrimination in Employment Act of 1967;

''(iv) the Age Discrimination Act of 1975;

''(v) section 501 or 504 of the Rehabilitation Act of 1973; or

''(vi) title I of the Americans with Disabilities Act of 1990; or

''(C) the Internal Revenue Service policy on unauthorized inspection of returns or return information;

''(4) willfully falsifying or destroying documents to conceal mistakes made by any employee with respect to a matter involving a taxpayer or taxpayer representative;

''(5) assault or battery on a taxpayer or taxpayer representative, but only if there is a criminal conviction, or a final adverse judgment by a court in a civil case, with respect to the assault or battery;

''(6) willful violations of this title, Department of the Treasury regulations, or policies of the Internal Revenue Service (including the Internal Revenue Manual) for the purpose of retaliating against, or harassing, a taxpayer or taxpayer representative;

''(7) willful misuse of the provisions of section 6103 for the purpose of concealing information from a congressional inquiry;

''(8) willful failure to file any return of tax required under this title on or before the date prescribed therefor (including any extensions) when a tax is due and owing, unless such failure is due to reasonable cause and not due to willful neglect;

''(9) willful understatement of Federal tax liability, unless such understatement is due to reasonable cause and not due to willful neglect; and

''(10) threatening to audit a taxpayer, or to take other action under this title, for the purpose of extracting personal gain or benefit.

''(c) DETERMINATIONS OF COMMISSIONER.—

''(1) IN GENERAL.—The Commissioner may take a personnel action other than termination for an act or omission under subsection (a).

''(2) DISCRETION.—The exercise of authority under paragraph (1) shall be at the sole discretion of the Commissioner and may not be delegated to any other officer. The Commissioner, in his sole discretion, may establish a procedure to determine if an individual should be referred to the Commissioner for a determination by the Commissioner under paragraph (1).

''(3) NO APPEAL.—Notwithstanding any other provision of law, any determination of the Commissioner under this subsection may not be reviewed in any administrative or judicial proceeding. A finding that an act or omission described in subsection (b) occurred may be reviewed.

''(d) DEFINITION.—For the purposes of the provisions described in clauses (i), (ii), and (iv) of subsection (b)(3)(B), references to a program or activity regarding Federal financial assistance or an education program or activity receiving Federal financial assistance shall include any program or activity conducted by the Internal Revenue Service for a taxpayer.

''(e) ANNUAL REPORT.—The Commissioner shall submit to Congress annually a report on terminations of employment under this section.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 80 is amended by inserting after the item relating to section 7804 the following new item:

''Sec. 7804A. Termination of employment for misconduct.''

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

SEC. 302. CONFIRMATION OF AUTHORITY OF TAX COURT TO APPLY DOCTRINE OF EQUITABLE RECOUPMENT.

(a) CONFIRMATION OF AUTHORITY OF TAX COURT TO APPLY DOCTRINE OF EQUITABLE RECOUPMENT.—Subsection (b) of section 6214 (relating to jurisdiction over other years and quarters) is amended by adding at the end the following new sentence: ''Notwithstanding the preceding sentence, the Tax Court may apply the doctrine of equitable recoupment to the same extent that it is available in civil tax cases before the district courts of the United States and the United States Court of Federal Claims.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to any action or proceeding in the Tax Court with respect to which a decision has not become final (as determined under section 7481 of the Internal Revenue Code of 1986) as of the date of the enactment of this Act.

SEC. 303. JURISDICTION OF TAX COURT OVER COLLECTION DUE PROCESS CASES.

(a) IN GENERAL.—Section 6330(d)(1) (relating to judicial review of determination) is amended to read as follows:

''(1) JUDICIAL REVIEW OF DETERMINATION.—The person may, within 30 days of a determination under this section, appeal such determination to the Tax Court (and the Tax Court shall have jurisdiction with respect to such matter).''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to appeals filed after the date of the enactment of this Act.

SEC. 304. OFFICE OF CHIEF COUNSEL REVIEW OF OFFERS IN COMPROMISE.

(a) IN GENERAL.—Section 7122(b) (relating to record) is amended by striking ''Whenever a compromise'' and all that follows through ''his delegate'' and inserting ''If the Secretary determines that an opinion of the General Counsel for the Department of the Treasury, or the Counsel's delegate, is required with respect to a compromise, there shall be placed on file in the office of the Secretary such opinion''.

(b) CONFORMING AMENDMENTS.—Section 7122(b) is amended by striking the second and third sentences.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to offers-in-compromise submitted or pending on or after the date of the enactment of this Act.

SEC. 305. STUDY OF TAXPAYER NOTIFICATION ALTERNATIVES.

The Secretary of the Treasury, or the Secretary's delegate, shall conduct a study of alternative methods of notifying taxpayers of determinations and other actions of the Secretary. The study shall examine the advantages and disadvantages of—

(1) the use of certificates of mailing,

(2) modifications to certified or registered mail requirements which eliminate return receipt requested, and

(3) modifications with respect to dual notices to taxpayers filing a joint return and residing at the same address.

Not later than 1 year after the date of the enactment of this Act, the Secretary shall submit such study to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate.

TITLE IV—CONFIDENTIALITY AND DISCLOSURE

SEC. 401. COLLECTION ACTIVITIES WITH RESPECT TO JOINT RETURN DISCLOSABLE TO EITHER SPOUSE BASED ON ORAL REQUEST.

(a) IN GENERAL.—Paragraph (8) of section 6103(e) (relating to disclosure of collection activities with respect to joint return) is amended by striking ''in writing'' the first place it appears.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to requests made after the date of the enactment of this Act.

SEC. 402. TAXPAYER REPRESENTATIVES NOT SUBJECT TO EXAMINATION ON SOLE BASIS OF REPRESENTATION OF TAXPAYERS.

(a) IN GENERAL.—Subsection (h) of section 6103 (relating to disclosure to certain Federal officers and employees for purposes of tax administration, etc.) is amended by adding at the end the following new paragraph:

''(7) TAXPAYER REPRESENTATIVES.—Notwithstanding paragraph (1), the return of the representative of a taxpayer whose return is being examined by an officer or employee of the Department of the Treasury shall not be open to inspection by such officer or employee on the sole basis of the representative's relationship to the taxpayer unless a supervisor of such officer or employee has approved the inspection of the return of such representative on a basis other than by reason of such relationship.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on the date of the enactment of this Act.

SEC. 403. DISCLOSURE IN JUDICIAL OR ADMINISTRATIVE TAX PROCEEDINGS OF RETURN AND RETURN INFORMATION OF PERSONS WHO ARE NOT PARTY TO SUCH PROCEEDINGS.

(a) IN GENERAL.—Paragraph (4) of section 6103(h) (relating to disclosure to certain Federal officers and employees for purposes of tax administration, etc.) is amended by adding at the end the following new subparagraph:

''(B) DISCLOSURE IN JUDICIAL OR ADMINISTRATIVE TAX PROCEEDINGS OF RETURN AND RETURN INFORMATION OF PERSONS NOT PARTY TO SUCH PROCEEDINGS.—

''(i) NOTICE.—Return or return information of any person who is not a party to a judicial or administrative proceeding described in paragraph (4) shall not be disclosed under clause (ii) or (iii) of subparagraph (A) until after the Secretary makes a section shall

take effect on the date of the enactment of this Act.

SEC. 403. DISCLOSURE IN JUDICIAL OR ADMINISTRATIVE TAX PROCEEDINGS OF RETURN AND RETURN INFORMATION OF PERSONS WHO ARE NOT PARTY TO SUCH PROCEEDINGS.

(a) IN GENERAL.—Paragraph (4) of section 6103(h) (relating to disclosure to certain Federal officers and employees for purposes of tax administration, etc.) is amended by adding at the end the following new subparagraph:

''(B) DISCLOSURE IN JUDICIAL OR ADMINISTRATIVE TAX PROCEEDINGS OF RETURN AND RETURN INFORMATION OF PERSONS NOT PARTY TO SUCH PROCEEDINGS.—

''(i) NOTICE.—Return or return information of any person who is not a party to a judicial or administrative proceeding described in paragraph (4) shall not be disclosed under clause (ii) or (iii) of subparagraph (A) until after the Secretary makes a easonable effort to give notice to such person and an opportunity for such person to request the deletion of matter from such return or return information, including any of the items referred to in paragraphs (1) through (7) of section 6110(c). Such notice shall include a statement of the issue or issues the resolution of which is the reason such return or return information is sought. In the case of S corporations, partnerships, estates, and trusts, such notice shall be made at the entity level.

''(ii) DISCLOSURE LIMITED TO PERTINENT PORTION.—The only portion of a return or return information described in clause (i) which may be disclosed under subparagraph (A) is that portion of such return or return information that directly relates to the resolution of an issue in such proceeding.

''(iii) EXCEPTIONS.—Clause (i) shall not apply to—

''(I) any ex parte proceeding for obtaining a search warrant, order for entry on premises or safe deposit boxes, or similar ex parte proceeding,

''(II) disclosure of third party return information by indictment or criminal information, or

''(III) if the Secretary determines that the application of such clause would seriously impair a criminal tax investigation.''.

(b) CONFORMING AMENDMENTS.—Paragraph (4) of section 6103(h) is amended by—

(1) by striking ''PROCEEDINGS.—A return'' and inserting ''PROCEEDINGS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), a return'';

(2) by redesignating subparagraphs (A), (B), (C), and (D) clauses (i), (ii), (iii), and (iv), respectively; and

(3) in the matter following clause (iv) (as so redesignated), by striking ''subparagraph (A), (B), or (C)'' and inserting ''clause (i), (ii), or (iii)'' and by moving such matter 2 ems to the right.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to proceedings commenced after the date of the enactment of this Act.

SEC. 404. PROHIBITION OF DISCLOSURE OF TAXPAYER IDENTIFICATION INFORMATION WITH RESPECT TO DISCLOSURE OF ACCEPTED OFFERS-IN-COMPROMISE.

(a) IN GENERAL.—Paragraph (1) of section 6103(k) (relating to disclosure of certain returns and return information for tax administrative purposes) is amended by inserting ''(other than the tax payer's address and TIN)'' after ''Return information''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to disclosures made after the date of the enactment of this Act.

SEC. 405. COMPLIANCE BY CONTRACTORS WITH CONFIDENTIALITY SAFEGUARDS.

(a) IN GENERAL.—Section 6103(p) (relating to State law requirements) is amended by adding at the end the following new paragraph:

''(9) DISCLOSURE TO CONTRACTORS.—Notwithstanding any other provision of this section, no return or return information shall be disclosed by any officer or employee of any Federal agency or State to any contractor of such agency or State unless such agency or State—

''(A) has requirements in effect which require each contractor of such agency or State which would have access to returns or return information to provide safeguards (within the meaning of paragraph (4)) to protect the confidentiality of such returns or return information,

''(B) agrees to conduct an annual, on-site review (mid-point review in the case of contracts of less than 1 year in duration) of each contractor to determine compliance with such requirements,

''(C) submits the findings of the most recent review conducted under subparagraph (B) to the Secretary as part of the report required by paragraph (4)(E), and

''(D) certifies to the Secretary for the most recent annual period that all contractors are in compliance with all such requirements.

The certification required by subparagraph (D) shall include the name and address of each contractor, a description of the contract of the contractor with the Federal agency or State, and the duration of such contract.''.

(b) CONFORMING AMENDMENT.—Subparagraph (B) of section 6103(p)(8) is amended by inserting ''or paragraph (9)'' after ''subparagraph (A)''.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall apply to disclosures made after December 31, 2002.

(2) CERTIFICATIONS.—The first certification under section 6103(p)(9)(D) of the Internal Revenue Code of 1986, as added by subsection (a), shall be made with respect to calendar year 2003.

SEC. 406. HIGHER STANDARDS FOR REQUESTS FOR AND CONSENTS TO DISCLOSURE.

(a) IN GENERAL.—Subsection (c) of section 6103 (relating to disclosure of returns and return information to designee of taxpayer) is amended by adding at the end the following new paragraphs:

''(2) REQUIREMENTS FOR VALID REQUESTS AND CONSENTS.—A request for or consent to disclosure under paragraph (1) shall only be valid for purposes of this section or sections 7213, 7213A, or 7431 if—

''(A) at the time of execution, such request or coe of Service To Act on Determinations Treated as Exhaustion of Remedies.—The second sentence of paragraph (2) of section 7428(b) (relating to exhaustion of administrative remedies) is amended to read as follows: ''An organization which requests the determination of an issue referred to in subsection (a)(1) and which has taken, in a timely manner, all reasonable steps to secure such determination, shall be deemed to have exhausted its administrative remedies with respect to—

''(A) a failure by the Secretary to make a determination with respect to such issue, at the expiration of 270 days after the date on which the request for such determination was made, and

''(B) a failure by any office of the Internal Revenue Service (other than the office which is responsible for initial determinations with respect to such issue) to make a determination with respect to such issue, at the expiration of 450 days after the date on which such request was made.''.

(d) EFFECTIVE DATES.—

(1) DECLARATORY JUDGMENT.—The amendments made by subsections (a) and (b) shall apply to pleadings filed with respect to determinations (or requests for determinations) made after the date of the enactment of this Act.

(2) FAILURE OF SERVICE TO ACT.—The amendments made by subsection (c) shall apply to applications received in the national office of the Internal Revenue Service after the date of the enactment of this Act.

SEC. 503. EMPLOYEE MISCONDUCT REPORT TO INCLUDE SUMMARY OF COMPLAINTS BY CATEGORY.

(a) IN GENERAL.—Clause (ii) of section 7803(d)(2)(A) is amended by inserting before the semicolon at the end the following: '', including a summary (by category) of the 10 most common complaints made and the number of such common complaints''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to reporting periods ending after the date of the enactment of this Act.

SEC. 504. ANNUAL REPORT ON AWARDS OF COSTS AND CERTAIN FEES IN ADMINISTRATIVE AND COURT PROCEEDINGS.

Not later than 3 months after the close of each Federal fiscal year after fiscal year 2001, the Treasury Inspector General for Tax Administration shall submit a report to Congress which specifies for such year—

(1) the number of payments made by the United States pursuant to section 7430 of the Internal Revenue Code of 1986 (relating to awarding of costs and certain fees);

(2) the amount of each such payment;

(3) an analysis of any administrative issue giving rise to such payments; and

(4) changes (if any) which will be implemented as a result of such analysis and other changes (if any) recommended by the Treasury Inspector General for Tax Administration as a result of such analysis.

SEC. 505. ANNUAL REPORT ON ABATEMENT OF PENALTIES.

Not later than 6 months after the close of each Federal fiscal year after fiscal year 2001, the Treasury Inspector General for Tax Administration shall submit a report to Congress on abatements of penalties under the Internal Revenue Code of 1986 during such year, including information on the reasons and criteria for such abatements.

SEC. 506. BETTER MEANS OF COMMUNICATING WITH TAXPAYERS.

Not later than 18 months after the date of the enactment of this Act, the Treasury Inspector General for Tax Administration shall submit a report to Congress evaluating whether technological advances, such as e-mail and facsimile transmission, permit the use of alternative means for the Internal Revenue Service to communicate with taxpayers.

SEC. 507. EXPLANATION OF STATUTE OF LIMITATIONS AND CONSEQUENCES OF FAILURE TO FILE.

The Secretary of the Treasury or the Secretary's delegate shall, as soon as practicable but not later than 180 days after the date of the enactment of this Act, revise the statement required by section 6227 of the Omnibus Taxpayer Bill of Rights (Internal Revenue Service Publication No. 1), and any instructions booklet accompanying a general income tax return form for taxable years beginning in 2000 and later (including forms 1040, 1040A, 1040EZ, and any similar or successor forms relating thereto), to provide for an explanation of—

(1) the limitations imposed by section 6511 of the Internal Revenue Code of 1986 on credits and refunds; and

(2) the consequences under such section 6511 of the failure to file a return of tax.

SEC. 508. AMENDMENT TO TREASURY AUCTION REFORMS.

(a) IN GENERAL.—Clause (i) of section 202(c)(4)(B) of the Government Securities Act Amendments of 1993 (31 U.S.C. 3121 note) is amended by inserting before the semicolon ''(or, if earlier, at the time the Secretary releases the minutes of the meeting in accordance with paragraph (2))''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to meetings held after the date of the enactment of this Act.

SEC. 509. ENROLLED AGENTS.

(a) IN GENERAL.—Chapter 77 (relating to miscellaneous provisions) is amended by adding at the end the following new section:

''SEC. 7527. ENROLLED AGENTS.

''(a) IN GENERAL.—The Secretary may prescribe such regulations as may be necessary to regulate the conduct of enrolled agents in regards to their practice before the Internal Revenue Service.

''(b) USE OF CREDENTIALS.—Any enrolled agents properly licensed to practice as required under rules promulgated under section (a) herein shall be allowed to use the credentials or designation as 'enrolled agent', 'EA', or 'E.A.'.''

(b) CLERICAL AMENDMENT.—The table of sections for chapter 77 is amended by adding at the end the following new item:

''Sec. 7525. Enrolled agents.''

(c) PRIOR REGULATIONS.—Nothing in the amendments made by this section shall be construed to have any effect on part 10 of title 31, Code of Federal Regulations, or any other Federal rule or regulation issued before the date of the enactment of this Act.

TITLE VI—AUTHORIZATION OF APPROPRIATION

SEC. 601. LOW-INCOME TAXPAYER CLINICS.

(a) LIMITATION ON AMOUNT OF GRANTS.—Paragraph (1) of section 7526(c) (relating to special rules and limitations) is amended by striking ''$6,000,000 per year'' and inserting ''$9,000,000 for 2002, $12,000,000 for 2003, and $15,000,000 for each year thereafter''.

(b) LIMITATION ON USE OF CLINICS FOR TAX RETURN PREPARATION.—Section 7526(b)(1) is amended by adding at the end the following new subparagraph:

''(C) LIMITATION REGARDING TAX RETURN PREPARATION.—A clinic meets the requirements of subparagraph (A)(ii)(II) if the programs operated by the clinic do not include routine tax return preparation.''.

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; ETC.

(a) SHORT TITLE.—This Act may be cited as the ''Taxpayer Protection and IRS Accountability Act of 2002''.

(b) AMENDMENT OF 1986 CODE.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

(c) TABLE OF CONTENTS.—

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TITLE IV—CONFIDENTIALITY AND DISCLOSURE

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Sec. 402. Taxpayer representatives not subject to examination on sole basis of representation of taxpayers.
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Sec. 405. Compliance by contractors with confidentiality safeguards.
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Sec. 506. Better means of communicating with taxpayers.
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TITLE VI—LOW-INCOME TAXPAYER CLINICS

Sec. 601. Low-income taxpayer clinics.

TITLE VII—REVISIONS TO SECTION 527 ORGANIZATION DISCLOSURE PROVISIONS

Sec. 701. Modifications of reporting requirements for certain State and local political organizations.
Sec. 702. Notification of interaction of reporting requirements.
Sec. 703. Technical corrections to section 527 organization disclosure provisions.

TITLE I—PENALTIES AND INTEREST

SEC. 101. FAILURE TO PAY ESTIMATED TAX PENALTY CONVERTED TO INTEREST CHARGE ON ACCUMULATED UNPAID BALANCE.

(a) PENALTY MOVED TO INTEREST CHAPTER OF CODE.—The Internal Revenue Code of 1986 is amended by redesignating section 6654 as section 6641 and by moving section 6641 (as so redesignated) from part I of subchapter A of chapter 68 to the end of subchapter E of chapter 67 (as added by subsection (e)(1) of this section).

(b) PENALTY CONVERTED TO INTEREST CHARGE.—The heading and subsections (a) and (b) of section 6641 (as so redesignated) are amended to read as follows:

''SEC. 6641. INTEREST ON FAILURE BY INDIVIDUAL TO PAY ESTIMATED INCOME TAX.

''(a) IN GENERAL.—Interest shall be paid on any underpayment of estimated tax by an individual for a taxable year for each day of such underpayment. The amount of such interest for any day shall be the product of the underpayment rate established under subsection (b)(2) multiplied by the amount of the underpayment.

''(b) AMOUNT OF UNDERPAYMENT; INTEREST RATE.—For purposes of subsection (a)—

''(1) AMOUNT.—The amount of the underpayment on any day shall be the excess of—

''(A) the sum of the required installments for the taxable year the due dates for which are on or before such day, over

''(B) the sum of the amounts (if any) of estimated tax payments made on or before such day on such required installments.

''(2) DETERMINATION OF INTEREST RATE.—

''(A) IN GENERAL.—The underpayment rate with respect to any day in an installment underpayment period shall be the underpayment rate established under section 6621 for the first day of the calendar quarter in which such installment underpayment period begins.

''(B) INSTALLMENT UNDERPAYMENT PERIOD.—For purposes of subparagraph (A), the term 'installment underpayment period' means the period beginning on the day after the due date for a required installment and ending on the due date for the subsequent required installment (or in the case of the 4th required installment, the 15th day of the 4th month following the close of a taxable year).

''(C) DAILY RATE.—The rate determined under subparagraph (A) shall be applied on a daily basis and shall be based on the assumption of 365 days in a calendar year.

''(3) TERMINATION OF ESTIMATED TAX INTEREST.—No day after the end of the installment

underpayment period for the 4th required installment specified in paragraph (2)(B) for a taxable year shall be treated as a day of underpayment with respect to such taxable year.''.

(c) INCREASE IN SAFE HARBOR WHERE TAX IS SMALL.—

(1) IN GENERAL.—Clause (i) of section 6641(d)(1)(B) (as so redesignated) is amended to read as follows:

''(i) the lesser of—

''(I) 90 percent of the tax shown on the return for the taxable year (or, if no return is filed, 90 percent of the tax for such year), or

''(II) the tax shown on the return for the taxable year (or, if no return is filed, the tax for such year) reduced (but not below zero) by $2,000, or''.

(2) CONFORMING AMENDMENT.—Subsection (e) of section 6641 (as so redesignated) is amended by striking paragraph (1) and redesignating paragraphs (2) and (3) as paragraphs (1) and (2), respectively.

(d) CONFORMING AMENDMENTS.—

(1) Paragraphs (1) and (2) of subsection (e) (as redesignated by subsection (c)(2)) and subsection (h) of section 6641 (as so designated) are each amended by striking ''addition to tax'' each place it occurs and inserting ''interest''.

(2) Section 167(g)(5)(D) is amended by striking ''6654'' and inserting ''6641''.

(3) Section 460(b)(1) is amended by striking ''6654'' and inserting ''6641''.

(4) Section 3510(b) is amended—

(A) by striking ''section 6654'' in paragraph (1) and inserting ''section 6641'';

(B) by amending paragraph (2)(B) to read as follows:

''(B) no interest would be required to be paid (but for this section) under 6641 for such taxable year by reason of the $2,000 amount specified in section 6641(d)(1)(B)(i)(II).'';

(C) by striking ''section 6654(d)(2)'' in paragraph (3) and inserting ''section 6641(d)(2)''; and

(D) by striking paragraph (4).

(5) Section 6201(b)(1) is amended by striking ''6654'' and inserting ''6641''.

(6) Section 6601(h) is amended by striking ''6654'' and inserting ''6641''.

(7) Section 6621(b)(2)(B) is amended by striking ''addition to tax under section 6654'' and inserting ''interest required to be paid under section 6641''.

(8) Section 6622(b) is amended—

(A) by striking ''PENALTY FOR'' in the heading; and

(B) by striking ''addition to tax under section 6654 or 6655'' and inserting ''interest required to be paid under section 6641 or addition to tax under section 6655''.

(9) Section 6658(a) is amended—

(A) by striking ''6654, or 6655'' and inserting ''or 6655, and no interest shall be required to be paid under section 6641,''; and

(B) by inserting ''or paying interest'' after ''the tax'' in paragraph (2)(B)(ii).

(10) Section 6665(b) is amended—

(A) in the matter preceding paragraph (1) by striking '', 6654,''; and

(B) in paragraph (2) by striking ''6654 or''.

(11) Section 7203 is amended by striking ''section 6654 or 6655'' and inserting ''section 6655 or interest required to be paid under section 6641''.

(e) CLERICAL AMENDMENTS.—

(1) Chapter 67 is amended by inserting after subchapter D the following:

''Subchapter E—Interest on Failure by Individual to Pay Estimated Income Tax

''Sec. 6641. Interest on failure by individual to pay estimated income tax.''.

(2) The table of subchapters for chapter 67 is amended by adding at the end the following new items:

''Subchapter D. Notice requirements.

''Subchapter E. Interest on failure by individual to pay estimated income tax.''.

(3) The table of sections for part I of subchapter A of chapter 68 is amended by striking the item relating to section 6654.

(f) EFFECTIVE DATE.—The amendments made by this section shall apply to installment payments for taxable years beginning after December 31, 2002.

SEC. 102. EXCLUSION FROM GROSS INCOME FOR INTEREST ON OVERPAYMENTS OF INCOME TAX BY INDIVIDUALS.

(a) IN GENERAL.—Part III of subchapter B of chapter 1 (relating to items specifically excluded from gross income) is amended by inserting after section 139 the following new section:

''SEC. 139A. EXCLUSION FROM GROSS INCOME FOR INTEREST ON OVERPAYMENTS OF INCOME TAX BY INDIVIDUALS.

''(a) IN GENERAL.—In the case of an individual, gross income shall not include interest paid under section 6611 on any overpayment of tax imposed by this subtitle.

''(b) EXCEPTION.—Subsection (a) shall not apply in the case of a failure to claim items resulting in the overpayment on the original return if the Secretary determines that the principal purpose of such failure is to take advantage of subsection (a).

''(c) SPECIAL RULE FOR DETERMINING MODIFIED ADJUSTED GROSS INCOME.—For purposes of this title, interest not included in gross income under subsection (a) shall not be treated as interest which is exempt from tax for purposes of sections 32(i)(2)(B) and 6012(d) or any computation in which interest exempt from tax under this title is added to adjusted gross income.''.

(b) CLERICAL AMENDMENT.—The table of sections for part III of subchapter B of chapter 1 is amended by inserting after the item relating to section 139 the following new item:

''Sec. 139A. Exclusion from gross income for interest on overpayments of income tax by individuals.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to interest received in calendar years beginning after the date of the enactment of this Act.

SEC. 103. ABATEMENT OF INTEREST.

(a) ABATEMENT OF INTEREST WITH RESPECT TO ERRONEOUS REFUND CHECK WITHOUT REGARD TO SIZE OF REFUND.—Paragraph (2) of section 6404(e) is amended by striking ''unless—'' and all that follows and inserting ''unless the taxpayer (or a related party) has in any way caused such erroneous refund.''.

(b) ABATEMENT OF INTEREST TO EXTENT INTEREST IS ATTRIBUTABLE TO TAXPAYER RELIANCE ON WRITTEN STATEMENTS OF THE IRS.—Subsection (f) of section 6404 is amended—

(1) in the subsection heading, by striking ''PENALTY OR ADDITION'' and inserting ''INTEREST, PENALTY, OR ADDITION''; and

(2) in paragraph (1) and in subparagraph (B) of paragraph (2), by striking ''penalty or addition'' and inserting ''interest, penalty, or addition''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to interest accruing on or after the date of the enactment of this Act.

SEC. 104. DEPOSITS MADE TO SUSPEND RUNNING OF INTEREST ON POTENTIAL UNDERPAYMENTS.

(a) IN GENERAL.—Subchapter A of chapter 67 (relating to interest on underpayments) is amended by adding at the end the following new section:

''SEC. 6603. DEPOSITS MADE TO SUSPEND RUNNING OF INTEREST ON POTENTIAL UNDERPAYMENTS, ETC.

''(a) AUTHORITY TO MAKE DEPOSITS OTHER THAN AS PAYMENT OF TAX.—A taxpayer may make a cash deposit with the Secretary which may be used by the Secretary to pay any tax imposed under subtitle A or B or chapter 41, 42, 43, or 44 which has not been assessed at the time of the deposit. Such a deposit shall be made in such manner as the Secretary shall prescribe.

''(b) NO INTEREST IMPOSED.—To the extent that such deposit is used by the Secretary to pay tax, for purposes of section 6601 (relating to interest on underpayments), the tax shall be treated as paid when the deposit is made.

''(c) RETURN OF DEPOSIT.—Except in a case where the Secretary determines that collection of tax is in jeopardy, the Secretary shall return to the taxpayer any amount of the deposit (to the extent not used for a payment of tax) which the taxpayer requests in writing.

''(d) PAYMENT OF INTEREST.—

''(1) IN GENERAL.—For purposes of section 6611 (relating to interest on overpayments), a deposit which is returned to a taxpayer shall be treated as a payment of tax for any period to the extent (and only to the extent) attributable to a disputable tax for such period. Under regulations prescribed by the Secretary, rules similar to the rules of section 6611(b)(2) shall apply.

''(2) DISPUTABLE TAX.—

''(A) IN GENERAL.—For purposes of this section, the term 'disputable tax' means the amount of tax specified at the time of the deposit as the taxpayer's reasonable estimate of the maximum amount of any tax attributable to disputable items.

''(B) SAFE HARBOR BASED ON 30-DAY LETTER.—In the case of a taxpayer who has been issued a 30-day letter, the maximum amount of tax under subparagraph (A) shall not be less than the amount of the proposed deficiency specified in such letter.

''(3) OTHER DEFINITIONS.—For purposes of paragraph (2)—

''(A) DISPUTABLE ITEM.—The term 'disputable item' means any item of income, gain, loss, deduction, or credit if the taxpayer—

''(i) has a reasonable basis for its treatment of such item, and

''(ii) reasonably believes that the Secretary also has a reasonable basis for disallowing the taxpayer's treatment of such item.

''(B) 30-DAY LETTER.—The term '30-day letter' means the first letter of proposed deficiency which allows the taxpayer an opportunity for administrative review in the Internal Revenue Service Office of Appeals.

''(4) RATE OF INTEREST.—The rate of interest allowable under this subsection shall be the Federal short-term rate determined under section 6621(b), compounded daily.

''(e) USE OF DEPOSITS.—

''(1) PAYMENT OF TAX.—Except as otherwise provided by the taxpayer, deposits shall be treated as used for the payment of tax in the order deposited.

''(B) RETURNS OF DEPOSITS.—Deposits shall be treated as returned to the taxpayer on a last-in, first-out basis.''.

(b) CLERICAL AMENDMENT.—The table of sections for subchapter A of chapter 67 is amended by adding at the end the following new item:

''Sec. 6603. Deposits made to suspend running of interest on potential underpayments, etc.''.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall apply to deposits made after the date of the enactment of this Act.

(2) COORDINATION WITH DEPOSITS MADE UNDER REVENUE PROCEDURE 84–58.—In the case of an amount held by the Secretary of the Treasury or his delegate on the date of the

enactment of this Act as a deposit in the nature of a cash bond deposit pursuant to Revenue Procedure 84–58, the date that the taxpayer identifies such amount as a deposit made pursuant to section 6603 of the Internal Revenue Code (as added by this Act) shall be treated as the date such amount is deposited for purposes of such section 6603.

SEC. 105. EXPANSION OF INTEREST NETTING FOR INDIVIDUALS.

(a) IN GENERAL.—Subsection (d) of section 6621 (relating to elimination of interest on overlapping periods of tax overpayments and underpayments) is amended by adding at the end the following: ''Solely for purposes of the preceding sentence, section 6611(e) shall not apply in the case of an individual.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to interest accrued after December 31, 2002.

SEC. 106. WAIVER OF CERTAIN PENALTIES FOR FIRST-TIME UNINTENTIONAL MINOR ERRORS.

(a) IN GENERAL.—Section 6651 (relating to failure to file tax return or to pay tax) is amended by adding at the end the following new subsection:

''(i) TREATMENT OF FIRST-TIME UNINTENTIONAL MINOR ERRORS.—

''(1) IN GENERAL.—In the case of a return of tax imposed by subtitle A filed by an individual, the Secretary may waive an addition to tax under subsection (a) if—

''(A) the individual has a history of compliance with the requirements of this title,

''(B) it is shown that the failure is due to an unintentional minor error,

''(C) the penalty would be grossly disproportionate to the action or expense that would have been needed to avoid the error, and imposing the penalty would be against equity and good conscience,

''(D) waiving the penalty would promote compliance with the requirements of this title and effective tax administration, and

''(E) the taxpayer took all reasonable steps to remedy the error promptly after discovering it.

''(2) EXCEPTIONS.—Paragraph (1) shall not apply if—

''(A) the Secretary has waived any addition to tax under this subsection with respect to any prior failure by such individual,

''(B) the failure is a mathematical or clerical error (as defined in section 6213(g)(2)), or

''(C) the failure is the lack of a required signature.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on January 1, 2003.

SEC. 107. FRIVOLOUS TAX SUBMISSIONS.

(a) CIVIL PENALTIES.—Section 6702 is amended to read as follows:

''SEC. 6702. FRIVOLOUS TAX SUBMISSIONS.

''(a) CIVIL PENALTY FOR FRIVOLOUS TAX RETURNS.—A person shall pay a penalty of $5,000 if—

''(1) such person files what purports to be a return of a tax imposed by this title but which—

''(A) does not contain information on which the substantial correctness of the self-assessment may be judged, or

''(B) contains information that on its face indicates that the self-assessment is substantially incorrect; and

''(2) the conduct referred to in paragraph (1)—

''(A) is based on a position which the Secretary has identified as frivolous under subsection (c), or

''(B) reflects a desire to delay or impede the administration of Federal tax laws.

''(b) CIVIL PENALTY FOR SPECIFIED FRIVOLOUS SUBMISSIONS.—

''(1) IMPOSITION OF PENALTY.—Except as provided in paragraph (3), any person who submits a specified frivolous submission shall pay a penalty of $5,000.

''(2) SPECIFIED FRIVOLOUS SUBMISSION.—For purposes of this section—

''(A) SPECIFIED FRIVOLOUS SUBMISSION.—The term 'specified frivolous submission' means a specified submission if any portion of such submission—

''(i) is based on a position which the Secretary has identified as frivolous under subsection (c), or

''(ii) reflects a desire to delay or impede the administration of Federal tax laws.

''(B) SPECIFIED SUBMISSION.—The term 'specified submission' means—

''(i) a request for a hearing under—

''(I) section 6320 (relating to notice and opportunity for hearing upon filing of notice of lien), or

''(II) section 6330 (relating to notice and opportunity for hearing before levy), and

''(ii) an application under—

''(I) section 7811 (relating to taxpayer assistance orders),

''(II) section 6159 (relating to agreements for payment of tax liability in installments), or

''(III) section 7122 (relating to compromises).

''(3) OPPORTUNITY TO WITHDRAW SUBMISSION.—If the Secretary provides a person with notice that a submission is a specified frivolous submission and such person withdraws such submission promptly after such notice, the penalty imposed under paragraph (1) shall not apply with respect to such submission.

''(c) LISTING OF FRIVOLOUS POSITIONS.—The Secretary shall prescribe (and periodically revise) a list of positions which the Secretary has identified as being frivolous for purposes of this subsection. The Secretary shall not include in such list any position that the Secretary determines meets the requirement of section 6662(d)(2)(B)(ii)(II).

''(d) REDUCTION OF PENALTY.—The Secretary may reduce the amount of any penalty imposed under this section if the Secretary determines that such reduction would promote compliance with and administration of the Federal tax laws.

''(e) PENALTIES IN ADDITION TO OTHER PENALTIES.—The penalties imposed by this section shall be in addition to any other penalty provided by law.''.

(b) TREATMENT OF FRIVOLOUS REQUESTS FOR HEARINGS BEFORE LEVY.—

(1) FRIVOLOUS REQUESTS DISREGARDED.—Section 6330 (relating to notice and opportunity for hearing before levy) is amended by adding at the end the following new subsection:

''(g) FRIVOLOUS REQUESTS FOR HEARING, ETC.—Notwithstanding any other provision of this section, if the Secretary determines that any portion of a request for a hearing under this section or section 6320 meets the requirement of clause (i) or (ii) of section 6702(b)(2)(A), then the Secretary may treat such portion as if it were never submitted and such portion shall not be subject to any further administrative or judicial review.''.

(2) PRECLUSION FROM RAISING FRIVOLOUS ISSUES AT HEARING.—Section 6330(c)(4) is amended—

(A) by striking ''(A)'' and inserting ''(A)(i)'';

(B) by striking ''(B)'' and inserting ''(ii)'';

(C) by striking the period at the end of the first sentence and inserting ''; or''; and

(D) by inserting after subparagraph (A)(ii) (as so redesignated) the following:

''(B) the issue meets the requirement of clause (i) or (ii) of section 6702(b)(2)(A).''.

(3) STATEMENT OF GROUNDS.—Section 6330(b)(1) is amended by striking ''under subsection (a)(3)(B)'' and inserting ''in writing under subsection (a)(3)(B) and states the grounds for the requested hearing''.

(c) TREATMENT OF FRIVOLOUS REQUESTS FOR HEARINGS UPON FILING OF NOTICE OF LIEN.—Section 6320 is amended—

(1) in subsection (b)(1), by striking ''under subsection (a)(3)(B)'' and inserting ''in writing under subsection (a)(3)(B) and states the grounds for the requested hearing'', and

(2) in subsection (c), by striking ''and (e)'' and inserting ''(e), and (g)''.

(d) TREATMENT OF FRIVOLOUS APPLICATIONS FOR OFFERS-IN-COMPROMISE AND INSTALLMENT AGREEMENTS.—Section 7122 is amended by adding at the end the following new subsection:

''(e) FRIVOLOUS SUBMISSIONS, ETC.—Notwithstanding any other provision of this section, if the Secretary determines that any portion of an application for an offer-in-compromise or installment agreement submitted under this section or section 6159 meets the requirement of clause (i) or (ii) of section 6702(b)(2)(A), then the Secretary may treat such portion as if it were never submitted and such portion shall not be subject to any further administrative or judicial review.''.

(e) CLERICAL AMENDMENT.—The table of sections for part I of subchapter B of chapter 68 is amended by striking the item relating to section 6702 and inserting the following new item:

''Sec. 6702. Frivolous tax submissions.''.

(f) EFFECTIVE DATE.—The amendments made by this section shall apply to submissions made and issues raised after the date on which the Secretary first prescribes a list under section 6702(c) of the Internal Revenue Code of 1986, as amended by subsection (a).

SEC. 108. CLARIFICATION OF APPLICATION OF FEDERAL TAX DEPOSIT PENALTY.

Nothing in section 6656 of the Internal Revenue Code of 1986 shall be construed to permit the percentage specified in subsection (b)(1)(A)(iii) thereof to apply other than in a case where the failure is for more than 15 days.

TITLE II—FAIRNESS OF COLLECTION PROCEDURES

SEC. 201. PARTIAL PAYMENT OF TAX LIABILITY IN INSTALLMENT AGREEMENTS.

(a) IN GENERAL.—

(1) Section 6159(a) (relating to authorization of agreements) is amended—

(A) by striking ''satisfy liability for payment of'' and inserting ''make payment on'', and

(B) by inserting ''full or partial'' after ''facilitate''.

(2) Section 6159(c) (relating to Secretary required to enter into installment agreements in certain cases) is amended in the matter preceding paragraph (1) by inserting ''full'' before ''payment''.

(b) REQUIREMENT TO REVIEW PARTIAL PAYMENT AGREEMENTS EVERY TWO YEARS.—Section 6159 is amended by redesignating subsections (d) and (e) as subsections (e) and (f), respectively, and inserting after subsection (c) the following new subsection:

''(d) SECRETARY REQUIRED TO REVIEW INSTALLMENT AGREEMENTS FOR PARTIAL COLLECTION EVERY TWO YEARS.—In the case of an agreement entered into by the Secretary under subsection (a) for partial collection of a tax liability, the Secretary shall review the agreement at least once every 2 years.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to agreements entered into on or after the date of the enactment of this Act.

SEC. 202. EXTENSION OF TIME FOR RETURN OF PROPERTY.

(a) EXTENSION OF TIME FOR RETURN OF PROPERTY SUBJECT TO LEVY.—Subsection (b) of section 6343 (relating to return of property) is amended by striking ''9 months'' and inserting ''2 years''.

(b) PERIOD OF LIMITATION ON SUITS.—Subsection (c) of section 6532 (relating to suits by persons other than taxpayers) is amended—

(1) in paragraph (1) by striking ''9 months'' and inserting ''2 years'', and

(2) in paragraph (2) by striking ''9-month'' and inserting ''2-year''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to—

(1) levies made after the date of the enactment of this Act, and

(2) levies made on or before such date if the 9-month period has not expired under section 6343(b) of the Internal Revenue Code of 1986 (without regard to this section) as of such date.

SEC. 203. INDIVIDUALS HELD HARMLESS ON WRONGFUL LEVY, ETC. ON INDIVIDUAL RETIREMENT PLAN.

(a) IN GENERAL.—Section 6343 (relating to authority to release levy and return property) is amended by adding at the end the following new subsection:

''(f) INDIVIDUALS HELD HARMLESS ON WRONGFUL LEVY, ETC. ON INDIVIDUAL RETIREMENT PLAN.—

''(1) IN GENERAL.—If the Secretary determines that an individual retirement plan has been levied upon in a case to which subsection (b) or (d)(2)(A) applies, an amount equal to the sum of—

''(A) the amount of money returned by the Secretary on account of such levy, and

''(B) interest paid under subsection (c) on such amount of money,

may be deposited into an individual retirement plan (other than an endowment contract) to which a rollover from the plan levied upon is permitted.

''(2) TREATMENT AS ROLLOVER.—The distribution on account of the levy and any deposit under paragraph (1) with respect to such distribution shall be treated for purposes of this title as if such distribution and deposit were part of a rollover described in section 408(d)(3)(A)(i); except that—

''(A) interest paid under subsection (c) shall be treated as part of such distribution and as not includible in gross income,

''(B) the 60-day requirement in such section shall be treated as met if the deposit is made not later than the 60th day after the day on which the individual receives an amount under paragraph (1) from the Secretary, and

''(C) such deposit shall not be taken into account under section 408(d)(3)(B).

''(3) REFUND, ETC., OF INCOME TAX ON LEVY.—If any amount is includible in gross income for a taxable year by reason of a levy referred to in paragraph (1) and any portion of such amount is treated as a rollover under paragraph (2), any tax imposed by chapter 1 on such portion shall not be assessed, and if assessed shall be abated, and if collected shall be credited or refunded as an overpayment made on the due date for filing the return of tax for such taxable year.

''(4) INTEREST.—Notwithstanding subsection (d), interest shall be allowed under subsection (c) in a case in which the Secretary makes a determination described in subsection (d)(2)(A) with respect to a levy upon an individual retirement plan.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to amounts paid under subsections (b), (c), and (d)(2)(A) of section 6343 of the Internal Revenue Code of 1986 after December 31, 2002.

SEC. 204. SEVEN-DAY THRESHOLD ON TOLLING OF STATUTE OF LIMITATIONS DURING TAX REVIEW.

(a) IN GENERAL.—Section 7811(d)(1) (relating to suspension of running of period of limitation) is amended by inserting after ''application,'' the following: ''but only if the date of such decision is at least 7 days after the date of the taxpayer's application''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to applications filed after the date of the enactment of this Act.

SEC. 205. STUDY OF LIENS AND LEVIES.

The Secretary of the Treasury, or the Secretary's delegate, shall conduct a study of the practices of the Internal Revenue Service concerning liens and levies. The study shall examine—

(1) the declining use of liens and levies by the Internal Revenue Service, and

(2) the practicality of recording liens and levying against property in cases in which the cost of such actions exceeds the amount to be realized from such property.

Not later than 1 year after the date of the enactment of this Act, the Secretary shall submit such study to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate.

TITLE III—EFFICIENCY OF TAX ADMINISTRATION

SEC. 301. REVISIONS RELATING TO TERMINATION OF EMPLOYMENT OF INTERNAL REVENUE SERVICE EMPLOYEES FOR MISCONDUCT.

(a) IN GENERAL.—Subchapter A of chapter 80 (relating to application of internal revenue laws) is amended by inserting after section 7804 the following new section:

''SEC. 7804A. DISCIPLINARY ACTIONS FOR MISCONDUCT.

''(a) DISCIPLINARY ACTIONS.—

''(1) IN GENERAL.—Subject to subsection (c), the Commissioner shall take an action in accordance with the guidelines established under paragraph (2) against any employee of the Internal Revenue Service if there is a final administrative or judicial determination that such employee committed any act or omission described under subsection (b) in the performance of the employee's official duties or where a nexus to the employee's position exists.

''(2) GUIDELINES.—The Commissioner shall issue guidelines for determining the appropriate level of discipline, up to and including termination of employment, for committing any act or omission described under subsection (b).

''(b) ACTS OR OMISSIONS.—The acts or omissions described under this subsection are—

''(1) willful failure to obtain the required approval signatures on documents authorizing the seizure of a taxpayer's home, personal belongings, or business assets;

''(2) willfully providing a false statement under oath with respect to a material matter involving a taxpayer or taxpayer representative;

''(3) with respect to a taxpayer or taxpayer representative, the willful violation of—

''(A) any right under the Constitution of the United States;

''(B) any civil right established under—

''(i) title VI or VII of the Civil Rights Act of 1964;

''(ii) title IX of the Education Amendments of 1972;

''(iii) the Age Discrimination in Employment Act of 1967;

''(iv) the Age Discrimination Act of 1975;

''(v) section 501 or 504 of the Rehabilitation Act of 1973; or

''(vi) title I of the Americans with Disabilities Act of 1990; or

''(C) the Internal Revenue Service policy on unauthorized inspection of returns or return information;

''(4) willfully falsifying or destroying documents to conceal mistakes made by any employee with respect to a matter involving a taxpayer or taxpayer representative;

''(5) assault or battery on a taxpayer or taxpayer representative, but only if there is a criminal conviction, or a final adverse judgment by a court in a civil case, with respect to the assault or battery;

''(6) willful violations of this title, Department of the Treasury regulations, or policies of the Internal Revenue Service (including the Internal Revenue Manual) for the purpose of retaliating against, or harassing, a taxpayer or taxpayer representative;

''(7) willful misuse of the provisions of section 6103 for the purpose of concealing information from a congressional inquiry;

''(8) willful failure to file any return of tax required under this title on or before the date prescribed therefor (including any extensions) when a tax is due and owing, unless such failure is due to reasonable cause and not due to willful neglect;

''(9) willful understatement of Federal tax liability, unless such understatement is due to reasonable cause and not due to willful neglect; and

''(10) threatening to audit a taxpayer, or to take other action under this title, for the purpose of extracting personal gain or benefit.

''(c) DETERMINATIONS OF COMMISSIONER.—

''(1) IN GENERAL.—The Commissioner may take a personnel action other than a disciplinary action provided for in the guidelines under subsection (a)(2) for an act or omission described under subsection (b).

''(2) DISCRETION.—The exercise of authority under paragraph (1) shall be at the sole discretion of the Commissioner and may not be delegated to any other officer. The Commissioner, in his sole discretion, may establish a procedure to determine if an individual should be referred to the Commissioner for a determination by the Commissioner under paragraph (1).

''(3) NO APPEAL.—Notwithstanding any other provision of law, any determination of the Commissioner under this subsection may not be reviewed in any administrative or judicial proceeding. A finding that an act or omission described under subsection (b) occurred may be reviewed.

''(d) DEFINITION.—For the purposes of the provisions described in clauses (i), (ii), and (iv) of subsection (b)(3)(B), references to a program or activity regarding Federal financial assistance or an education program or activity receiving Federal financial assistance shall include any program or activity conducted by the Internal Revenue Service for a taxpayer.

''(e) ANNUAL REPORT.—The Commissioner shall submit to Congress annually a report on disciplinary actions under this section.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 80 is amended by inserting after the item relating to section 7804 the following new item:

''Sec. 7804A. Disciplinary actions for misconduct.''.

(c) REPEAL OF SUPERSEDED SECTION.—Section 1203 of the Internal Revenue Service Restructuring and Reform Act of 1998 (Public Law 105–206; 112 Stat. 720) is repealed.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

SEC. 302. CONFIRMATION OF AUTHORITY OF TAX COURT TO APPLY DOCTRINE OF EQUITABLE RECOUPMENT.

(a) CONFIRMATION OF AUTHORITY OF TAX COURT TO APPLY DOCTRINE OF EQUITABLE RECOUPMENT.—Subsection (b) of section 6214 (relating to jurisdiction over other years and quarters) is amended by adding at the end the following new sentence: ''Notwithstanding the preceding sentence, the Tax Court may apply the doctrine of equitable recoupment to the same extent that it is available in civil tax cases before the district courts of the United States and the United States Court of Federal Claims.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to any action or proceeding in the Tax Court with respect to which a decision has not become final (as determined under section 7481 of the Internal Revenue Code of 1986) as of the date of the enactment of this Act.

SEC. 303. JURISDICTION OF TAX COURT OVER COLLECTION DUE PROCESS CASES.

(a) IN GENERAL.—Section 6330(d)(1) (relating to judicial review of determination) is amended to read as follows:

''(1) JUDICIAL REVIEW OF DETERMINATION.—The person may, within 30 days of a determination under this section, appeal such determination to the Tax Court (and the Tax Court shall have jurisdiction with respect to such matter).''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to judicial appeals filed after the date of the enactment of this Act.

SEC. 304. OFFICE OF CHIEF COUNSEL REVIEW OF OFFERS IN COMPROMISE.

(a) IN GENERAL.—Section 7122(b) (relating to record) is amended by striking ''Whenever a compromise'' and all that follows through ''his delegate'' and inserting ''If the Secretary determines that an opinion of the General Counsel for the Department of the Treasury, or the Counsel's delegate, is required with respect to a compromise, there shall be placed on file in the office of the Secretary such opinion''.

(b) CONFORMING AMENDMENTS.—Section 7122(b) is amended by striking the second and third sentences.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to offers-in-compromise submitted or pending on or after the date of the enactment of this Act.

SEC. 305. 15-DAY DELAY IN DUE DATE FOR ELECTRONICALLY FILED INDIVIDUAL INCOME TAX RETURNS.

(a) IN GENERAL.—Section 6072 (relating to time for filing income tax returns) is amended by adding at the end the following new subsection:

''(f) ELECTRONICALLY FILED RETURNS OF INDIVIDUALS.—

''(1) IN GENERAL.—Returns of an individual under section 6012 or 6013 (other than an individual to whom subsection (c) applies) which are filed electronically—

''(A) in the case of returns filed on the basis of a calendar year, shall be filed on or before the 30th day of April following the close of the calendar year, and

''(B) in the case of returns filed on the basis of a fiscal year, shall be filed on or before the last day of the 4th month following the close of the fiscal year.

''(2) ELECTRONIC FILING.—Paragraph (1) shall not apply to any return unless—

''(A) such return is accepted by the Secretary, and

''(B) the balance due (if any) shown on such return is paid electronically in a manner prescribed by the Secretary.

''(3) SPECIAL RULES.—

''(A) ESTIMATED TAX.—If—

''(i) paragraph (1) applies to an individual for any taxable year, and

''(ii) there is an overpayment of tax shown on the return for such year which the individual allows against the individual's obligation under section 6641,

then, with respect to the amount so allowed, any reference in section 6641 to the April 15 following such taxable year shall be treated as a reference to April 30.

''(B) REFERENCES TO DUE DATE.—Paragraph (1) shall apply solely for purposes of determining the due date for the individual's obligation to file and pay tax and, except as otherwise provided by the Secretary, shall be treated as an extension of the due date for any other purpose under this title.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2001.

TITLE IV—CONFIDENTIALITY AND DISCLOSURE

SEC. 401. COLLECTION ACTIVITIES WITH RESPECT TO JOINT RETURN DISCLOSABLE TO EITHER SPOUSE BASED ON ORAL REQUEST.

(a) IN GENERAL.—Paragraph (8) of section 6103(e) (relating to disclosure of collection activities with respect to joint return) is amended by striking ''in writing'' the first place it appears.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to requests made after the date of the enactment of this Act.

SEC. 402. TAXPAYER REPRESENTATIVES NOT SUBJECT TO EXAMINATION ON SOLE BASIS OF REPRESENTATION OF TAXPAYERS.

(a) IN GENERAL.—Subsection (h) of section 6103 (relating to disclosure to certain Federal officers and employees for purposes of tax administration, etc.) is amended by adding at the end the following new paragraph:

''(7) TAXPAYER REPRESENTATIVES.—Notwithstanding paragraph (1), the return of the representative of a taxpayer whose return is being examined by an officer or employee of the Department of the Treasury shall not be open to inspection by such officer or employee on the sole basis of the representative's relationship to the taxpayer unless a supervisor of such officer or employee has approved the inspection of the return of such representative on a basis other than by reason of such relationship.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on the date of the enactment of this Act.

SEC. 403. DISCLOSURE IN JUDICIAL OR ADMINISTRATIVE TAX PROCEEDINGS OF RETURN AND RETURN INFORMATION OF PERSONS WHO ARE NOT PARTY TO SUCH PROCEEDINGS.

(a) IN GENERAL.—Paragraph (4) of section 6103(h) (relating to disclosure to certain Federal officers and employees for purposes of tax administration, etc.) is amended by adding at the end the following new subparagraph:

''(B) DISCLOSURE IN JUDICIAL OR ADMINISTRATIVE TAX PROCEEDINGS OF RETURN AND RETURN INFORMATION OF PERSONS NOT PARTY TO SUCH PROCEEDINGS.—

''(i) NOTICE.—Return or return information of any person who is not a party to a judicial or administrative proceeding described in this paragraph shall not be disclosed under clause (ii) or (iii) of subparagraph (A) until after the Secretary makes a reasonable effort to give notice to such person and an opportunity for such person to request the deletion of matter from such return or return information, including any of the items referred to in paragraphs (1) through (7) of section 6110(c). Such notice shall include a statement of the issue or issues the resolution of which is the reason such return or return information is sought. In the case of S corporations, partnerships, estates, and trusts, such notice shall be made at the entity level.

''(ii) DISCLOSURE LIMITED TO PERTINENT PORTION.—The only portion of a return or return information described in clause (i) which may be disclosed under subparagraph (A) is that portion of such return or return information that directly relates to the resolution of an issue in such proceeding.

''(iii) EXCEPTIONS.—Clause (i) shall not apply—

''(I) to any civil action under section 7407, 7408, or 7409,

''(II) to any ex parte proceeding for obtaining a search warrant, order for entry on premises or safe deposit boxes, or similar ex parte proceeding,

''(III) to disclosure of third party return information by indictment or criminal information, or

''(IV) if the Attorney General or the Attorney General's delegate determines that the application of such clause would seriously impair a criminal tax investigation or proceeding.''.

(b) CONFORMING AMENDMENTS.—Paragraph (4) of section 6103(h) is amended by—

(1) by striking ''PROCEEDINGS.—A return'' and inserting ''PROCEEDINGS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), a return'';

(2) by redesignating subparagraphs (A), (B), (C), and (D) as clauses (i), (ii), (iii), and (iv), respectively; and

(3) in the matter following clause (iv) (as so redesignated), by striking ''subparagraph (A), (B), or (C)'' and inserting ''clause (i), (ii), or (iii)'' and by moving such matter 2 ems to the right.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to proceedings commenced after the date of the enactment of this Act.

SEC. 404. PROHIBITION OF DISCLOSURE OF TAXPAYER IDENTIFICATION INFORMATION WITH RESPECT TO DISCLOSURE OF ACCEPTED OFFERS-IN-COMPROMISE.

(a) IN GENERAL.—Paragraph (1) of section 6103(k) (relating to disclosure of certain returns and return information for tax administrative purposes) is amended by inserting ''(other than the taxpayer's address and TIN)'' after ''Return information''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to disclosures made after the date of the enactment of this Act.

SEC. 405. COMPLIANCE BY CONTRACTORS WITH CONFIDENTIALITY SAFEGUARDS.

(a) IN GENERAL.—Section 6103(p) (relating to State law requirements) is amended by adding at the end the following new paragraph:

''(9) DISCLOSURE TO CONTRACTORS.—Notwithstanding any other provision of this section, no return or return information shall be disclosed by any officer or employee of any Federal agency or State to any contractor of such agency or State unless such agency or State—

''(A) has requirements in effect which require each contractor of such agency or State which would have access to returns or return information to provide safeguards (within the meaning of paragraph (4)) to protect the confidentiality of such returns or return information,

''(B) agrees to conduct an annual, on-site review (mid-point review in the case of contracts of less than 1 year in duration) of each contractor to determine compliance with such requirements,

''(C) submits the findings of the most recent review conducted under subparagraph (B) to the Secretary as part of the report required by paragraph (4)(E), and

''(D) certifies to the Secretary for the most recent annual period that all contractors are in compliance with all such requirements.

The certification required by subparagraph (D) shall include the name and address of each contractor, a description of the contract of the contractor with the Federal agency or State, and the duration of such contract.''.

(b) CONFORMING AMENDMENT.—Subparagraph (B) of section 6103(p)(8) is amended by inserting ''or paragraph (9)'' after ''subparagraph (A)''.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall apply to disclosures made after December 31, 2002.

(2) CERTIFICATIONS.—The first certification under section 6103(p)(9)(D) of the Internal Revenue Code of 1986, as added by subsection (a), shall be made with respect to calendar year 2003.

SEC. 406. HIGHER STANDARDS FOR REQUESTS FOR AND CONSENTS TO DISCLOSURE.

(a) IN GENERAL.—Subsection (c) of section 6103 (relating to disclosure of returns and return information to designee of taxpayer) is amended by adding at the end the following new paragraphs:

''(2) REQUIREMENTS FOR VALID REQUESTS AND CONSENTS.—A request for or consent to disclosure under paragraph (1) shall only be valid for purposes of this section or sections 7213, 7213A, or 7431 if—

''(A) at the time of execution, such request or consent designates a recipient of such disclosure and is dated, and

''(B) at the time such request or consent is submitted to the Secretary, the submitter of such request or consent certifies, under penalty of perjury, that such request or consent complied with subparagraph (A).

''(3) RESTRICTIONS ON PERSONS OBTAINING INFORMATION.—Any person shall, as a condition for receiving return or return information under paragraph (1)—

''(A) ensure that such return and return information is kept confidential,

''(B) use such return and return information only for the purpose for which it was requested, and

''(C) not disclose such return and return information except to accomplish the purpose for which it was requested, unless a separate consent from the taxpayer is obtained.

''(4) REQUIREMENTS FOR FORM PRESCRIBED BY SECRETARY.—For purposes of this subsection, the Secretary shall prescribe a form for requests and consents which shall—

''(A) contain a warning, prominently displayed, informing the taxpayer that the form should not be signed unless it is completed,

''(B) state that if the taxpayer believes there is an attempt to coerce him to sign an incomplete or blank form, the taxpayer should report the matter to the Treasury Inspector General for Tax Administration, and

''(C) contain the address and telephone number of the Treasury Inspector General for Tax Administration.''.

(b) REPORT.—Not later than 18 months after the date of the enactment of this Act, the Treasury Inspector General for Tax Administration shall submit a report to the Congress on compliance with the designation and certification requirements applicable to requests for or consent to disclosure of returns and return information under section 6103(c) of the Internal Revenue Code of 1986, as amended by subsection (a). Such report shall—

(1) evaluate (on the basis of random sampling) whether—

(A) the amendment made by subsection (a) is achieving the purposes of this section;

(B) requesters and submitters for such disclosure are continuing to evade the purposes of this section and, if so, how; and

(C) the sanctions for violations of such requirements are adequate; and

(2) include such recommendations that the Treasury Inspector General for Tax Administration considers necessary or appropriate to better achieve the purposes of this section.

(c) CONFORMING AMENDMENT.—Section 6103(c) is amended by striking ''TAXPAYER.—The Secretary'' and inserting ''TAXPAYER.—

''(1) IN GENERAL.—The Secretary''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to requests and consents made after 3 months after the date of the enactment of this Act.

SEC. 407. NOTICE TO TAXPAYER CONCERNING ADMINISTRATIVE DETERMINATION OF BROWSING; ANNUAL REPORT.

(a) NOTICE TO TAXPAYER.—Subsection (e) of section 7431 (relating to notification of unlawful inspection and disclosure) is amended by adding at the end the following: ''The Secretary shall also notify such taxpayer if the Treasury Inspector General for Tax Administration determines that such taxpayer's return or return information was inspected or disclosed in violation of any of the provisions specified in paragraph (1), (2), or (3).''.

(b) REPORTS.—Subsection (p) of section 6103 (relating to procedure and recordkeeping), as amended by section 405, is further amended by adding at the end the following new paragraph:

''(10) REPORT ON UNAUTHORIZED DISCLOSURE AND INSPECTION.—As part of the report required by paragraph (3)(C) for each calendar year, the Secretary shall furnish information regarding the unauthorized disclosure and inspection of returns and return information, including the number, status, and results of—

''(A) administrative investigations,

''(B) civil lawsuits brought under section 7431 (including the amounts for which such lawsuits were settled and the amounts of damages awarded), and

''(C) criminal prosecutions.''.

(c) EFFECTIVE DATE.—

(1) NOTICE.—The amendment made by subsection (a) shall apply to determinations made after the date of the enactment of this Act.

(2) REPORTS.—The amendment made by subsection (b) shall apply to calendar years ending after the date of the enactment of this Act.

SEC. 408. EXPANDED DISCLOSURE IN EMERGENCY CIRCUMSTANCES.

(a) IN GENERAL.—Section 6103(i)(3)(B) (relating to danger of death or physical injury) is amended by striking ''or State'' and inserting '', State, or local''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on the date of the enactment of this Act.

SEC. 409. DISCLOSURE OF TAXPAYER IDENTITY FOR TAX REFUND PURPOSES.

(a) IN GENERAL.—Paragraph (1) of section 6103(m) (relating to disclosure of taxpayer identity information) is amended by striking ''and other media'' and by inserting '', other media, and through any other means of mass communication,''.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

SEC. 410. DISCLOSURE TO STATE OFFICIALS OF PROPOSED ACTIONS RELATED TO SECTION 501(c)(3) ORGANIZATIONS.

(a) IN GENERAL.—Subsection (c) of section 6104 is amended by striking paragraph (2) and inserting the following new paragraphs:

''(2) DISCLOSURE OF PROPOSED ACTIONS.—

''(A) SPECIFIC NOTIFICATIONS.—In the case of an organization to which paragraph (1) applies, the Secretary may disclose to the appropriate State officer—

''(i) a notice of proposed refusal to recognize such organization as an organization described in section 501(c)(3) or a notice of proposed revocation of such organization's recognition as an organization exempt from taxation,

''(ii) the issuance of a letter of proposed deficiency of tax imposed under section 507 or chapter 41 or 42, and

''(iii) the names and taxpayer identification numbers of organizations that have applied for recognition as organizations described in section 501(c)(3).

''(B) ADDITIONAL DISCLOSURES.—Returns and return information of organizations with respect to which information is disclosed under subparagraph (A) may be made available for inspection by or disclosed to an appropriate State officer.

''(C) PROCEDURES FOR DISCLOSURE.—Information may be inspected or disclosed under subparagraph (A) or (B) only—

''(i) upon written request by an appropriate State officer, and

''(ii) for the purpose of, and only to the extent necessary in, the administration of State laws regulating such organizations.

Such information may only be inspected by or disclosed to representatives of the appropriate State officer designated as the individuals who are to inspect or to receive the returns or return information under this paragraph on behalf of such officer.

''(D) DISCLOSURES OTHER THAN BY REQUEST.—The Secretary may make available for inspection or disclose returns and return information of an organization to which paragraph (1) applies to an appropriate State officer of any State if the Secretary determines that such inspection or disclosure may facilitate the resolution of State and Federal issues relating to such organization.

''(3) USE IN JUDICIAL AND ADMINISTRATIVE PROCEEDINGS.—Returns and return information disclosed pursuant to this subsection may be disclosed in civil administrative and judicial proceedings pertaining to the enforcement of State laws regulating such organizations in a manner prescribed by the Secretary similar to that for tax administration proceedings under section 6103(h)(4).

''(4) NO DISCLOSURE IF IMPAIRMENT.—Returns and return information shall not be disclosed under this subsection, or in any proceeding described in paragraph (3), to the extent that the Secretary determines that such disclosure would seriously impair Federal tax administration.

''(5) DEFINITIONS.—For purposes of this subsection—

''(A) RETURN AND RETURN INFORMATION.—The terms 'return' and 'return information' have the respective meanings given to such terms by section 6103(b).

''(B) APPROPRIATE STATE OFFICER.—The term 'appropriate State officer' means—

''(i) the State attorney general, or

''(ii) the head of any State agency, body, or commission which is charged under the laws of such State with responsibility for overseeing organizations of the type described in section 501(c)(3).''.

(b) CONFORMING AMENDMENTS.—

(1) Subsection (a) of section 6103 is amended—

(A) by inserting ''or section 6104(c)'' after ''this section'' in paragraph (2), and

(B) by striking ''or subsection (n)'' in paragraph (3) and inserting ''subsection (n), or section 6104(c)''.

(2) Subparagraph (A) of section 6103(p)(3) is amended by inserting ''and section 6104(c)'' after ''section'' in the first sentence.

(3) Paragraph (4) of section 6103(p) is amended—

(A) in the matter preceding subparagraph (A), by striking ''(16) or any other person described in subsection (l)(16)'' and inserting ''(16), any other person described in subsection (l)(16), or any appropriate State officer (as defined in section 6104(c))'', and

(B) in subparagraph (F), by striking ''or any other person described in subsection (l)(16)'' and inserting ''any other person described in subsection (l)(16), or any appropriate State officer (as defined in section 6104(c))''.

(4) Paragraph (2) of section 7213(a) is amended by inserting ''or under section 6104(c)'' after ''6103''.

(5) Paragraph (2) of section 7213A(a) is amended by inserting ''or 6104(c)'' after ''6103''.

(6) Paragraph (2) of section 7431(a) is amended by inserting ''(including any disclosure in violation of section 6104(c))'' after ''6103''.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act but shall not apply to requests made before such date.

TITLE V—MISCELLANEOUS

SEC. 501. CLARIFICATION OF DEFINITION OF CHURCH TAX INQUIRY.

Subsection (i) of section 7611 (relating to section not to apply to criminal investigations, etc.) is amended by striking ''or'' at the end of paragraph (4), by striking the period at the end of paragraph (5) and inserting '', or'', and by inserting after paragraph (5) the following:

''(6) information provided by the Secretary related to the standards for exemption from tax under this title and the requirements under this title relating to unrelated business taxable income.''.

SEC. 502. EXPANSION OF DECLARATORY JUDGMENT REMEDY TO TAX-EXEMPT ORGANIZATIONS.

(a) IN GENERAL.—Paragraph (1) of section 7428(a) (relating to creation of remedy) is amended—

(1) in subparagraph (B) by inserting after ''509(a))'' the following: ''or as a private operating foundation (as defined in section 4942(j)(3))''; and

(2) by amending subparagraph (C) to read as follows:

''(C) with respect to the initial qualification or continuing qualification of an organization as an organization described in section 501(c) (other than paragraph (3)) which is exempt from tax under section 501(a), or''.

(b) COURT JURISDICTION.—Subsection (a) of section 7428 is amended in the material following paragraph (2) by striking ''United States Tax Court, the United States Claims Court, or the district court of the United States for the District of Columbia'' and inserting the following: ''United States Tax Court (in the case of any such determination or failure) or the United States Claims Court or the district court of the United States for the District of Columbia (in the case of a determination or failure with respect to an issue referred to in subparagraph (A) or (B) of paragraph (1)),''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to pleadings filed with respect to determinations (or requests for determinations) made after the date of the enactment of this Act.

SEC. 503. EMPLOYEE MISCONDUCT REPORT TO INCLUDE SUMMARY OF COMPLAINTS BY CATEGORY.

(a) IN GENERAL.—Clause (ii) of section 7803(d)(2)(A) is amended by inserting before the semicolon at the end the following: '', including a summary (by category) of the 10 most common complaints made and the number of such common complaints''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to reporting periods ending after the date of the enactment of this Act.

SEC. 504. ANNUAL REPORT ON AWARDS OF COSTS AND CERTAIN FEES IN ADMINISTRATIVE AND COURT PROCEEDINGS.

Not later than 3 months after the close of each Federal fiscal year after fiscal year 2001, the Treasury Inspector General for Tax Administration shall submit a report to Congress which specifies for such year—

(1) the number of payments made by the United States pursuant to section 7430 of the Internal Revenue Code of 1986 (relating to awarding of costs and certain fees);

(2) the amount of each such payment;

(3) an analysis of any administrative issue giving rise to such payments; and

(4) changes (if any) which will be implemented as a result of such analysis and other changes (if any) recommended by the Treasury Inspector General for Tax Administration as a result of such analysis.

SEC. 505. ANNUAL REPORT ON ABATEMENT OF PENALTIES.

Not later than 6 months after the close of each Federal fiscal year after fiscal year 2001, the Treasury Inspector General for Tax Administration shall submit a report to Congress on abatements of penalties under the Internal Revenue Code of 1986 during such year, including information on the reasons and criteria for such abatements.

SEC. 506. BETTER MEANS OF COMMUNICATING WITH TAXPAYERS.

Not later than 18 months after the date of the enactment of this Act, the Treasury Inspector General for Tax Administration shall submit a report to Congress evaluating whether technological advances, such as e-mail and facsimile transmission, permit the use of alternative means for the Internal Revenue Service to communicate with taxpayers.

SEC. 507. EXPLANATION OF STATUTE OF LIMITATIONS AND CONSEQUENCES OF FAILURE TO FILE.

The Secretary of the Treasury or the Secretary's delegate shall, as soon as practicable but not later than 180 days after the date of the enactment of this Act, revise the statement required by section 6227 of the Omnibus Taxpayer Bill of Rights (Internal Revenue Service Publication No. 1), and any instructions booklet accompanying a general income tax return form for taxable years beginning after 2001 (including forms 1040, 1040A, 1040EZ, and any similar or successor forms relating thereto), to provide for an explanation of—

(1) the limitations imposed by section 6511 of the Internal Revenue Code of 1986 on credits and refunds; and

(2) the consequences under such section 6511 of the failure to file a return of tax.

SEC. 508. AMENDMENT TO TREASURY AUCTION REFORMS.

(a) IN GENERAL.—Clause (i) of section 202(c)(4)(B) of the Government Securities Act Amendments of 1993 (31 U.S.C. 3121 note) is amended by inserting before the semicolon ''(or, if earlier, at the time the Secretary releases the minutes of the meeting in accordance with paragraph (2))''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to meetings held after the date of the enactment of this Act.

SEC. 509. ENROLLED AGENTS.

(a) IN GENERAL.—Chapter 77 (relating to miscellaneous provisions) is amended by adding at the end the following new section:

''SEC. 7527. ENROLLED AGENTS.

''(a) IN GENERAL.—The Secretary may prescribe such regulations as may be necessary to regulate the conduct of enrolled agents in regards to their practice before the Internal Revenue Service.

''(b) USE OF CREDENTIALS.—Any enrolled agents properly licensed to practice as required under rules promulgated under section (a) herein shall be allowed to use the credentials or designation as 'enrolled agent', 'EA', or 'E.A.'.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 77 is amended by adding at the end the following new item:

''Sec. 7525. Enrolled agents.''.

(c) PRIOR REGULATIONS.—Nothing in the amendments made by this section shall be construed to have any effect on part 10 of title 31, Code of Federal Regulations, or any other Federal rule or regulation issued before the date of the enactment of this Act.

SEC. 510. FINANCIAL MANAGEMENT SERVICE FEES.

Notwithstanding any other provision of law, the Financial Management Service may charge the Internal Revenue Service, and the Internal Revenue Service may pay the Financial Management Service, a fee sufficient to cover the full cost of implementing a continuous levy program under subsection (h) of section 6331 of the Internal Revenue Code of 1986. Any such fee shall be based on actual levies made and shall be collected by the Financial Management Service by the retention of a portion of amounts collected by levy pursuant to that subsection. Amounts received by the Financial Management Service as fees under that subsection shall be deposited into the account of the Department of the Treasury under section 3711(g)(7) of title 31, United States Code, and shall be collected and accounted for in accordance with the provisions of that section. The amount credited against the taxpayer's liability on account of the continuous levy shall be the amount levied, without reduction for the amount paid to the Financial Management Service as a fee.

SEC. 511. CAPITAL GAIN TREATMENT UNDER SECTION 631(b) TO APPLY TO OUTRIGHT SALES BY LAND OWNER.

(a) IN GENERAL.—The first sentence of section 631(b) of the Internal Revenue Code of 1986 (relating to disposal of timber with a retained economic interest) is amended by striking ''retains an economic interest in such timber'' and inserting ''either retains an economic interest in such timber or makes an outright sale of such timber''.

(b) CONFORMING AMENDMENT.—The third sentence of section 631(b) of such Code is amended by striking ''The date of disposal'' and inserting ''In the case of disposal of timber with a retained economic interest, the date of disposal''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to sales after the date of the enactment of this Act.

TITLE VI—LOW-INCOME TAXPAYER CLINICS

SEC. 601. LOW-INCOME TAXPAYER CLINICS.

(a) LIMITATION ON AMOUNT OF GRANTS.—Paragraph (1) of section 7526(c) (relating to special rules and limitations) is amended by striking ''$6,000,000 per year'' and inserting ''$9,000,000 for 2002, $12,000,000 for 2003, and $15,000,000 for each year thereafter''.

(b) LIMITATION ON USE OF CLINICS FOR TAX RETURN PREPARATION.—Subparagraph (A) of section 7526(b)(1) is amended by adding at the end the following flush language:

''The term does not include a clinic that provides routine tax return preparation. The preceding sentence shall not apply to return preparation in connection with a controversy with the Internal Revenue Service.''.

(c) PROMOTION OF CLINICS.—Section 7526(c) is amended by adding at the end the following new paragraph:

''(7) PROMOTION OF CLINICS.—The Secretary is authorized to promote the benefits of and encourage the use of low-income taxpayer clinics through the use of mass communications, referrals, and other means.''.

TITLE VII—REVISIONS TO SECTION 527 ORGANIZATION DISCLOSURE PROVISIONS

SEC. 701. MODIFICATIONS OF REPORTING REQUIREMENTS FOR CERTAIN STATE AND LOCAL POLITICAL ORGANIZATIONS.

(a) NOTIFICATION.—

(1) Paragraph (5) of section 527(i) (relating to organizations must notify Secretary that they are section 527 organizations) is amended by striking ''or'' at the end of subparagraph (A), by striking the period at the end of subparagraph (B) and inserting '', or'', and by adding at the end the following:

''(C) which is—

''(i) a political committee of a State or local candidate, or

''(ii) a local committee of an entity which is a political party under State law.''.

(2) Subparagraph (B) of section 527(j)(5) (relating to coordination with other requirements) is amended to read as follows:

''(B) to any organization which is—

''(i) a political committee of a State or local candidate, or

''(ii) a State or local committee of an entity which is a political party under State law,''.

(b) EXEMPTION FOR CERTAIN STATE AND LOCAL POLITICAL COMMITTEES FROM REPORTING REQUIREMENTS.—

(1) IN GENERAL.—Paragraph (5) of section 527(j) (relating to required disclosures of expenditures and contributions) is amended by redesignating subparagraphs (C), (D), and (E) as subparagraphs (D), (E), and (F), respectively, and by inserting after subparagraph (B) the following new subparagraph:

''(C) to any organization which is an exempt State or local political organization,''.

(2) EXEMPT STATE OR LOCAL POLITICAL ORGANIZATION.—Subsection (e) of section 527 (relating to other definitions) is amended by adding at the end the following new paragraph:

''(5) EXEMPT STATE OR LOCAL POLITICAL ORGANIZATION.—

''(A) IN GENERAL.—The term 'exempt State or local political organization' means a political organization—

''(i) which does not engage in any exempt function other than to influence or to attempt to influence the selection, nomination, election, or appointment of any individual to any State or local public office or office in a State or local political organization,

''(ii) which is subject to State or local requirements to submit reports containing information—

''(I) regarding individual expenditures from and contributions to such organization, and

''(II) regarding the person who makes such contributions or receives such expenditures, which is substantially similar to the information which would otherwise be required to be reported under this section, and

''(iii) with respect to which the reports referred to in clause (ii) are made public by the agency with which such reports are filed and are publicly available for inspection in a manner similar to that required by section 6104(d)(1).

''(B) PARTICIPATION OF FEDERAL CANDIDATE OR OFFICE HOLDER.—The term 'exempt State or local political organization' shall not include any organization otherwise described in subparagraph (A) if a candidate for nomination or election to Federal elective office or an individual who holds such office—

''(i) controls or materially participates in the direction of the organization, or

''(ii) directs, in whole or in part, expenditures or fundraising activities of the organization.''.

(c) ANNUAL RETURN REQUIREMENTS.—

(1) INCOME TAX RETURNS REQUIRED ONLY WHERE POLITICAL ORGANIZATION TAXABLE INCOME.—Paragraph (6) of section 6012(a) (relating to general rule of persons required to make returns of income) is amended by striking ''or which has gross receipts of $25,000 or more for the taxable year (other than an organization to which section 527 applies solely by reason of subsection (f)(1) of such section)''.

(2) INFORMATION RETURNS.—Subsection (g) of section 6033 (relating to returns required by political organizations) is amended to read as follows:

''(g) RETURNS REQUIRED BY POLITICAL ORGANIZATIONS.—

''(1) IN GENERAL.—Every political organization (within the meaning of section 527(e)(1)), and every fund treated under section 527(g) as if it constituted a political organization, which has gross receipts of $25,000 or more for the taxable year shall file a return—

''(A) containing the information required, and complying with the other requirements, under subsection (a)(1) for organizations exempt from taxation under section 501(a), and

''(B) containing such other information as the Secretary deems necessary to carry out the provisions of this subsection.

''(2) EXCEPTIONS FROM FILING.—

''(A) MANDATORY EXCEPTIONS.—Paragraph (1) shall not apply to an organization—

''(i) which is an exempt State or local political organization (as defined in section 527(e)(5)),

''(ii) which is a State or local committee of a political party, or political committee of a State or local candidate, as defined by State law,

''(iii) which is a caucus or association of State or local elected officials,

''(iv) which is a national association of State or local officials,

''(v) which is an authorized committee (as defined in section 301(6) of the Federal Election Campaign Act of 1971) of a candidate for Federal office,

''(vi) which is a national committee (as defined in section 301(14) of the Federal Election Campaign Act of 1971) of a political party, or

''(vii) to which section 527 applies for the taxable year solely by reason of subsection (f)(1) of such section.

''(B) DISCRETIONARY EXCEPTION.—The Secretary may relieve any organization required under paragraph (1) to file an information return from filing such a return where he determines that such filing is not necessary to the efficient administration of the internal revenue laws.''.

(d) WAIVER OF PENALTIES.—Section 527 is amended by adding at the end the following:

''(k) AUTHORITY TO WAIVE.—The Secretary may waive all or any portion of the—

''(1) tax assessed on an organization by reason of the failure of the organization to give notice under subsection (i), or

''(2) penalty imposed under subsection (j) for a failure to file a report,

on a showing that such failure was due to reasonable cause and not due to willful neglect.''.

(e) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the amendments made by Public Law 106–230.

SEC. 702. NOTIFICATION OF INTERACTION OF REPORTING REQUIREMENTS.

(a) IN GENERAL.—The Secretary of the Treasury, in consultation with the Federal Election Commission, shall publicize information on—

(1) the effect of the amendments made by this Act, and

(2) the interaction of requirements to file a notification or report under section 527 of the Internal Revenue Code of 1986 and reports under the Federal Election Campaign Act of 1971.

(b) INFORMATION.—Information provided under subsection (a) shall be included in any appropriate form, instruction, notice, or other guidance issued to the public by the Secretary of the Treasury or the Federal Election Commission regarding reporting requirements of political organizations (as defined in section 527 of the Internal Revenue Code of 1986) or reporting requirements under the Federal Election Campaign Act of 1971.

SEC. 703. TECHNICAL CORRECTIONS TO SECTION 527 ORGANIZATION DISCLOSURE PROVISIONS.

(a) UNSEGREGATED FUNDS NOT TO AVOID TAX.—Paragraph (4) of section 527(i) (relating to failure to notify) is amended by adding at the end the following new sentence: ''For purposes of the preceding sentence, the term 'exempt function income' means any amount described in a subparagraph of subsection (c)(3), whether or not segregated for use for an exempt function.''.

(b) PROCEDURES FOR ASSESSMENT AND COLLECTION OF PENALTY.—Paragraph (1) of section 527(j) (relating to required disclosure of expenditures and contributions) is amended by adding at the end the following new sentence: ''For purposes of subtitle F, the penalty imposed by this paragraph shall be assessed and collected in the same manner as penalties imposed by section 6652(c).''.

(c) APPLICATION OF FRAUD PENALTY.—Section 7207 (relating to fraudulent returns, statements, and other documents) is amended by striking ''pursuant to subsection (b) of section 6047 or pursuant to subsection (d) of section 6104'' and inserting ''pursuant to section 6047(b), section 6104(d), or subsection (i) or (j) of section 527''.

(d) DUPLICATE ELECTRONIC AND WRITTEN FILINGS NOT REQUIRED.—Subparagraph (A) of section 527(i)(1) is amended by striking '', electronically and in writing,''.

(e) EFFECTIVE DATES.—

(1) SUBSECTIONS (a) AND (b).—The amendments made by subsections (a) and (b) shall apply to failures occurring on or after the date of the enactment of this Act.

(2) SUBSECTIONS (c) AND (d).—The amendments made by subsections (c) and (d) shall take effect as if included in the amendments made by Public Law 106–230.

The SPEAKER pro tempore (Mrs. BIGGERT). Pursuant to the rule, the gentleman from California (Mr. THOMAS) and the gentleman from New York (Mr. RANGEL) each will control 20 minutes.

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

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

Madam Speaker, the Taxpayer Protection and IRS Accountability Act of 2002 might be called modest, but if one looks at the particular provisions, I think for those individuals engaged with the Internal Revenue Service, I think they might find them relatively important.

The Chair would like to thank the gentleman from New York (Mr. HOUGHTON), the chairman of the Subcommittee on Oversight, and especially the gentleman from Ohio (Mr. PORTMAN) and the gentleman from Maryland (Mr. CARDIN) in their ongoing work in providing the committee with excellent legislation.

As I said in announcing the call-up for the vote, that this bill was amended. It was amended in committee. Two amendments were taken, one by the gentleman from New York (Mr. RANGEL), which would allow IRS information to be provided to State Attorneys General. I think it is significant that it was offered by the gentleman from New York. The information is an examination of 501(c)(3) groups and whether they would refuse, or whether there was a revocation or whether there was

a tax deficiency reported at the Federal level, that information to be shared at the State level.

As my colleagues might imagine, how unseemly as it might be, there are individuals and groups who tried to take advantage of the disaster because of the events of September 11. There are individuals or groups who seek to take advantage of the charitable nature of Americans and New Yorkers as well. What this amendment does is allow the sharing of Federal information to assist in the State's administering their laws governing a charitable organization as well. Quite an appropriate amendment, and it was accepted on a voice vote.

The gentleman from Ohio, I think, speaking as well for the gentleman from Maryland, offered some specific amendments dealing with the way in which the IRS commissioner would treat IRS employees who were engaged in what have become now known as the ''10 deadly sins,'' based upon recent legislation in which if an employee of the IRS examines forms unauthorized, a number of them are grounds for immediate dismissal. As my colleagues might guess, that kind of an administrative tool perhaps is too extreme in some instances, and based upon the argument of the two gentlemen, it seemed persuasive to provide a degree of discretion to the commissioner in pursuing either disciplinary action or dismissal.

In addition to that, there are some other specific provisions that would greatly assist individuals who are interacting with the IRS, and I will go into those in some detail later.

Madam Speaker, I reserve the balance of my time.

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

I want to support what the chairman of the committee has said and the cooperative spirit that existed on the Ways and Means Committee under the leadership of the gentleman from New York (Mr. HOUGHTON) in working with the gentleman from Pennsylvania (Mr. COYNE) and the gentleman from Texas (Mr. DOGGETT) as well as the gentleman from Maryland (Mr. CARDIN) in correcting the duplicity that existed in terms of organizations reporting political contributions.

We had worked so well together on this, it was almost frightening, because it was done in an atmosphere that we do not normally enjoy on the Ways and Means Committee. So it should not have come as any shock to me when the bill that was overwhelmingly accepted by all members of the committee, that the Chairman would put in a poison pill at the very last minute that caused the committee to be divided on a party line vote.

It just seems to me that at the height, when the whole Nation is lauding the House and the Senate and the President for campaign finance reform, that if we find some flaw or some mistake or some area that we did not remove the fault, that we would take the opportunity under the Taxpayer Protection and IRS Accountability Act, may not be the right vehicle, but certainly that we would improve on what the House and Senate has done.

Instead of that, this bill has a provision in it, a fatally flawed provision, that opens up gaping loopholes in our campaign finance disclosure laws, so big that every reform group in the Nation that campaigned for campaign finance reform are now prepared to say that this is no way for us to conduct business.

We do not take a good piece of legislation like the Taxpayer Protection and IRS Accountability Act and then put a sleeper poison pill in it to kill all of the good work that Members on both sides of the aisle, led by the gentleman from Connecticut (Mr. SHAYS) and the gentleman from Massachusetts (Mr. MEEHAN) and Senator MCCAIN, the person from the other body, we just do not do it. It is not fair, it is not equitable, it is not moral. It just may be legal.

Then on top of that, to compound the moral failing of the way this legislation comes to the floor, it is presented as though it is noncontroversial, or certainly that is the reason why it goes on the suspension calendar; no amendments, no opportunity for people who disagree with parts of the bill to vote on an amendment. One does not have to be a campaign manager to know that it was a party vote in the committee. That sounds pretty controversial to me. Why not have it to be at least a vote on the floor where people can at least express themselves?

So it is not bad enough that my colleagues bring it out on the Suspension Calendar, and I might add far too many tax bills are coming out on the Suspension Calendar, but my colleagues are not asking that we vote on it this evening. A lot of people may wonder why is it that we would bring a bill out that is so popular that we put it on the Suspension Calendar and not request a vote this evening?

The reason for it is that they do not even want Members to stick around here to find out what the debate is on the bill. There are no votes, so Members can now leave the floor, leave the Hill, and take care of other business; because this issue, according to the leadership, is not important enough for them to stay around and vote on it. Oh, stay around and talk about it, if one will. It is just so unfair when people have worked so hard to try to sneak this in in the middle of the night, with no one on the floor, and do not even say vote for it until tomorrow.

Then we come in tomorrow and there will be a vote, without any debate, without any discussions. Because of what? Because the rules prohibit it. How well packaged.

I think we will defeat this, not because we do not appreciate the work that has been done by the Members on the base bill, but we are going to defeat it just because people think that they can get away with anything in this House. Some Republicans did not stand for it in the committee, and I think many more Members are not going to stand for this if my colleagues allow a vote on it at least tomorrow.

Madam Speaker, I reserve the balance of my time.

Mr. THOMAS. Madam Speaker, I yield myself such time as I might consume.

I am kind of interested in the words that the gentleman from New York used, ''filled with loopholes,'' ''fatally flawed,'' ''poison pill.'' I find it ironic that two-thirds of the Democrats on the committee voted for it. It is true all of the Republicans voted for it, and if my colleagues spent the time to really look at what the provision the gentleman was referring to in correcting current law does, the sum and substance is to basically say if someone is reporting to an agency that requires a person under the State and local laws of the State to report, they also do not have to duplicate that reporting at the Federal level if they are not involved in Federal activities. That is the sum and substance of what it is that the gentleman from Texas (Mr. BRADY) offered and was included in the bill.

I find it interesting that there was a press conference today by the very same gentleman that my friend and colleague from New York mentioned, Senator MCCAIN and Senator LIEBERMAN, and, of course, the bulk of that press conference was complaining about the current law, that they do not like the current 527, the one that they put into effect. It is not enough.

The answer is they will never be satisfied. And what we have to do is look at what is reasonable and prudent, and numbers of groups have said that the double reporting when we are not involved at the Federal level is a significant burden. One would say, how burdensome is it? The IRS form that they are required to fill out says, as part of the truth in packaging and paperwork law, how many hours it requires to deal with the form. The number on that form is 94 hours; 94 hours of filling out a form in which someone was not involved in any way in a Federal election because of the way in which the legislation was written.

What this bill does is correct that to say that there are no loopholes, that people who are required to report in the previous law are required to report today. The so-called stealth or phantom PACs are required to report as current law requires. What we do is remove the duplication.

Madam Speaker, I reserve the balance of my time.

Mr. RANGEL. Madam Speaker, I yield 3 minutes to the gentlewoman from Florida (Mrs. THURMAN), an outstanding member of our committee.

Mrs. THURMAN. Madam Speaker, I would say to our chairman that I think one of the issues here is that we are really trying to get an opportunity to

debate this issue, and not under the consent calendar, and to move it along in a different manner.

I would also bring in today that we had a hearing in the Subcommittee on Oversight that I know the gentleman from New York (Mr. HOUGHTON) and others have worked very hard on, and I want to remind the body that this bill is actually called the Taxpayer Protection and IRS Accountability Act, which I think is important for us to understand. I was concerned when I went to this hearing today because there have been some articles over the last couple of days that talk about Affluent Avoid Scrutiny on Taxes Even as IRS Warns of Cheating. In my own newspaper at home, Poorly Aimed Audits: The IRS is giving more scrutiny to the returns of the working poor than to those of wealthy people who have formed partnerships or special corporations. It is just not fair and it makes little sense.

I think the point that the gentleman from New York (Mr. RANGEL) is making is that we are not going to have another Taxpayers Protection Act come out of this House. We are not going to have the opportunity to debate this again. But we do have the opportunity to do it now, and if we went through the process of going to the Committee on Rules, looking at some of these issues that the commissioner and other folks in this country brought to our attention today, we might have the opportunity to actually send a better bill than what potentially would come out of here today.

I think there is a single issue here that I feel strongly about. We are going to send our tax payments to the IRS on April 15th. Every taxpayer has a right to believe that others are also paying their taxes. They need to believe that tax cheaters are going to be discovered, they are going to be audited, and they are going to be punished and they are going to be treated like everybody else.

□ 1945

I think we have some new information before this bill went through the committee process. We have a process set up that we can use in a debating process, to go to the Committee on Rules, fix some of these issues; and I think it would be a much better bill and I think we would find more support.

I would say I do not want to tell people at home that one out of 47 working-poor taxpayers will be audited, but only one of 145 of high-income taxpayers and one in 400 partnerships get the same treatment. We need to do something about that, and we do not need to wait. We need to include this in the bill, and we need to do it in the right process.

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

Madam Speaker, I say to the gentlewoman that the record shows that the gentlewoman voted for this bill. We are not limited by the number of bills that we can report out. This bill was based upon previous hearings. I am going to call shortly the chairman of the Subcommittee on Oversight, who the gentlewoman discussed today; and it will very likely lead to additional legislation, and we will move additional bills.

The idea that we would hold hearings all year long and never move a bill, and then try to pull it together at the end is a novel idea. We might want to consider it, but it certainly runs against the tradition of this House.

Madam Speaker, I yield 2 minutes to the gentleman from New York (Mr. HOUGHTON), the chairman of the Subcommittee on Oversight.

Mr. HOUGHTON. Madam Speaker, I am delighted to be able to talk about this bill very briefly.

I know there is a contentious issue on 527. I do not think that it is a serious one. Members can have their own opinions, but I think there are enough safeguards to make it accountable. I want to talk about some of the other important features.

The bill allows the IRS to waive unfair penalties. The bill allows taxpayers more time to contest levies. The bill allows the IRS to forgive interest when a taxpayer receives an erroneous refund. The bill also makes several reforms on the 10 deadly sins. There is even an 11th deadly sin now.

Madam Speaker, this bill is pro-taxpayer and promotes commonsense solutions to some of the more frustrating issues that we are dealing with. I hope my colleagues support the bill.

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

Madam Speaker, I agree with the gentleman from New York (Mr. HOUGHTON) that it is a good bill, and it is totally unfair to have this contentious idea included in this bill; and I ask for its defeat. This provision should not be in the bill. It fatally flaws the good work that has been done.

Madam Speaker, I yield 3 minutes to the gentleman from Massachusetts (Mr. MEEHAN), one of the outstanding reformers of campaign finance, who certainly knows good legislation when he sees it, and the gentleman also knows a poison pill when he smells it, and thank the gentleman for all of the fine work that he has done in campaign finance reform.

Mr. MEEHAN. Madam Speaker, I agree with the underlying bill as well. I congratulate the bipartisanship of the Committee on Ways and Means for coming together to put together a good bill; but, unfortunately, there is a provision in this bill that even if Members disagree with it, should not be part of a suspension.

Madam Speaker, just 2 weeks ago the President signed into law the most comprehensive rewrite of this Nation's campaign finance laws in a generation. It is an enormous step towards cleaner elections and a better democracy. The ink on this new law is barely dry, and we are already debating a proposal to add back the loopholes. The Taxpayer Bill of Rights bill is a good bill, but it includes several provisions that will torpedo key disclosure requirements for so-called stealth PACs. These disclosure requirements were put in place by a law that this Congress passed 2 years ago to shine sunlight on organizations influencing Federal elections without disclosing a dime of their expenditures or contributions.

This bill would exempt State and local PACs from Federal disclosure requirements even where there is not adequate disclosure at the State level. What does that mean? How do we know that States are going to require disclosure of every single contribution. We cannot have guarantees; that is why we needed a stealth PAC legislation.

There are so-called sham issue ads that disguise themselves as real issue ads. They influence Federal elections. This bill is a loophole, the beginning of what many of us are afraid will be a series of loopholes designed to undermine campaign finance reform that this Congress passed and the President of the United States signed.

This bill would permit State and local PACs for which Federal office holders raise soft money, Federal office holders raising soft money to qualify for this exemption from Federal filing requirements. That is why this provision should not be in this bill.

All Members should be proud of what we have accomplished on campaign finance reform. It was a historic effort by both sides of the aisle to pass meaningful disclosure requirements, to rein in sham issue ads, and to bring some accountability back to our Federal campaign finance system, or any ads meant to influence a Federal election.

We should not be taking steps backwards after taking major steps forward. Let us work together, as our colleagues on the other body have said, and they have had a dialogue about this in a bipartisan, responsible way to fix the 527 law. The gentleman from Texas (Mr. DOGGETT) has been on this issue for some time. In fact, the gentleman warned many of us 2 years ago when we were debating this legislation that there might be a loophole. Let us do this the right way and not undermine the wonderful work that this Congress has done on campaign finance reform.

Mr. THOMAS. Madam Speaker, I yield myself 45 seconds.

Madam Speaker, perhaps the gentleman does not understand the law. The sham issue ads are not involved with the IRS and the reporting structure. If a Federal office holder influences a State and local PAC decision, this says they have to report at the Federal level. If there is Federal activity, they report at the Federal level. There is no loophole that is created. What it gets rid of is duplication where if a State and local PAC, not involved at the Federal level, that has to report at the State and local level. And as the

gentleman indicated, he wants them to report on the Federal level even though they are not involved in Federal activity.

At some point we have to ask ourselves whether continuing to use the phrase ''why put in loopholes, why do a poison pill,'' Members ought to look at the specifics of the legislation instead of the rhetoric, and ought to respond to what is on the page instead of chasing bogeymen.

Madam Speaker, I yield 3 minutes to the gentleman from Ohio (Mr. PORTMAN), a valued member of the Committee on Ways and Means in helping us write reasonable and responsive legislation, and not press releases.

Mr. PORTMAN. Madam Speaker, I rise this evening in strong support of this legislation. It is good commonsense legislation that will help protect taxpayers. This is a busy week for a lot of Americans. Millions of us are filing our tax returns, trying to get them in by April 15. This is time for us to provide a little bit of help.

In 1998, this Congress passed historic legislation to restructure and reform the IRS and included over 50 new taxpayer rights and substantial reforms to the way the IRS operates. This legislation tonight, I think, builds on those efforts; and I commend the chairman and the gentleman from New York (Mr. HOUGHTON) for bringing it forward.

Madam Speaker, tax records do contain sensitive and personal information; and no one, not even the employees of the IRS, should be allowed to see them without a legitimate reason. This legislation makes it very clear that there will be stiff penalties for IRS employees who explore taxpayers' records without proper authorization.

It also encourages broader use of electronic filing. This is extremely important. The IRS is able to process tax returns in a much more timely fashion with electronic means. It is also less expensive for the IRS; and, therefore, the taxpayers save money. And electronic returns have been shown to be more accurate. There are fewer IRS errors, and this is great news for taxpayers. We want to encourage it, and so will extend the filing deadline until April 30 for those willing to file electronically.

The legislation we are debating today also adds some commonsense reform to IRS penalties. The gentleman from New York (Mr. HOUGHTON) talked about these earlier. Many individuals and companies make innocent mistakes on their tax returns and are then hit with outrageous fines and penalties. This bill allows the IRS to waive unfair penalties for taxpayers with good records who have made honest mistakes.

The bill is good news for low-income taxpayers. It substantially increases the funding available for low-income taxpayer clinics. This is something that we put in place with the restructuring reform act, the thought being that when low-income individuals are involved with disputes with the IRS, they need a little help, and these clinics have proven to be very successful in helping taxpayers who do not have the means to be able to deal with the IRS when disputes arise. I commend the chairman for bringing it forward and providing funding for it.

There are a lot of other important things that this legislation accomplishes. We have heard from the other side of the aisle about the section 527 provisions. As I see it, these are also sensible changes. The changes in section 527 are in keeping with what our original intent was in Congress in passing 527 reforms. This relates strictly to those organizations and entities that only deal with State and local issues. All it says is that we should not have burdensome and duplicative filing requirements at the Federal level where there is a State filing. This State filing has to be substantially similar, and any time there is any Federal involvement in any way, taxpayers have to file at the Federal level.

Madam Speaker, I do not see the loophole here. I think the legislation we have on the bill this evening is going to help taxpayers. It makes sense. It is the kind of stuff we ought to be doing as we approach April 15 to help Americans with their dealings with the IRS.

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

Madam Speaker, we are not going to hear too much debate because the method selected by the leadership to bring this bill to the floor actually restricts debate. I know that the chairman of the Committee on Ways and Means says that most of us have restricted our understanding of the bill to tax press releases and do not have a clear understanding of the legislation.

I have to admit that the chairman is one of the brightest people that we have in the House, if not in the Congress; but the gentleman does not have a reputation of supporting campaign finance reform; and the Members who think they understand it, like the gentleman from Massachusetts (Mr. MEEHAN) and the gentleman from Connecticut (Mr. SHAYS), and like the editorial writers of all of our major newspapers that fought hard for campaign finance reform, while not nearly as bright as the chairman, believe it is a flaw and believe it is a loophole. So even a little compassion, even if we do not have debate, can go a long way.

Madam Speaker, I yield 3 minutes to the gentlewoman from California (Ms. PELOSI), the minority whip.

Ms. PELOSI. Madam Speaker, I thank the gentleman for yielding me this time, and I associate myself with his very eloquent remarks about the stealth nature in which this bill is being brought to the floor of the House. Stealth is a good word for it. It is about abuses of stealth PACs, which this bill would reinstitute.

Less than 2 weeks after President Bush signed a historic campaign finance reform bill into law, the Republican leadership once again wants to weaken one of its primary provisions. The New York Times calls this bill a travesty, and a travesty it is. Two years ago this House voted, under the leadership of our distinguished ranking member, the gentleman from New York (Mr. RANGEL), and a hard-working member of the committee whose leadership was essential to this, the gentleman from Texas (Mr. DOGGETT), to require that political organizations which are exempt from taxation under section 527 of the IRS Code to disclose their contributions and expenditures. One would think this would have been made to order for the Republicans who have argued over time that we did not need campaign finance reform, all we needed was disclosure. And now this bill foils attempts at disclosure.

□ 2000

This when it was passed was a major campaign finance reform initiative adopted after abuses by the stealth PACs which ran attack ads under the tax-exempt section of the code without meaningful disclosure.

This proposal tonight would allow individuals to hide behind groups to influence the political system without disclosing who they are or where they got their money. The notion that this is simply an attempt to get rid of duplicative reporting requirements was shown to be a farce when the Republicans would not allow a proposed Democratic amendment that would have eliminated duplication but still ensures that there would be full disclosure. Instead, this bill opens up new loopholes in the 527 reporting requirement and creates potential for abuse. It is clearly an attempt by opponents of campaign finance reform to begin to erode the excellent provisions of the Shays-Meehan bill.

I urge my colleagues to reject this travesty and seriously object to the manner in which this bill was railroaded to the floor. This body spent a good deal of time focusing on campaign finance reform. We had to take extraordinary measures to get the bill heard on the floor of this Congress with a discharge petition. The bill has passed both Houses, it has been signed by the President of the United States, and it is being undermined by the proposal that the Republicans are putting on the floor today.

I urge our colleagues to vote ''no.''

Mr. THOMAS. Madam Speaker, it is my pleasure to yield 1½ minutes to the gentleman from Arizona (Mr. HAYWORTH), a member of the committee.

Mr. HAYWORTH. Madam Speaker, I listened with great interest to my friend, the distinguished minority whip from the State of California, and listened to her say vote ''no'' on this. Understand that a ''no'' vote means a lack of real reform where it counts: to allow people to pay penalties to the IRS in a reasonable and rational way; to allow

those who have inadvertently made a mistake to be recused from the wrath of a government charging them inordinately for a mistake they made in good faith.

And speaking of good faith, does it not make sense to have those who are involved in the political process report via the 527 situation there? Indeed, we see we have form 990 here. We already know that Members of Congress file a return form 1120POL which is required to be made public.

And what is interesting, do you want to have bipartisanship? Even the general counsel of the Democratic National Committee admits these additional forms are unnecessary. Joe Sandler was recently quoted as saying, ''It just doesn't make sense to require campaigns and parties to file the forms as these organizations already provide detailed disclosure of their finances.''

Full disclosure? Absolutely. Redundant disclosure targeting those who are not even involved in the political process? Of course not. That is what this bill does. That is why we should support it, in the spirit of real reform and rational regulation, not bureaucratic overkill and other alternative consequences.

Mr. THOMAS. Madam Speaker, it is my pleasure to yield 1–3/4 minutes to the gentleman from Illinois (Mr. WELLER).

Mr. WELLER. Madam Speaker, I commend the chairman for bringing to the floor a bill which received bipartisan support in the Committee on Ways and Means, a bill which was supported by two-thirds of the members of the committee, both Democrat and Republican. It is taxpayer protection, it is IRS accountability, it is IRS reform.

I would note the tax administration reforms that are included in this are good. We are all interested in improving electronic filing and our goal is 80 percent by the year 2007. Today, the IRS Commissioner noted that the reforms regarding electronic filing today will help them achieve that goal by allowing an extra 15 days for those who file electronically.

But because so much of the discussion in this room has focused on the 527 provisions, I thought I would focus on them as well. Two years ago, this House passed 527 reforms, legislation that was well intentioned. We gave some surprises for some folks back home, our local officials and our State legislators, and some local organizations who discovered all of a sudden that the heavy hand of the IRS was targeted at them. They were told that even though they are already reporting to the county clerk in Grundy County, my home county, and they are already reporting to the Illinois State Board of Elections, that they also have to fill out a form to the IRS, and if they fail, even if they were unaware of this law, that they faced IRS penalty.

I would note that this legislation eliminates double reporting by State and local organizations and also allows the IRS to waive penalties for unintentional violations. The opponents of this legislation feel that is still okay. But here are the facts. If you are run by a Member of Congress or you play a role in Federal campaigns, you still have to file with the IRS. If you are solely a State or local organization and only get involved in State or local issues, you file as you currently do with the State board of elections or the local county clerk. Why should someone who only has activity in Illinois file with the IRS in Washington? Why should they not be allowed to do what they have already done and file with the folks in Springfield?

Mr. THOMAS. Madam Speaker, it is my pleasure to yield 2 minutes to the gentleman from Texas (Mr. BRADY).

Mr. BRADY of Texas. Madam Speaker, one of the tenets in Washington is if your argument does not have substance, describe it as a loophole. The fact of the matter is Congress hates to admit its mistakes, and this debate tonight is proof.

When Congress targeted unreported Federal PACs, stealth PACs, 2 years ago in the bill that I supported, we unintentionally fired into the crowd, putting new and burdensome Federal reporting requirements on a lot of people we should have never done it to, these people like local legislators, school board candidates, school bond issues, local sheriffs, who have nothing to do with stealth PACs. It turned out to be more like stealth legislation. They had no idea they got caught up as innocent victims in this bill and are facing heavy penalties for unknowingly violating Federal law.

Without Congress acting responsibly now to correct our mistake, finding the true stealth PACs among the more than 13,000 unnecessary reports is akin to searching for a needle in a haystack. You have to ask yourself, what national policy interest is served by forcing local candidates to report to Washington what they spent to buy the highest bidder at the local county fair? We are trying to scrutinize stealth PACs, not stealth FAA supporters. We took great care to follow the intent of the law and everyone who files today will file tomorrow because we have created no loopholes. In fact, we have strengthened campaign finance reform by putting a spotlight on true stealth PACs and relieving the mistaken, innocent victims from reporting in the future.

This bill is a win-win because it relieves those non-Federal candidates and it is a bright white light on our stealth Federal PACs. They will receive that greater scrutiny they deserve; that is, if Congress is willing to own up to its mistake.

Mr. RANGEL. Madam Speaker, I yield 2 minutes to the gentleman from Connecticut (Mr. SHAYS) who has displayed bipartisan leadership on the question of campaign finance reform. We all are proud of him as a Member.

Mr. SHAYS. Madam Speaker, I thank the gentleman for yielding me this time. One of the problems when a bill has a name after you, it personalizes the debate and it disguises really what is at issue. I think that the one thing that unites opponents and proponents of campaign finance reform is disclosure. We all said we were for it. There is duplicative filing that needs to be addressed. But I really believe that the 527 provision that is put in this bill, substantially similar, defined by the States, is a loophole. It is not the camel's head under the tent, something that can be a bigger problem in the future. It will be a problem immediately.

The one thing we know with our campaign finance reform bill is 527s are going to proliferate. We know that. Special interests will have a greater say. We know that. That is what people on both sides of the aisle argued for: Let the Americans have their say. But if you do not disclose it, you have got a gigantic problem. And if you allow the States to define ''substantially similar,'' you have a loophole. What will happen is people will go to the State that has the biggest loophole to disguise their expenditures and their contributions.

I really regret that this is in a good bill. But this provision is deadly, I think, to disclosure. Therefore, we have no choice but to oppose the bill and hopefully if it is defeated, it will be brought out without this provision and then we can get a provision that will work.

The SPEAKER pro tempore (Mrs. BIGGERT). The gentleman from California (Mr. THOMAS) has 4 minutes and the gentleman from New York (Mr. RANGEL) has 2½ minutes.

Mr. RANGEL. I have one speaker left.

Mr. THOMAS. Madam Speaker, it is my pleasure to yield 2 minutes to the gentleman from Louisiana (Mr. VITTER) who has been focusing on this issue since the time that he arrived in Congress.

Mr. VITTER. Madam Speaker, I stand to strongly support this bill and particularly the 527 provisions. I support it because I am a strong advocate of reform and have a strong reform record, both in the Congress and in the State legislature.

The gentleman from Connecticut (Mr. SHAYS) made some points, but I think the logical extension of all of his comments is that we should federalize every aspect of disclosure around the country and not have any State systems State by State, because a political action committee only qualifies for this exemption if they do not spend a penny on Federal races. If they have any involvement in any Federal race whatsoever, then they are still obligated to file under Federal law. This exemption only applies to them if they are active purely on the local and State level. Furthermore, even if that is the case, if a Federal official is involved in a meaningful way in their activity, then the exemption still does not apply for them.

Duplicative filing is not reform. It is the enemy of reform. Mounds and mounds of useless paper is not productive for disclosure. It is the enemy of disclosure. Therefore, making this corrective action is very much consistent in promoting reform. And duplicative filing, burdensome regulations, federalizing all campaign finance disclosure, that is not reform, that is moving in the wrong direction. That is why I strongly support this corrective legislation, the 527 provisions in this bill.

Mr. RANGEL. Madam Speaker, I yield the balance of my time to the gentleman from Texas (Mr. DOGGETT), this outstanding member of the Committee on Ways and Means, to close our debate. Since he led the fight for reform in the tax committee, I think he can most eloquently explain our position.

The SPEAKER pro tempore. The gentleman from Texas (Mr. DOGGETT) is recognized for 2½ minutes.

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

This has been a truly historic year for reform, for genuine campaign finance reform, for cleaning up our political system. It is so troubling that at the very moment that the bipartisan Shays-Meehan, McCain-Feingold bill was being approved across the Capitol, that here in the House, some of those who have been the most effective in delaying that reform from becoming a reality were working to undermine it before it could even be signed into law with the approval of this legislation.

When we banned soft money in that bipartisan reform, we knew that the soft money would be out searching for a new home. What we did not know was that the ''for rent'' sign for that new home would be up before the reform law was even signed into being. It just goes to show that you can dead-bolt the front door, but reform opponents will always be seeking ways to get the money in the back window.

The 527 language in this bill does not require that each and every contribution and expenditure be reported anywhere. That is a loophole. The 527 language in this bill terminates all Federal disclosure, even when Federal candidates and officeholders are actively participating in raising funds. That is a loophole. I believe we need bipartisan solutions on this issue, just like every other one that concerns campaign finance. That is why the Senate agreed on a bipartisan answer to the duplicative filing issue, put it in the President's tax bill, and the conference committee, chaired by the gentleman from California (Mr. THOMAS), removed it last year from that tax bill.

□ 2015

That is why the language that I offered as an alternative to deal with duplicative filing in the committee-tracked language that Mr. LIEBERMAN and my Senator, KAY BAILEY HUTCHISON, proposed. They have now proposed some further improvement on that language, and I plan to introduce the very same language and seek bipartisan support for it here in the House, because some State and local officials do have legitimate concern, and we ought to eliminate duplicative filing, but we ought to do it without creating new gaps in the reform law that was just signed by the President.

This morning, at a public citizen press conference that highlighted how really extensive 527s are being used to abuse and funnel millions into campaigns, JOHN MCCAIN, JOE LIEBERMAN, and RUSS FEINGOLD said this proposal will never become law. Let us save them the time, and disapprove it this evening.

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

Madam Speaker, it is really amazing when you listen to the individuals argue why they do not want this to become law, the argument that there is some duplication and that we ought to correct it. The gentleman from Texas who just spoke did not spend too much time talking about his suggested amendment which was defeated in committee, because it will give you an idea of what they mean by duplicate. His amendment said that any State or local government would be exempt from reporting to the Federal level if the law they had in place was exactly identical to the Federal law.

You heard the gentleman in the well on our side say that the only way you are ever going to carry these arguments to their logical conclusion is to make everything Federal, require everyone to report to the Federal level.

The gentleman from New York wanted to know why this was included in a bill which was labeled ''Taxpayer Protection and IRS Accountability.'' I can tell you why: Because the burden placed on these individuals is to file Internal Revenue Service papers. They are irrelevant to the activities at the Federal level that are carried on in the State and local governments.

The Texas Funeral Directors Association, no Federal involvement, has to file. The New York Physical Therapy Association, no Federal involvement, has to file. The Baltimore Sitting Judges Committee, no Federal involvement, has to file. Why? Because the law says they have to file, not because they are involved in any way in Federal elections.

Let me underscore this point, because our opponents do not seem to understand this. If you are involved, if you are dealing directly with Federal elections, you are going to be required to continue to report at the Federal level. If you are not, you will report to those reporting requirements that are in place in the State and local level. That is the sum and substance of this adjustment.

But if you really read Senator MCCAIN and Senator LIEBERMAN's statements carefully, they do not even like the current law. What they want is more intrusive specific reporting when you are not involved at the Federal level. Disclosure only works if people believe it is appropriate disclosure.

The gentleman from Connecticut's example was an example of someone violating the law; not that this is a loophole. The activity that he discussed, which said it was a loophole, is violating the law. It is violating the law under current law, it would violating the law under this amendment if it becomes law.

If you look at the good taxpayer provisions in this measure, including removing duplication, this is a bill worth voting for, as 34 Members of the Committee on Ways and Means did, and I ask your support.

Madam Speaker, I include for the RECORD correspondence between the Committee on Ways and Means and the Committee on Government Reform regarding the jurisdictional matters on H.R. 3991.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES, COMMITTEE ON GOVERNMENT REFORM,
WASHINGTON, DC, APRIL 9, 2002.

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

DEAR MR. SPEAKER: On March 20, 2002, the Committee on Ways and Means ordered reported H.R. 3991, the ''Taxpayer Protection and IRS Accountability Act of 2002,'' as amended. The bill was subsequently referred to the Committee on Government Reform because section 301 of the amended bill addressed matters that are within the jurisdiction of the Committee on Government Reform under House Rule X, clause 1(h)(1).

After examining the amended bill and consulting with the Committee on Ways and Means, the Committee on Government Reform will not take any action on the bill in order to expedite its consideration on the floor. This does not constitute waiver of the Committee's jurisdiction over H.R. 3991. Furthermore, the Committee reserves its authority to seek conferees on any provisions of the bill that fall within the Committee's jurisdiction during any House-Senate conference that may be convened on this legislation.

Sincerely,

DAN BURTON,
Chairman.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES, COMMITTEE ON WAYS AND MEANS,
WASHINGTON, DC, APRIL 9, 2002.

Hon. DAN BURTON,
Chairman, Committee on Government Reform, Washington, DC.

DEAR CHAIRMAN BURTON: Thank you for your letter regarding H.R. 3991, the ''Taxpayer Protection and IRS Accountability Act of 2002.''

As you have noted, the Committee on Ways and Means has ordered favorably reported H.R. 3991, the ''Taxpayer Protection and IRS Accountability Act of 2002.'' I appreciate your agreement to expedite the passage of this legislation despite affecting provisions within the jurisdiction of the Committee on Government Reform. I acknowledge your decision to forego further action on the bill was based on our mutual understanding that it will not prejudice the Committee on Government Reform with respect to the appointment of conferees or its jurisdictional prerogatives on this or similar legislation.

Finally, I will include in the Congressional Record a copy of our exchange of letters on

this matter. Thank you for your assistance and cooperation. We look forward to working with you in the future.

Best regards,

BILL THOMAS,
Chairman.

The SPEAKER pro tempore (Mrs. BIGGERT). The question is on the motion offered by the gentleman from California (Mr. THOMAS) that the House suspend the rules and pass the bill, H.R. 3991, 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. RANGEL. Madam Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

GENERAL LEAVE

Mr. WELDON of Florida. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 3991, as amended.

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

There was no objection.

PLAN COLOMBIA SEMI-ANNUAL OBLIGATION REPORT—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 107–198)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Appropriations and the Committee on International Relations and ordered to be printed:

To the Congress of the United States:

Pursuant to section 3204(e), of Public Law 106–246, I am providing a report prepared by my Administration detailing the progress of spending by the executive branch during the last two quarters of Fiscal Year 2001 in support of Plan Colombia.

GEORGE W. BUSH.
THE WHITE HOUSE, *April 9, 2002.*

SCIENCE AND ENGINEERING INDICATORS 2002—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Science:

To the Congress of the United States:

As required by 42 U.S.C. 1863(j)(1), I am pleased to submit to the Congress a report prepared by the National Science Board entitled, ''Science and Engineering Indicators—2002.'' This report represents the fifteenth in the series examining key aspects of the status of science and engineering in the United States.

GEORGE W. BUSH.
THE WHITE HOUSE, *April 9, 2002.*

SPECIAL ORDERS

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

UNIVERSITY OF MINNESOTA MEN'S HOCKEY TEAM MAKES AMERICA'S HOCKEY STATE VERY PROUD

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

Mr. RAMSTAD. Madam Speaker, I rise to salute the University of Minnesota Golden Gophers men's hockey team on winning their fourth national championship Saturday night in St. Paul.

Minnesota has a long and proud hockey tradition. This weekend, as one of our newspapers put it, we experienced a ''Return to Glory.'' On Saturday night, right in our State's capital city, the University of Minnesota, my proud alma mater, added an illustrious new chapter to our State's proud hockey heritage.

Madam Speaker, in one of the most thrilling NCAA championship games ever played, the University of Minnesota defeated the University of Maine 4-to-3 in an overtime edge-of-your-seat nail-biter, a game that meant the 2002 NCAA men's ice hockey championship for the University of Minnesota. And, believe me, this was no ordinary hockey game. Both teams were fueled by powerful motivating forces that produced one of the most entertaining, hard-fought and memorable games ever played.

Last season, the Gophers lost to Maine in an overtime game in the NCAA Tournament, and that memory united this year's Gophers team and provided the motivation to fight to the very end of the season's championship game.

Maine had plenty of motivation also. The Black Bears had lost their longtime coach of 17 years, Shawn Walsh, to cancer just before the season started, and the Black Bears put forth a tremendous effort in memory of Coach Walsh.

Madam Speaker, this champion season has been a long time coming, and it sure feels great to every Minnesota hockey fan. All of Minnesota is extremely proud of this talented, never-say-die team, which rallied to tie the championship game with just 52 seconds left in regulation on a goal by Matt Koalska, a St. Paul native playing in his hometown. The Gophers and Black Bears then battled through an intense 17 minutes of overtime before realizing the dream of all Minnesota hockey fans when Grant Potulny scored that winning goal.

By tying the game in the final seconds of regulation and then winning in overtime, the University of Minnesota hockey team joins the list of legendary teams.

Madam Speaker, there have been so many stars this season for the champion Gophers. I hesitate to mention any at risk of leaving out others, but they were a true team in the real meaning of that word. They came together in pursuit of a common goal, winning a national championship. Each player, each trainer, each coach, each manager, played a pivotal role during the season, picking each other up at the crucial time.

Goalie Adam Hauser made 42 saves in the championship game. Hauser had 83 victories in his career, breaking the WCHA record. Adam also set league and school records for games played, shutouts and saves.

All-American senior Johnny Pohl of Red Wing, Minnesota, ended his college career by leading the entire Nation in scoring.

Madam Speaker, each and every one of these Gophers hockey players gave the record crowd of 19,324 great fans plenty to cheer about Saturday night, and in fact all season long. Jordan Leopold, a graduate of Armstrong High School in my district, was a big part of this season's greatness. Leopold won the Hobey Baker Award, which is college hockey's version of the Heisman Trophy, for his outstanding play. He is the fourth Gopher to win college hockey's highest honor.

Madam Speaker, I also want to commend Coach Don Lucia for an outstanding job of coaching. The history of Golden Gophers hockey is reflected by its legendary coaches, and Coach Lucia joins this respected group: John Mariucci, Glen Sonmor, Doug Woog, Herb Brooks, a guy who knows a thing or two about miracles on ice.

Madam Speaker, these hockey Gophers join the University of Minnesota's title winning teams of 1974, 1976 and 1979, and will forever be etched in the annals of the greatest Minnesota hockey teams.

This year's team played with amazing consistency. They never lost consecutive games, and finished with a record of 32 wins, 8 losses and 4 ties. The team's six seniors improved their record each and every year and provided solid senior leadership.

Madam Speaker, the 2001–2002 Gophers hockey team will be remembered forever by Minnesotans and hockey

fans throughout the world. All Minnesotans and Gophers hockey fans everywhere are very proud of this team, and we congratulate our national champions.

The SPEAKER pro tempore (Mr. FERGUSON). Under a previous order of the House, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

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

SUPPORTING THE ISRAELI OCCUPATION OF THE WEST BANK

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

Mr. WELDON of Florida. Mr. Speaker, I rise to speak to the issue of the terrible violence that has been wracking the Middle East over the recent weeks, and I rise to speak in support of the Israeli occupation of the West Bank.

I believe very strongly that the primary purpose of government, above and beyond all other issues, is to protect the safety and the security of the people that they represent. This is very, very clear to us here in the United States, where following the attack on the World Trade Center, on the Twin Towers, our government has focused on the need to strengthen our national defenses, to strengthen our border security, to give the FBI and the CIA the tools they need to defend our Nation.

□ 2030

It is irrelevant to talk about so many of these other important issues that we wrestle with, like education, like reducing taxes on the American families; it is irrelevant to talk about these things if our people are dying in the streets. But yet, this is exactly what has been going on in Israel in recent weeks.

During the holy week time period, Christiandom was celebrating Easter and the Hebrew people were celebrating the Jewish holiday of Passover, and people all over the world were shocked to see over and over and over again, day after day, another suicide bomber blowing himself up, blowing herself up, and, in many cases, killing dozens of people around them; the most horrific acts of violence, killing innocent men, women, children, leaving those who survived these explosions frequently with grotesque and horrible injuries that will take years and maybe be impossible to fully recover from. This is the situation that the leadership in Israel, Prime Minister Sharon, the Knesset, the Government of Israel were wrestling with, and by occupying the West Bank, they have done the right thing. They have moved the conflict away from the Israeli people, away from the citizenry, and into the Palestinian areas, which is where these suicide bombers were coming from.

I believe that it would be wrong for the Israeli Government, it would be wrong for Ariel Sharon to withdraw from the West Bank until, and only until, they can be certain that they can maintain the safety and the security of the Israeli people in this kind of environment.

I would like to just say in closing that the process, the peace process that has led ultimately to the creation of the beginnings of a Palestinian state in the West Bank was always predicated on the belief, at least on the part of the American people, that the PLO was striving, was working towards having peaceful coexistence with the Israeli people. But I must say, I do not believe that was ever the agenda. Indeed, I was shocked, I was amazed to recently read an interview that Yasar Arafat, the leader of the PLO, recently gave to the Arab television network, with Al-Jazeera. He is quoted as saying, ''We defend not only Palestine, the Arab Nation, and not only the holy Islamic and Christian places, but also men of freedom and honor all over the world. This is our destiny. This is a divine decree. Let those far and near understand, none among the Palestinian people or Arab nation will be willing to bow and surrender, but we will ask Allah to grant martyrdom, to grant martyrdom.'' He repeated it twice.

He then went on to say, ''To Jerusalem we march, martyrs by the millions. To Jerusalem we march, martyrs by the millions, to Jerusalem we march, martyrs by the millions,'' and he went on to say it again. Through the course of what was a 5, 10 minute interview on this Arabic television station, he went on to call for martyrs by the millions.

Now, this is not news to many people who have been following the career of Yasar Arafat. Indeed, he goes on radio every day in the Palestinian territories calling for the destruction of the Israeli state, calling on more people to come forward to martyr themselves for the cause of destroying the Israeli state, to push, as he likes to say, the Jewish people into the sea.

We will never have peace in the Middle East until Yasar Arafat, the Palestinian people, agree to give up the type of horrific, unspeakable violence that they have been inflicting upon the citizens of Israel. The Israeli defense forces need to continue this effort to root out the fundamentalist Islamic terrorists that are occupying the West Bank, and they should not withdraw.

GENERAL MUSHARRAF'S REFERENDUM

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

Mr. PALLONE. Mr. Speaker, I come to the House floor this evening to discuss Pakistan's self-proclaimed President, General Pervez Musharraf's plan to hold a referendum in Pakistan on April 30 to extend his presidency for 5 years. Mr. Speaker, I am very disappointed by the steps General Musharraf is taking to extend his military rule and to further bar democracy in Pakistan.

In October of 1999, General Musharraf came to power in Pakistan when he overthrew the elected government of former Prime Minister Sharif. In June of 2001, 20 months following his coup, Musharraf declared himself the President of Pakistan. At that time, Musharraf claimed that his presidential declaration was an initial step towards promoting democracy in traditionally dictatorial Pakistan. But, Mr. Speaker, I felt that based on his past actions, including the dissolving of the national assembly, or parliament, and four provincial assemblies, the reality was just the opposite.

We are faced with a similar situation today in that Musharraf is simply paying lip service to democratic rule by holding this referendum on April 30. Besides Musharraf's continued steps towards extending dictatorial rule in Pakistan, there are several other aspects of holding this referendum that I find problematic.

From what I understand, a referendum to extend Musharraf's rule by 5 years is illegal and unconstitutional under Pakistan's constitution. Their constitution mandates that both houses of parliament must elect the President. In addition, after the 1999 coup, Musharraf was bound by the constitution to restore democracy in Pakistan by October of 2002, this year. But clearly these propositions were false.

As a result of Musharraf's blatant disregard for constitutional law, there has been opposition to the referendum within Pakistan. The 15-party Alliance for the Restoration of Democracy, which includes the country's two main parties, has been vocal about Musharraf's unconstitutional means to remain President. In addition, there has been public backlash against the referendum plan from Pakistan's leading newspapers, major Islamic parties, and the 54-nation Commonwealth of Britain and its former colonies.

The leaders of the opposition party in Pakistan attempted to hold a rally against the referendum, which led to the arrest of dozens of their leaders by the police. The arrest of these leaders caused major concern because not only is Musharraf proceeding with an unlawful referendum, but he is also barring leaders of the opposition party to publicly protest. Although a ban on rallies has been in effect in Pakistan to quell Islamic extremist rallies, it is unacceptable that Musharraf is allowing the ban on rallies to apply to a rally in opposition to his presidential referendum.

Mr. Speaker, I would like to also discuss Pakistan's human rights record, which clearly exemplifies that stripping citizens of the right to protest

against an unlawful referendum is just the tip of the iceberg. A recent report by the Human Rights Commission of Pakistan indicated that respect for human rights in Pakistan is afforded to few and that women and children in particular experience tremendous violence and discrimination.

These facts provide a glimpse of the social conditions in Pakistan. However, other human rights violations such as limited press and religious freedom, torture and killings by the police and lack of free and fair elections are also evidenced in the report.

Although Musharraf has been an ally to the United States in the war against terrorism, we cannot forget that he is the dictatorial leader of Pakistan and that he is not in fact the duly elected President. The political, social, and economic situation in Pakistan is bleak. This fragile country can only be improved by a democratic leader who will represent the interests of Pakistani citizens. It is unsettling to think of the negative repercussions of 5 more years of rule under Musharraf, given the current majority of opposition and given the current lack of basic human rights afforded to Pakistanis.

URGING SUPPORT FOR RESOLUTION TO INFLUENCE MEXICO TO REJECT OPEC AFFILIATION

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

Mr. GEKAS. Mr. Speaker, soon after the tragic attacks on our institutions on September 11, as everyone knows, our economy began to sink, to plummet to depths that we could not have foreseen. While we were struggling to right our ship, as it were, the OPEC nations decided, before the end of the year, before the end of 2001, to cut oil production, which would have the natural consequence of rising prices at the gas pump here in the United States and elsewhere. This was an insult added to injury to have our former allies, like Saudi Arabia and Kuwait who are part of OPEC, to make certain that prices would rise at the gas pump in the midst of an economy that was being severely hurt by what had happened at the World Trade Center and at the Pentagon and in Pennsylvania.

Imagine my surprise then when, we all know that OPEC has to depend on the non-OPEC nations to go along with their guidelines, their decisions on oil production and pricing, et cetera; imagine my surprise, my pleasant surprise when I learned that Mexico, for instance, was not going to join with OPEC in this drastic decision that they made.

Well, that was good news for the United States on two fronts: one, that Mexico, our neighbor to the south, was sticking with the United States in its hour of economic peril and, in effect saying to OPEC, no thank you, they will not go along with the price-setting and oil production cuts that OPEC proclaimed. Imagine my next round of surprises when not too long after that, Mexico, in a meeting with Venezuela, decided to jump back into the OPEC pool and there again indicate to the world that they were going to join OPEC in the cutting of oil production, thereby having the effect of rising prices at the gas pump.

Now, this is the same Mexico that said that they would not join with OPEC. Now they have decided to stick with OPEC; and in doing so, they slapped us right in the face, because the cut in production of 100,000 barrels per day, or cut of availability to the United States of that 100,000 barrels a day, was an ingredient that caused the rise of prices that we saw in March of 15 to 17, and some places higher than that, 17 to 20 cents a gallon over a short period of time, and more to come, because the normal period for rising prices, the summer season, is already upon us.

Well, I have introduced a resolution just today which would call upon the President and the administration to again approach our OPEC allies, as they were, they were allies, Kuwait and Saudi Arabia; as a matter of fact, we came to their aid, we came to their side against an aggression by Iraq. We are asking the administration to convince or to try to convince those allies of ours whom we saved in that particular period of time to produce what is needed for the consumption in the world without regard to setting prices and to cutting production to artificially raise prices while, at the same time, the resolution calls for extra efforts to convince our neighbor to the south, Mexico, not to join with OPEC.

Mr. Speaker, the Mexican economy and the Mexican-American border which we share, all of that depend on a strong American economy. The Mexican economy itself depends on the American economy. Can my colleagues imagine that they would take steps to cause rises in the prices at gas pumps? We must convince them that they should renounce joining with OPEC now and forever and to remain with the United States in a hemispheric system to become an economic engine of its own. We do not need OPEC if Mexico would simply deal with the United States in oil production.

So this resolution calls for an important foray into Mexican-American relations, strictly with respect to the OPEC cartel and the insistence of Mexico to go along with OPEC. We cannot tolerate that.

So whatever comes by way of oil production, if the United States and Mexico can cooperate one on one in the production of oil and in the market, sale and pricing of oil, the American economy will be better off and, therefore, so will the Mexican economy. I ask for Members to join in this resolution.

TRIBUTE TO NATIONAL CHAMPIONS MARYLAND TERRAPINS

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

Mr. HOYER. Mr. Speaker, as the boxing great Muhammad Ali once observed, ''Champions are not made in gyms. Champions are made from something they have deep inside them, a desire, a dream, a vision.''

Thus, it is with great pride, Mr. Speaker, that I rise tonight, a 1963 graduate of the University of Maryland at College Park and a current member of the University system's Board of Regents, to congratulate the men's basketball team and a fellow alumnus, Coach Gary Williams, for realizing their dream 8 days ago: winning the 2002 national championship, the first in the university's long history.

□ 2045

Too often perhaps, Mr. Speaker, we imbue athletic competition with a seriousness beyond its significance. However, anyone who watched these 12 Terrapins this season observed the qualities that carried them to the mountaintop: hard work and determination, teamwork and skill, and an unbending will to win that allowed them to overcome virtually every obstacle. Those are lessons for life as well as success in sports.

After the Terrapins had won their game with the Indiana Hoosiers in the title game on April 1, Washington Post columnist Thomas Boswell wrote, ''This was not just a great Maryland team. In time, it will be seen as a champion among champions.''

Who could argue with that? There was the school record for wins in a season, 32, the fourth consecutive season with 25 wins or more. There was the undefeated home record of 15–0 at Cole Field House in the last year of play in Cole Field House. What a way to end a run.

There was the second straight appearance in the Final Four and the ninth straight appearance in the NCAA Tournament under Coach Williams, and there was the first Atlantic Coast conference regular season championship in some 22 years.

The path to preeminence, however, of course was not paved with ease. There was a heartbreaking loss to Duke University in the Final Four last year. There was a season opening loss and an unexpected defeat in the ACC tournament this year. There was personal hardship off the court, as well.

The national championship, Mr. Speaker, was never a coronation. The Terrapins faced and defeated perennial basketball powerhouses Kentucky, Connecticut, Kansas, and then Indiana. Collectively, those teams won over 15 national titles.

In hindsight, it was fitting to win the championship on that road. Difficulty and adversity vest victory with an even greater sense of accomplishment. No

one will ever claim that these young men and Coach Williams failed to earn the title ''champion.''

The Terrapin team, led by senior guard Juan Dixon, who overcame incredible adversity in his life, losing his two parents when he was just a teen, Juan Dixon took their loyal fans through the peaks and valleys of competition, and we shared their deep disappointments, but yes, we shared their final joy, as well.

Juan's superb shooting and defense were as crucial to this team's success as was Steve Blake's ballhandling and passing ability, Lonnie Baxter's powerful inside game and rebounding, Chris Wilcox's fierce blocks, and Byron Mouton's energy, hustle, spark, and extraordinary defense.

It is a tribute to this team's depth that practically every member, every nonstarter, entered the game and we picked up points, be it Tahj Holden; Calvin McCall; Andre Collins; Drew Nicholas, an extraordinary young guard who would have started on any other team in the country; Ryan Randle; Earl Badu; and Mike Grinnon, 12 extraordinary young people. The Terrapins would actually increase their lead when those young people filled in for our starters.

This championship, of course, is the ultimate tribute to the architect of the men's basketball program, Gary Williams. There can be no doubt, Gary is one of the finest coaches in college athletics today, but that was true regardless of the outcome of last week's final championship game. Gary has been a winner wherever he has coached, amassing an extraordinary record of 481 career wins in 24 years. He was a winner at American University, Boston College, and Ohio State University before returning to his alma mater and becoming the champion.

Gary was not alone, of course. He was ably assisted by Dave Dickerson, Jimmy Pastos, Matt Kovarik, and director of basketball operations Troy Wainwright.

I must point out, Mr. Speaker, the contributions of Dr. Deborah Yow, the university's athletic director, one of two women in America who head up a major program. In her 8 years in that position, she has laid the groundwork not only for this national championship and an Orange Bowl appearance by the football team this year, but also for a national all-sports ranking in the top 15 percent of the NCAA Division One institutions.

Again, Mr. Speaker, I know that all the Members of the House join me in congratulating the University of Maryland Terrapins for a championship hard won and well earned.

In closing, Mr. Speaker, let me observe that the University of Maryland now becomes one of five teams in history to have a team that won both the National Football Championship and the National Basketball Championship.

Gary Williams, Maryland Terrapins, thank you, thank you for a great year and for great examples.

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

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

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

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

AMERICA SHOULD PRACTICE ENGAGEMENT TO PROMOTE WORLD PEACE

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I just want to add my congratulations to those of the distinguished gentleman from Maryland. I, too, was proud of those young men as very fine examples for the young people of America. Congratulations again for both of their success stories.

Mr. Speaker, I believe this is an important time as we return back from the work recess that Members were just participating in. I believe it is an important time because we have many challenges before us besides the domestic economy. We have the issue of peace. I do believe that Americans want peace. I believe the world wants peace, and that peace we want to be found in the Mideast.

I want to bring to the attention of my colleagues an editorial in the Houston Chronicle today, Tuesday, April 9. It reads: ''Weapons Check. Measure of trust and hope in IRA announcement.''

The first two paragraphs read, ''While so much attention is focused on the near-war in the Mideast, one of the world's other long-running sectarian struggles got a bit of good news with the announcement on Monday of further weapon decommissioning by the Irish Republican Army.

''This week marks the fourth anniversary of the signing of the historic 'Good Friday Agreement,' through which the British government offered to trade a number of significant governance concessions in exchange for similar moves from the Irish Republican resistance, including the 'decommissioning,' or putting out of commission, of illegal explosives and other weapons.''

While the op ed goes on to raise concerns on whether or not they are making sure that all the Ts are crossed and the Is are dotted, it did end with the emphasis that we must have trust and we must have hope.

I cite this opinion because I want to discuss this evening the value of diplomacy and the value of negotiations. I believe the tragedy which faces us in the Mideast has come about for a number of reasons, and I am sure that policymakers proficient in foreign policy issues as it relates to the Mideast over a long period of years will have many, many analyses on the Mideast crisis. But I certainly would point to one that I believe and hope we can turn around, and that is the lack of engagement.

On the floor of the House on February, 2001, I spoke to this issue. It was shortly after the unfortunate lack of agreement on the agreement that had been negotiated by the past administration, a very effective agreement that Prime Minister Barak and we would have hoped that President Arafat would have considered as one of the best opportunities for trust and hope.

It was not consummated, but in the lack of consummating that peace treaty, I believe this administration made an egregious error. Upon coming into office, their quick response was, let them handle it; let them solve it.

We see now some 12, 13 months later that, tragically, that did not work. We have seen the loss of lives of women and men and children, of Israelis and Palestinians. Any of us who care for human life and love people are tragically, tragically upset that we have lost so many lives over the period of time.

Advocates for the survival and existence of Israel, our friend and ally, recognize that no loss of life, no matter who it is, should be accepted, the loss of life of those who lived in the Palestinian areas or in Israel.

We recognize that we who are Americans have both benefit and burden. When I speak to my constituents, I explain to them the importance of foreign policy and the appropriation of the small percentage that we utilize to engage in diplomacy and friendship around the world. And most of them, people of good will, people who are willing to think outside of the box, understand that we who have the benefit of living in this country also have the burden of engagement; no, I did not say sending troops everywhere around the world, but diplomacy. Diplomacy works.

Tragically, as I attended a Passover seder this past Passover holiday with my friends, a very blessed time, we were facing tragedies of suicide bombers in Israel. We cannot tolerate that, as we cannot tolerate the continued warring that is going on, and the loss of life.

Today it is reported that 13 Israeli soldiers were killed, again by a suicide bomber. None of this brings about peace. I am reminded by the words of President Lyndon Baines Johnson 40 years ago who said that the guns and bombs, the rockets and warships, all are symbols of human failure. That means it is most important that this administration turns around and begins to look long-term at engagement.

The sending of Secretary Powell is a good step, but it cannot be a short-lived step or a 24-hour step. We have to engage the brilliance of our diplomacy and make it work. I believe if we sit down at the table of reconciliation, recognizing that this has turned into a crisis, it has been a festering sore from lack of attention for over a year because somebody else had the policies.

I want peace. I want to be one that promotes love and affection, and I am not someone, Mr. Speaker, as I close, I am not someone that misreads the tea leaves. I know what we are dealing with in the Mideast, but I have hope and I believe we can have trust. I believe through engagement and diplomacy we can bring a stability to that area.

I ask the administration and the Congress, I ask Americans, to really get behind the idea of peace in the Mideast.

SENSIBLE ENERGY POLICIES AND PRACTICES

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. Mr. Speaker, I am a little surprised by some of the comments of the previous speaker. Who does not want peace? But this speaker criticizes the administration because they have not engaged in diplomacy? I wonder what the speaker would recommend after September 11. Should the United States of America have called bin Laden and said, ''Let us engage in diplomacy''?

I would say, with all due respect to the previous speaker, take a look at the history of dealing with Yasser Arafat. Take a look at how many administrations have tried to engage, have come up with different types of agreements. The only common denominator we see throughout that history of engagement is Yasser Arafat. Take a look at every administration.

I am amazed that one would have the gumption, I guess we would say, to stand up here and criticize this administration because they are not engaging in ''diplomacy.''

Some Members of Congress, some of us sometimes, and I refer to all of us as Members of Congress, since when do we know all of what is going on in the Middle East? Maybe before we are so critical of the administration in the height of a crisis in the Middle East, maybe we ought to learn a little bit about what goes on behind closed doors, what are those negotiations that are taking place.

What do we expect Israel to do? What we would do if suicide bombers kept coming into our shopping malls or came over on Passover? That bomb, that suicide bomber on Passover would be like coming into America on Christmas Eve and blowing up Santa Claus. What do we think the response of that country is going to be?

Every nation in this world has an inherent, an inherent right, in fact, an inherent obligation to protect their population, to protect their people.

What do we think the United States of America, and I refer to the previous speaker, what do we think the United States of America would do if somebody started walking into our shopping malls with suicide bombers? Do we think we would engage in a diplomatic fashion with the aggressors? No, we would not engage with them, any more than we would engage in diplomatic discussions with bin Laden.

Once we knew that bin Laden was the person who was in charge, who coordinated, who ordered that devastating blow against our Nation on September 11, I did not hear one American, with the exception of maybe a couple of Congressmen, I did not hear one other American say, gosh, we ought to dial up Mr. bin Laden and we ought to sit down with him and have some diplomatic discussions with him.

□ 2100

My gosh, Mr. bin Laden, look what you have done. You have killed 3,000 people in America. You have killed hundreds of people from 80 separate countries. You have killed men. You have killed women. You have killed children. You have killed mothers. You have killed fathers. You have killed sisters. You have killed brothers. But, Mr. bin Laden, let us sit down and have a diplomatic discussion with you, because if we do not sit down and have a diplomatic discussion with you, we must not be as the previous speaker said, ''engaged,'' and that is upon the premise which the previous speaker criticizes this administration. Look, I think before one criticizes the President or before one criticizes Colin Powell or before one criticizes the efforts, one ought to know what is going on behind closed doors. What are the facts? What kind of contacts have they had? And regardless of where you stand on the issue, what country in the world can continue to sustain suicide bombers coming in with devastating blows against their innocent population? These are not military strikes. These bombers do not have enough guts to meet at the O.K. Corral and have a showdown on Main Street. Instead, they sneak in the back door of a department store and blow it to smithereens.

I heard on Public Radio the other day, Public Radio had this long discussion about a Palestinian woman who was pregnant and who was about to deliver, but she could not deliver because the Israel military had occupied the street and they could not get an ambulance to her so she had to deliver in her home. Not once during that discussion on Public Radio, not once did we hear any kind of discussion about that pregnant mother that was blown to smithereens by a suicide bomber, no chance at all. We have got to be a little fair in our approach here.

I am amazed, to me, the more and more I hear the anti-Jewish rhetoric, the anti-Israel rhetoric, I would like to ask any of you who are perpetrators of that kind of comment, what would you do if somebody walked in one of your relative's house and blew it to smithereens? Do as the previous speaker said? Call them on the phone and say let us have some diplomatic engagement or be subject to criticism because you went over and you tried to eliminate the person who has done everything they can to destroy you.

I am no expert on the Middle East. I read about it every day. I spent time today flying on the plane, most of my time; my reading was on the Middle East. I grab all the information I can about the Middle East. But I am awful careful before I jump out and criticize the administration on their policy on the Middle East unless I think I have got a better answer. And, frankly, I do not know what the solution in the Middle East is. But I do not think the solution is to criticize our leaders because they have not sat down so-called sat down and had diplomatic engagement. Anybody that alleges that there has not been diplomatic engagement in the Middle East shows a very clear demonstration of a lack of knowledge of history. There has been time and time and time again of diplomatic engagement in the Middle East.

Of course, everybody wants to settle it peacefully. We would like to have settled issues peacefully prior to September 11. But sometimes the aggressor offers you no choice. Do you realistically think that on September 12 America thought that one of the options we had was to sit down with bin Laden and to have ''diplomatic engagement'' with this villain, with this man so full of hatred that he killed thousands of innocent people with one strike? And if he is alive, you can be sure he is not thinking about diplomatic engagement. He is not thinking about anything to further his religion. He is thinking about an evil strike, how else can he get back at the United States of America. Tell me what the mind was, what kind of sound minds of these suicide bombers or these perpetrators, for example, on September 11. They did not target one specific group. They did not care whether they were Muslims. They killed Muslims in those towers. There were people of the Islam faith that were killed. They killed people of 50 different nationalities from 80 different countries. They did not discriminate between men and women, between children and mothers and fathers and so on.

Sometimes I am surprised at the remarks, although having been here for a few years I am getting kind of used to it; but sometimes I am a little surprised at the remarks made on this House floor, and especially to have in my opinion to stand up here at the height, hours after they have just had

another event in the Middle East and to have some who would describe it as audacity to criticize this administration because they have not sat down and held hands and talked peace. Again, it shows a complete lack of knowledge of the history of the Middle East.

I think all of us would be much further ahead, and I think it would advance the interests of this country and advance the interests of our constituents if, when we discuss a subject like the Middle East, at least we have some extensive background in it, at least we come in with some historical knowledge of the subject of which we offer ourselves experts. I think we ought to have that responsibility.

I do not think we ought to come in here half-cocked and start criticizing the administration in the Middle East hours after what is alleged to be, I do not know what is on the TV, alleged to be a 10-year-old suicide bomber, a 13-year-old suicide bomber. Tell me how you can sit down with people who would take a young child, strap bombs on them and throw an ambush in against another country, and you tell me about diplomatic engagement. Talk to me about a bomber that goes in on Passover, which again is like Christmas Eve, like blowing up Santa Claus at Christmas here in the United States, tell me how many people would be excited to have diplomatic engagement with those kind of people.

Let us be honest about it; there are evil people in the world, and there are people that have to be dealt with on their own terms. There are a lot of people in this world that they do not like this touchy-feely stuff; they do not understand that kind of thing. They understand strength and they understand fear. And if they can get fear over strength, that is exactly how they weaken the strong.

Now, I do not mean to get all riled up up here, but I think all of us have an obligation whether the administration is Democrat or Republican, I think we all have an obligation before we criticize the administration within hours of a suicide bomber, that we learn a little information instead of standing up here and saying no diplomatic engagement. What we need is engagement, engagement.

Give me a break. Look at the history of the Middle East. We are trying to figure out the answer. There is engagement 24 hours a day over there in the Middle East. Some of the brightest scholars our country has ever produced have not figured out what to do in the Middle East. I would be awful careful. I would be a little cautious about criticizing people who are a lot more engaged in the Middle East than those of us sitting on the floor of the House of Representatives. That is not to take away the right to question, or the right to visit with these people or understand that history and then have a debate here. But gosh darn it, we ought to learn a little bit more about the subject before we pretend to be expert on the floor.

I listened to the gentleman from Florida's (Mr. WELDON) discussion, who was two or three speakers back. I commend what the gentleman said. I think a lot of what the gentleman said, a lot of what he pointed out was accurate. How do you address the situation where somebody continually sends suicide bombers, not against your military targets, but against your shopping malls, against your citizens, into restaurants, one of them was a wedding reception? I think the gentleman's points were pretty valid.

The Middle East is a tough situation. Afghanistan is a tough situation. OPEC, the gentleman from Pennsylvania (Mr. GEKAS) said it very well. Take a look at OPEC. OPEC, so-called allies of ours, OPEC has taken every advantage they can to manipulate the price of oil so that they can take a lot of those revenues, frankly, and direct them against U.S. interests. Now look, it is a free market system. We are capitalists, and OPEC has a right to do that. But we should not just sit by and be idle.

What happens? Take a look at the old Adam Smith theory. If you come into a community and you have a product that people need, but you continue to gouge the people and gouge the people and gouge the people, and you have a capitalistic society like our society is, what happens? Somebody in that community is going to say, you know something, the gentleman's product over there, the product he is selling, he is gouging us on it. I think I can get a product that offers the same benefits his product does. I can sell it at a cheaper price. I will not gouge the people. I will sell more of the product, and in the long run I will actually make more money.

I think that kind of leads us into a discussion I wanted to talk about this evening and that is energy and production of energy in this country. I have heard, and unfortunately, without trying to be too partisan, but it is reality, it is kind of a general philosophy of the Democratic side, well, what we need to do is more alternative energy methods, and we need to conserve more, but no more exploration or limit the exploration. Let us go into conservation and alternative energy.

I agree with two of the three points that the Democrats are saying. In fact, a lot of what they have said on the first two points were presented by the Republican side. Number one, of course, we ought to look for alternative energy. That is exactly what happened in my previous example here. The guy comes into town. He starts gouging on a product. The people in the community start looking for alternatives so they are not subject to the rule of that individual. That is exactly what we have to do with energy. I wholeheartedly endorse, wholeheartedly endorse that we look for alternative methods of production of energy. But that does not mean we should go on some white elephant chase.

We hear continually if you do not subsidize this or you do not subsidize that, you do not support alternative energy. The fact is it has got to make some sense. It has got to have a realistic chance of succeeding, and then I think the government should get behind it.

We have been able to develop a lot of things throughout the history of our Nation. Our Nation is one of the greatest nations in the history of the world because of our innovative capabilities, because of our innovation. And when the challenge is in front of us, we can accomplish that. Even that said, it will take some time. Twenty years from now, 30 years from now I project that people back then will look at the way we transmit electricity through wires and say, Why did they ever use wires? They will have some other type of system to transmit electricity. They will look back at what we had today and say, Wow, what an antiquated way to provide our energy. Their furnaces will probably be the size of a drinking cup. There are lots of things that will change in the next 30 years, but it will take time.

In the meantime, conservation alone, which is very, very, very important, will not fill the gap between oil needs and oil production. What fills that gap right now is OPEC. And the less we are able to produce out of our own resources, the more we have to buy from OPEC. The more we buy from OPEC, the more we feed this problem in the Arab countries, the more we provide resources for these countries to turn around and use them against us and the more susceptible we become to their whims.

For example, yesterday, Saddam Hussein, our old pal over there in Iraq, a guy who poisons his own populations, decides on a whim we will stop, no more production for the United States and Israel, no more oil for the next 30 days or until Israel pulls out of the occupied lands, whichever comes later. You know, what we have become is dependent on madmen like this. The tail is trying to wag the dog. That is exactly what is out there.

That is why unlike people who say, look, the only way out of this energy crisis is conservation and alternative energy, the fact is there is a third element, and that is you have got to continue to produce resources until these other two completely fill, or significantly fill, that gap.

I think the easiest thing every one of us can do, every person in this Nation can do is conservation. And it is really easy to do. There is a lot of conservation that can take place without an inconvenience to your life-style. There is a lot of conservation that we can do that is of no pain, no economic pain to you. As I just said, no inconvenience to your life-style. But we have got to do it. All of us can participate in it.

□ 2115

For example, a hot summer coming up. Instead of having the air conditioning set at 68, see if you can get by with 70. Just think, across the country if we had everybody doing that, trying not to idle your car so much, if we just walked out of the room and shut the light off after we left the room, think how much electricity we could conserve.

Take a look at water, and water is a sensitive area for me. I come from the West. My district is Colorado. It is the only State in the Union where all of our free-flowing water goes out. We have no water coming in. Conservation benefits us a lot but conservation alone will not fill the cup that we need filled.

Conservation, we have got a bucket and we have got to go get so much water in that bucket to feed our cows or we have problems, and we do not have an alternative yet that is going to fill up much of the bucket. It puts a little water in the bucket. Conservation puts a little more, but the fact is we have got to drill a well. We have got to get some water out of there or we cannot feed the cows. That is as simple as it is.

So what I am urging my colleagues to do is let us accept the reality that we have to look for production. We have to continue to produce from our own resources, while at the same time urging our constituents and the citizens of this Nation to conserve, while at the same time supporting, giving incentive and encouraging alternative energy production. There are lots of exciting things out there, but we are not there yet but we will be there.

I want to tell my colleagues about an experience. I wish I would have brought it today. Oh, probably a year ago, I was on an airplane and I sat next to a young person, very bright, very capable, it seemed to me. She was about, I guess, 21 years old. I asked her what she was studying, what she wanted to do, and she said what she wanted to do was study energy and how to capture energy in ocean waves. There is energy that is produced every time that water moves. I thought that was pretty interesting.

Then pretty soon she says, look, pulling out a little piece of paper about this long, probably about, oh, an inch and a half long, and probably a half an inch wide, and at the end of it, it had two wires and on the end of the two wires, it was connected to a small light bulb. I do not know what was in the paper material, but there was some kind of material that would conduct power, electricity, and she would wave it like this and the light would come on. She said, there is so much energy in the world that we are not capturing. She said, we think that if we can do that, we can really supply lot of energy needs for our country.

I was pretty excited about it, and that is how our energy is going to be produced one of these days. But in the meantime, do not pretend that we are not relying upon oil. We have got to have those resources. And if you are going to be one of those that do not think we need to be relying on oil, who objects across the board, not to a specific area, where digging oil, for example, might be objectionable to the particular environmental conditions around that particular site, but if you are one of these people that just across the board opposes that kind of production, then you ought to not just talk the talk, you ought to walk the walk. Quit driving your car, quit riding your mountain bike that is made of different resources. I mean, everything we have is reliant on that product, our medicines.

I ride a mountain bike. That is why I used it as an example. I could not have my mountain bike if I did not have those kind of resources available. I could not have the vehicle that we need to get around on our roads in Colorado. We would not have heat, et cetera. My colleagues know the story.

Obviously it is a reasonable approach to take, but it is not a reasonable approach to say stop oil production or no more oil production or do not even bring up the debate of exploring more oil in Alaska. Or, if we do bring up the debate, let us debate solely on a motion, not on facts. Unfortunately, on the House floor, a lot of the decisions we make are driven by emotion.

Has anyone ever wondered when they look at legislation, I do not care whether it is at the State level, maybe even the city level, I have never worked at the city level, but at the State level or the Federal level, has anyone ever noticed that legislation always has a great name to it? Save the animal organization, save the planet, or save small business, et cetera? There is a reason for that, because a lot of the debate on this floor and a lot of debate in the legislative arenas throughout this country are based on emotion.

There are times that while that may be appropriate, there are times where we have an obligation as elected representatives of the people, we have an obligation to stand back and make a decision based also on facts. What are the realities that we are dealing with? If something has not brought it to our attention in the last 48 hours, when a renegade country like Iraq that is obviously producing weapons of mass destruction for use against one target, the United States of America, decides they are going to stop their oil production, maybe it ought to wake us up a little more and say we ought to be ready for this.

What if that oil embargo begins to spread throughout the Middle East? The United States must become less dependent, not more dependent, on foreign oil resources, and the only way we can do it is to continue to advance our technology to develop the resources that we have, while at the same time figuring out alternatives for the future, while at the same time encouraging our populations to conserve.

As I said earlier, we do not have to go out to our constituents and ask for a great sacrifice for them to conserve. There are a lot of things a lot of us can do in our everyday living that can help conserve energy that will not impact us at all, like turning off the light switch. I mean, even if we do not run the water the whole time we brush our teeth, put the toothpaste on the toothbrush, put a little water on there, brush our teeth, have our water off, then have the water on, the average person runs, by the time they are done brushing their teeth, if they brush their teeth for the 2-minute prescribed time to keep away from the dentist, how many gallons of water run through the sink, if one has the faucet on? Two or 3 gallons of water for someone to brush their teeth.

These are the kind of things if we just turn it off while we are brushing, brushed and then turned it back on, we would probably use less than a tenth of a gallon. Those are simple things. They did not impact us. Our teeth are not any less clean and we feel better because we have helped with a challenge that our country faces.

There are a number of obligations that as Congressmen I think we owe to the people that we represent. One of them is the future, to secure this Nation for the future, and it means not only secure the Nation in the future for energy, not only to secure the future generations for things like education and health care and a good economy and a government that does not override the ability for individual freedom, the right of private property ownership. These are all elements that are very strong that I think have to be passed to the next generation.

I also I think what must be passed to the next generation is the necessity to be strong, strong in security for our people, and a part of that is assuring that we have the natural resources to defend ourselves against blackmail by a country like Iraq, against security threats by renegades like bin Laden.

On September 11, a lot of people said what a huge hit against the United States. Obviously it was a horrible, horrible disaster for the United States of America. But take a look at the things that went right. It did not cripple the United States of America. Oh, sure it hurt us, and many, many, many families suffered horrible tragedies. Our country suffered but our country did not buckle.

Our country responded because previous people, people ahead of us that served in Congress, prepared this country over decades, prepared us in the sense that we have a strong National Guard, prepared us in the sense that we have a strong Army and Marine Corps and Air Force; that we had the capability through our intelligence services to figure out who did this grievous act to us; that we had the hospital facilities and the EMTs and the firefighters and the police officers and the local organizations and the statewide organizations and the monetary contribution

of our citizens to keep on our feet. We kept on our feet. They did not knock us off our feet. They broke a rib, but they did not knock us off our feet.

That is because the great leaders of this country have prepared this country in the same sense that we have to prepare this country for the future, and that is the capability to sustain an attack, to be able to turn around and stop the attacker in a military sense.

What is going on in the world today is tragic. What is going on in the Middle East, obviously. I mean, I wish my colleagues knew the solution. I am not sure anybody has got it figured out there yet, but the reality of it is that no matter how long we pray, I know it is very helpful, and I do it a lot, no matter how long we pray, no matter how much we hope, and touchy-feely things we do, the reality of it is the world will never know total peace, but we can go a long way towards that.

The best way we can go towards that is to negotiate from a position of strength, and that is exactly what the United States, its leadership in the past, they have placed our country in a position of strength, and that is the obligation that every one of us on this House floor has to future generations, to continue to keep this great Nation of ours in a position of strength, to allow this great Nation and its future generations to go forward from a position of strength.

From a position of strength this great Nation has helped hundreds of millions of people throughout the world. From this position of strength our Nation can help many, many other nations throughout the world. We can help escape poverty. We can help escape tyrannism. We can help escape communism. And we can go on and on, but it all starts with the core of our strength. We cannot help our neighbor if we are not strong.

We need to be strong. We are strong, but we need our commitment to stay strong. That means a strong defense. That means a strong educational system. That means a strong welcome system. It means a strong energy policy. Working together, I think we can continue the strength of this great Nation.

So I look forward to working with my colleagues in the future, but let me summarize by saying a couple of things. Number one, I think it is a mistake for my colleagues to take this microphone, as I witnessed this evening, and criticize this administration for not being diplomatically engaged, as if diplomatic engagement has not taken place in the Middle East for decades.

I am amazed that while we have a great deal of knowledge available to us, while we can have classified briefings, and many of us receive classified briefings on countries of our choice and so on and so forth, our level of knowledge and our level of expertise on the Middle East, for example, is somewhat limited. I would venture to say that the administration, Colin Powell, Condoleeza Rice, DICK CHENEY, obviously the President, have a little bit more access and a little bit more knowledge of what is going on over in the Middle East minute by minute. We simply have not been able to make ourselves available to that.

So before we criticize the persons that have the knowledge, before we are so critical from the House floor, my colleagues ought to learn a little bit more exactly what is occurring. Because while we were speaking this evening, bullets have flown over there, and it is amazing that while machine gunfire is taking place, while allegedly 10-year-old or 13-year-old suicide bombers are running in to kill one side or the other, it is a little surprising to hear one of our Congressmen or the Congress as a whole maybe, which has not happened, I guess particular colleagues of mine, to stand up here and say, well, we have not diplomatically engaged. If any of us have a better idea that is going to work, not just to get publicity back in our district, if someone has really got an idea that is going to work, if they think they have got a solution for it, advance it. Do not wait till nighttime on special orders to come down here and say, well, how easy it is to criticize you because you are not a diplomatically engaged administration, and what we ought to do, hope for peace, that is how we solve the situation in the Middle East.

We want peace. All peace-loving Americans want peace, and I am quoting directly from some of the previous comments. Well, that is a nice statement to make, but how are we going to solve the problem? What are the nuts and the bolts of the solution? When we have a crisis like the Middle East, I get a little impatient, as I would hope my colleagues get a little impatient, with one of us standing up here and constantly criticizing the administration but never coming up with a solution of their own.

□ 2130

Mr. Speaker, the easiest thing in the world is to criticize. The toughest thing in the world is to lead. I have seen a lot of criticism, but I am not sure how much leadership I am seeing. I am trying to learn everything I can about the situation in the Middle East, and I hope that the administration is doing the right thing; and I have placed my faith in this administration, as I have placed my faith in the United States. I think we are doing the right thing with what we have and what we know.

I hope that our common sense leads us to some type of solution; but I can tell Members this, it would be a cold day in Members-know-where before I would jump up and make the criticisms while the guns are firing. I think we need to be a little more supportive.

RESPONSE TO MIDDLE EAST CRISIS

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

Mr. DEUTSCH. Mr. Speaker, the topic we are going to speak about this evening is, in a sense, a response to what is going on in the Middle East today; and specifically a response in terms of being not just sensitive, but supportive of what the Israelis are trying to do regarding terrorist acts in their country.

The reason I put this chart up first is just to try to lay out a perspective of what has happened in Israel over the last several months. Israel is about 5 million people. The United States is about 300 million people. We are about 60 times larger than Israel. As all Americans know, on September 11, about 3,000 Americans died in an instant. The equivalent number in Israel would be about 50.

Last month in Israel, the Israeli people sustained the equivalent of three September 11's, in the month of March. Since this calendar year, the Israeli people have sustained the equivalent of approximately eight September 11's. I think all of us understand what the United States' response, God forbid, would be, in that type of situation. We understand what the United States' response has been in response to September 11 itself. In fact, I have been very supportive of the President, and I do not think any Member of Congress has not been supportive of the President and America's efforts to eradicate weapons of mass destruction that have a direct effect on the United States. There has been no daylight at all between any of us for those efforts.

I think the President gets it completely about the threat of international terrorism from countries like Iraq, Syria, and North Korea. But unfortunately, the President does not get it in terms of some of his response to the State of Israel, his specific responses that effectively demand that the Israelis withdraw their troops and their activities in terms of cities like Ramalah, Jenin, and Nablut.

From an American perspective, to put it in some light, which is a very appropriate analogy, the United States of America does not have to have our men and women in Afghanistan. We are in Afghanistan because we have no choice but to be in Afghanistan to literally protect ourself at a national security level. We do not want to be there. I think everyone in the world or at least everyone in America understands, we have no national interest. We have no desire, zero, and I think Americans understand that we do not want to conquer Afghanistan, to colonize Afghanistan.

At the same exact level, the Israelis have no desire to be in Ramalah, Jenin, and Nablut. And just as we are concerned about our sons and daughters,

husbands and wives who are stationed in Afghanistan today, and in fact we have sustained the ultimate sacrifice in our troops, and the Israelis are doing the same today, and again our societies are very similar. As democratic societies, this is not forced military service. It is military service that an elected democratic body had to vote to send out the reserves.

In the Israeli Knesset, an elected Prime Minister called up the reserves. An elected Prime Minister is sending people into combat, risking lives, and in fact sustaining losses. If we think again, we have seen what is happening. We read about it. And, unfortunately, there are people being killed on both sides. The Israelis are making an extraordinary effort to avoid any type of civilian casualties, and there have been some. The extraordinary effort is something that we need to be aware of. Unfortunately, Israeli defense forces, troops, their lives have been put at risk, and there is no question that additional Israelis have died because of the sensitivity of avoiding civilian casualties has occurred.

I think all of us understand what would be happening in a different situation. And America joins that category, the extraordinary efforts that we did in the campaign, and we are still doing today, in the campaign in Afghanistan to avoid collateral damage. We all know that there was some, in fact, some significant collateral damage. We killed civilians in Afghanistan, and it is a tragedy that we did, but we made extraordinary efforts to prevent it, and at risk to our men and women as well.

That is what is happening in a sense on the ground. But at the same time this is going on today, literally today, this evening, in both the United States and in Israel. The President has asked indirectly, even tried to order the Israelis out. If we think about what that message is, if we think about what had occurred, what brought the Israelis to this attempt, for their own survival, it was a series of suicide attacks that do threaten the day-to-day existence of the State of Israel.

Mr. Speaker, can we conceive of any country in the world, and if we put ourselves in that kind of situation, can we conceive of the United States of America attempting not to try to protect itself? That is exactly what is going on. From a historical perspective, there were two incidents which were watershed incidents. One was the Karine A incident, which was the ship with over $20 million of weapons that came from Iraq that Israeli commandoes commandeered.

Both the Israelis and the Americans had direct evidence of Chairman Arafat's personal involvement in the purchase and operation to bring those weapons into the Palestinian Authority area. And in fact the only plausible excuse Arafat had was he was not on the ship.

As has been reported in the press, Colin Powell called Chairman Arafat after that incident and said, ''Why did you do this? It is a clear violation of Oswald bringing in weapons that raise the level of the conflict.''

His response was, ''Why did I do what? Why did I do what?''

Colin Powell on the other end of the phone said we have direct evidence of your involvement and that evidence was then shown to Chairman Arafat, and Colin Powell calls him back and says, ''Now that you have seen the evidence, what is your response?'' Chairman Arafat's response was, ''What are you talking about?''

If we think for a second what that means, who are we dealing with? Who are the Israelis dealing with? But more importantly, who are the Israelis dealing with. I would ask everyone to think about that type of response. How could any of us ever have any type of relationship, whether a business relationship or a personal relationship, with someone who literally, absolutely, totally lies? How can one have a relationship to try to do anything? What is that person's word worth?

The second incident that occurred 10 weeks ago was a sniper attack on an Israeli checkpoint where six Israeli soldiers were killed. There was no attempt by anyone on the Palestinian side to prevent that type of attack. These sniper rifles can shoot several miles, an analogy of the distance from this building to the White House. Literally from a line of sight, someone could shoot with a sniper rifle from the top of this building, the Capitol, to the White House.

Once that attack occurred and there was no attempt to stop it, and many people are aware of the geography of the State of Israel, effectively Prime Minister Sharon made a decision that the Israelis had to protect themselves. Not until that occurred did the Israelis enter any refugee camp. At that point the decision was made to effectively go door to door or wall through wall, house to house to confiscate every weapon, every suicide belt bomb, every rocket; and literally hundreds and thousands have been confiscated and have been taken. That is in fact a continuation. It is not by choice.

I am joined today by a number of my colleagues. On the other side of the aisle, a Member who has been a leader in terms of things happening in the Middle East and is as concerned as anyone in the Congress, the gentleman from Georgia (Mr. KINGSTON).

Mr. KINGSTON. Mr. Speaker, I thank the gentleman for his leadership on this issue. I apologize for being late. I have a number of comments that I want to make initially.

Mr. Speaker, Rudy Giuliani said after September 11 that he felt like Winston Churchill felt when London was under attack. Today the folks all over Israel, not just in any particular city or pocket, must have that same feeling. They have now suffered over 18 months of terrorist attacks that have killed over 400 of their citizens, injured thousands, and distressed millions.

The gentleman from Florida (Mr. DEUTSCH) knows that a couple of years ago I had an opportunity to go to Israel, and one of the things at the time was Mr. Barak told us that the people there are tired of suffering and they are tired of seeing their children being killed.

As a father of four, it is hard for me to say good-bye to my children on a Friday or Saturday night when they leave the house at 7:30 at night, and I am worried about them driving on the road with accidents. I cannot imagine what an Israeli parent or counterpart feels when saying good-bye to their children who are going to go to a discotec or some other public place, and can just imagine living in a country where so many people have died in such a short period of time.

Since the September 11 attacks, the American people have understood the terrorist menace. Israel has been living under this for nearly 50 years off and on. As the leadership of Israel has often said, we are living in a dangerous neighborhood, and it is getting more and more dangerous every single day.

One of the questions that seems to become popular and seems to be in vogue is should Israel be able to retaliate. If America can retaliate, why can Israel not retaliate? I think that is certainly the central question right now. The United States of America is rightfully pursuing its own national interests. We are not just in Central Asia, but looking very closely at the situation in Iraq and any other country, the axis of evil, and trying to figure out what rogue governments are harboring terrorism.

Just as we in America are doing that, surely it is in Israel's national interest to do everything that they can to neutralize the Palestinian terrorism. I do not believe that Washington can justify our actions and condemn their actions.

□ 2145

I believe that Israel is moving in the interest of their own national security, as a nation should be. In many respects, their war is our war. Their enemies are our enemies. Aside from Great Britain, Israel is our greatest ally in the U.N. Year after year, conflict after conflict, Israel has stood by America. You cannot make that statement about any other country except for Great Britain.

I think that in terms of some of the issues that we are dealing with, I am very pleased that Colin Powell is over there. I hope he is successful in his mission. I hope he can calm the waters. But I do not think Sharon should back down until the Palestinians guarantee a cease-fire and some sort of a way to assure them that Arafat can, if he still has control, neutralize his followers. I do not know that he has that anymore. When Colin Powell testified before our Foreign Operations Committee about a month or 5 weeks ago, I asked, are we ready to move into the post-Arafat era

of the Middle East? At that time people said, ''It's probably too early to talk about that.'' I think there is fear, well, could it get worse if Arafat is gone? No one knows the answer to that, but we know under the current course it is getting worse and worse. So I do not think we should be afraid to talk about a post-Arafat era at all.

Mr. DEUTSCH. Mr. Speaker, I yield to the gentleman from New York (Mr. CROWLEY) who has worked from the first day he was in the United States Congress to try to bring peace to the Middle East.

Mr. CROWLEY. I thank my colleague from Florida for calling this special order this evening. I would start off by saying that the initial numbers that you had on your chart were staggering. I think more of that information needs to be told to the American people. I think they need to understand exactly what the size of the state of Israel is and the type of pressure that they have been under for the past 18 months. I think more of the news agencies need to focus not only on single events but on the multiple events that have taken place over the last 18 months. If they could show not just one incident but how over the last few weeks there have been multiple incidents throughout Israel, I think people would begin to get a better understanding exactly what type of threat the Israeli people are really facing.

I regret the fact that there is a need for me to even be on the floor this evening to address this important issue, but the events of the last 18 months require a response. Last summer, Chairman Arafat, Prime Minister Barak, and President Clinton were ever so close to reaching an accord to bring peace to the Middle East after decades of violence. Unfortunately, all the progress and the sacrifices made on the part of the Palestinians and Israelis in Madrid, in Oslo, Camp David, and Wye were shattered the moment the first stone was hurled into the air in September of 2000. Since then, the atmosphere on the ground has degenerated, resulting in the death of hundreds of people on all sides of the conflict.

As Palestinian suicide bombers attack innocent Israeli civilians and the IDF responds by eliminating the sources of that Palestinian terror, both sides look to the United States to deliver a solution. Although I believe that it is in our national interest to resolve this conflict, I am increasingly concerned by the destructive role our regional allies have been playing in the current climate. The official Egyptian press cultivates anti-Israeli sentiment through skewed disclosures of the facts and spin campaigns that do nothing to improve the status quo.

Jordan, who has played such a key role in past years, has thought it best to remain on the sidelines. I would suggest that the Palestinians view the Jordanian silence as a tacit approval for the continuation of this campaign of terror.

The activities of Saudi Arabia are perhaps the most troubling of all. One should note that there are two countries that provide compensation to the families of Palestinian suicide bombers: Saudi Arabia and Iraq. One is considered a friend and the other a foe. If this is the case, why are both behaving in the same despicable manner? These nations are crucial to a resolution to this conflict and must assume a profile commensurate with their standing and influence in this region.

I am encouraged by Secretary Powell's visit to the region, but he cannot secure peace on his own. A lasting peace can only be secured in a regional context in which all parties contribute to a cessation of hostilities on the ground. Until that occurs, I fully support the steps that Prime Minister Sharon is taking to ensure the safety of his people, the Israeli people. If President Bush had not acted decisively against those who perpetrated the acts and attack of terror on New York and on the United States on September 11, the people of this country would be calling for his resignation. Now this administration is being critical of Sharon for taking similar action in his own country. The hypocrisy, in my opinion, is staggering.

This is not a question of being either pro-Israeli or pro-Palestinian. It is a question of being against terrorism, no matter where it is found and no matter who may be the victims. While the violence rages on, there are children that hope to go back to school and people that hope to go back to work and hope to do that in an environment free of terrorism. It is essential that we take the necessary action to turn all those hopes into reality.

As a New Yorker, as someone who has experienced firsthand a family member who was lost on September 11, my first cousin, I feel personally drawn into what is happening in the Middle East. I have had many, many discussions with people throughout my district. I am heartened to hear, and I am not just talking about those who have had longstanding sympathies with the people of Israel, but those who in my opinion have had questionable support in the past for the people of Israel, are now I think fully behind the Israeli Government and fully understand exactly what they are going through.

We lost 3,000 people in one attack. When we looked at the numbers that the gentleman from Florida (Mr. DEUTSCH) had put up before, they have lost, I believe, is it six times that figure?

Mr. DEUTSCH. It would be more than that. Six or seven times.

Mr. CROWLEY. Six or seven times. It is staggering. I think we in New York have nothing but sympathy for what the people in Israel are going through, and we believe only the people of Israel can make the decisions about their own safety and the personal safety of their families. That is why I stand here today in support of your discussion this evening.

Mr. DEUTSCH. Mr. Speaker, I yield to the gentleman from Virginia (Mr. CANTOR) who is an outstanding new Member that again, from the day he arrived, has thrust himself and been involved in foreign policy issues, particularly in the Middle East, and has worked as hard as any Member to try to gain peace in the region.

Mr. CANTOR. Mr. Speaker, I thank my colleague from Florida for yielding and I appreciate his willingness to share time in this debate and for his work on behalf of the U.S.-Israel relationship and also would like to recognize my colleague from Georgia and his leadership on this issue as well.

Mr. Speaker, I rise today on a very solemn occasion. Today is Yom Hashoah, the Day of Remembrance. This is the day that we recognize and remember those 6-million-plus individuals, innocent men, women and children who lost their lives in the unspeakable horror of the Holocaust, an evil associated with that era the likes of which the world had never seen.

But, Mr. Speaker, we are here tonight once again, this evil has reared its ugly head. On 9–11, as my colleague from New York just indicated, this evil and the individuals behind the terrorist attack stopped at nothing to kill innocent men, women and children on the streets of New York, in the World Trade Center, and here in the Washington area at the Pentagon. Mr. Speaker, it is that same evil, that same hatred that is perpetrating the violence and committing the terrorist attacks in Israel throughout that tiny country.

I applaud President Bush and his administration for drawing the appropriate moral structure and guidelines that we must follow as this country now engages in the fight for our freedom abroad.

As we know, President Bush has outlined this as a case of good against evil. Very simply, it is time for the nations of the world to choose, to choose whether they are with us and the civilized world or whether they are with the terrorists. Just last week, President Bush addressed the Nation from the White House and said yes, it is time for the nations of the Middle East to make that choice as well.

I applaud President Bush in his statements that the situation that Yasser Arafat finds himself in and the situation the Palestinian people are in are due to his own making. He has failed to do everything he can. He has failed to renounce terror as a tool to achieve his political gains. I think that the President ought to be applauded for making that bold step in the face of very harsh criticism that he is experiencing from all corners of the world.

Mr. KINGSTON. If the gentleman will yield, I want to really underscore that point, that over a year ago, at Camp David, when President Clinton had Arafat and Barak in, Arafat turned down the deal that he is now pretending to be behind, or at least the

Saudi prince's proposal, give up land and we will recognize you. And there is absolutely no assurance that once the Palestinians have the land, that they will turn around and recognize the state of Israel. The gentleman makes a great point, and I really wanted to underscore that.

Mr. CANTOR. I thank the gentleman for that. And as my colleague from Florida stated earlier, there have been a series of opportunities for Mr. Arafat to rise to the occasion and to demonstrate his commitment to peace. But instead, we face now calls from all corners of the world for the United States to engage in the process, to somehow produce a peace. In my mind, that means to pressure Israel. But the United States and the Bush administration has been engaged in the process. It has been engaged in the process by standing up for the principled position laid out by the President that there is good and there is evil, there are terrorists and there are those law-abiding citizens. And this country will not tolerate, negotiate, or support terrorist activity. And how can we, when we see Yasser Arafat and his counterparts in Israel going in, targeting women and children, innocent individuals for death? Going into family occasions like bar mitzvahs and weddings and an individual strapping explosives to themselves, blowing themselves up and killing these family members at such sacred times in their lives?

And we also see the sponsorship of the Palestinian Authority and other Arab regimes sponsoring and giving money to the so-called martyrs' families, providing an incentive for young men, and now we see women, to blow themselves up and in the process kill tens, if not more, of innocent Israelis at a time. And now we see that Israel has gained the momentum, has demonstrated that it has the resolve, both the spiritual resolve and the material resources to do what it must do, just as the United States has demonstrated that we will do what we must do in light of the al Qaeda attacks on 9–11 against the Taliban and al Qaeda forces in Afghanistan.

Israel is manning a counteraction to the terrorist attacks that has been inflicted upon its innocent citizens, and it must be allowed to root out the terrorists, because that is the only way that we will achieve peace is to get rid of the terrorists.

Mr. Speaker, I would posit that the equation is very clear. We ought not be insisting or pressuring Israel when it is doing what we do, and, that is, defending its innocent citizens. We must instead demand that the Arab leaders of this world step up to the plate, renounce terrorism, and contribute what they must toward the peace in the Middle East.

The bottom line, Mr. Speaker: First, we must have the cessation of terror, and then talk. First, the recognition, both in deed and in word, of Israel's right to exist, then diplomacy.

□ 2200

Mr. DEUTSCH. Mr. Speaker, I yield to the gentleman from New York (Mr. WEINER), who also is active and has traveled in this region many times and is personally involved with many of the leaders in the region as well.

Mr. WEINER. I want to thank the gentleman from Florida for organizing this special order, the gentleman from Georgia for his great leadership, and the previous speaker, and I want to pick up on something that the gentleman from Virginia mentioned.

Some have spoken about the necessity that there be a process towards peace, and I do not think there is anyone who disagrees with that. But we also have to recognize that the process in and of itself is not an end; it is to be a means to peaceful coexistence.

If you look at the history of the Jewish State, there have really been two things going on simultaneously. One has been her Arab neighbors and the Palestinians trying to wipe her from the globe; while, at the same time, time after time after time, efforts at peace have been embraced by Israel, only to have her pay the price in human lives.

You can really look at it in two ways. Since 1993, there has kind of been the three yards and a cloud-of-dust strategy towards peace in the Oslo Accords; concession, concession, concession given by Israel, with the hope that it will be led into, by recognition by the Palestinians, ultimately peace for her citizens.

When that did not work, when that broke down, Israel went for what was essentially the ''Hail Mary'' pass at Camp David, and gave the Palestinians, offered virtually everything; 90 percent of the territories that are now in contention, a divided Jerusalem, even concessions to try to work out questions of the refugees.

And how is that met with? It was met with by a string of violence that goes on to this day. Seventy-three separate terrorist attacks have gone on, taking the equivalent, as the gentleman from Florida (Mr. DEUTSCH) mentioned, of 20,000 lives, if they were here in the United States.

Some have asked, why does Israel go into house by house searches of a town like Ramallah? Of those 73 attacks, 40 of them came from people who lived in Ramallah. How do we know that with such certitude? Because it is no secret. They leave a videotape saying why they did it, and quickly they are given money. They are given a bounty by the Palestinian Authority for the great thing they have done. They have given up their young life for the cause of taking away the lives of Israelis.

We have to recognize, and this is an unsettling thing for anyone to say, but certainly for us in a peace-loving democracy, sometimes the only way to stop someone from killing you is to go get them and stop them by force. We did not want to have to send people to go cave by cave in Afghanistan seeking out the terrorists, but that was the only option that we were faced with. It was not a subject that, if we could have negotiated, we would not have done it. Frankly, that is the position that Israel is in today.

Some have paid a great deal of attention and given a great deal of credibility to the plan proposed by the Saudi prince that in exchange for Israel withdrawing to its 1967 borders, the Arab nations would offer normal relations, although Libya has said they do not want to go along and Iran said they do not want to go along and Iraq said they do not want to go along.

But nowhere in this discussion has anyone really thought through, well, why is it that Israel's borders are not what they were in 1967? Is it because she is acquisitive? Is it because she is colonialistic? Is it because she is expansionist?

Her borders are different than they were in 1967, because on two separate occasions she was attacked by her neighbors, who do not even believe she has a right to exist. And to a large degree, she has already made concessions to Egypt and Jordan. She has shown more than a willingness to give up land if it meant true peace.

That is true, Mr. Speaker, today. You look at poll after poll of the Israeli people, even after the horrific events of the past month. You put down on paper a proposal that gets true peace for Israel to live with her neighbors, she would accept it. She would give up land, gladly do it.

But sometimes there is no deterrent to violence. The only way to stop violence is to confront it directly. That is the unfortunate and untenable position that Israel is in. Let me just say, if there was ever a practice, if there was ever an example of the Bush doctrine, it is tonight in Nablus. It is tonight in Ramallah. It is tonight in the West Bank.

When President Bush unified our country and arguably unified the world around the principle that terrorism needs to be stopped, he said very clearly, it is not a matter for negotiations. He says it may take a while, and he says we will not rest until every terrorist is rooted out, pulled out by its roots, and, if necessary, killed in battle. That is what is going on tonight. That is what 18-, 19- and 20-year-old Israelis are giving their lives for tonight.

And what is going on on the other side? Today on Palestinian television there were commercials running during the cartoon hour telling young children, put down your toys, take up your arms. That is the message that the Palestinians are sending to their side.

What we are saying here tonight is that Israel is in an untenable position. She chooses not violence; she never has. She chooses not to settle these matters by force; she never has. She chooses instead to defend her people, and we should stand four-square with her in her desire to do that.

I yield back to the gentleman from Florida, with my great thanks.

Mr. DEUTSCH. I would like to yield to the gentleman from New Jersey, Mr. ROTHMAN, who is viewed by his colleagues as an expert in this area and has been very influential.

Mr. KINGSTON. If the gentleman will yield, before the gentleman from New York Mr. WEINER leaves, I wanted to make a point that as long ago as July 15, 2001, the Jerusalem Post reported that there were four summer camps currently training 8- to 12-year-olds for suicide bombings going on. That is exactly what you are saying, just calling the kids to arms right now against Israel. Summer camps training 8- to 12-year-olds for suicide bombing visions.

Mr. WEINER. If the gentleman will yield further briefly, also one has to wonder why it is when there are these stages of violence put on by the Palestinians, why there are always children at the front lines? It is because, simply put, children are being used as the stones of war. In a very cynical campaign to persuade us that children are being put in harm's way, they are. They are being put in harm's way by mothers and fathers who are being told by their leaders that is the pathway to peace.

Mr. ROTHMAN. Mr. Speaker, I thank the gentleman for allowing me to participate in this presentation tonight. Particularly I would like to thank my colleague, the gentleman from Georgia (Mr. KINGSTON), for his leadership on this issue over a number of years, and as well my colleague, the gentleman from Florida (Mr. DEUTSCH), for his leadership, in making sure that America's number one ally in the Middle East, our number one strategic ally, Israel, is safeguarded.

But you know, my friends, I think it is time for a little history, and in 5 minutes I would like to give a little history lesson. I think it is important to know what the facts are.

A lot of people think that the State of Israel is somehow a stranger to the Middle East, is brand new, a brand new country in the Middle East, amidst, people think, Arab countries in particular that have been there for centuries. Nothing could be farther from the truth.

Let us take a look at the map. First of all, you see the map of the Middle East, a rather large area. As you can tell, this tiny little speck here, this sliver of land, that is the State of Israel. Here is Egypt, Syria, Lebanon; Iraq is here, Iran is here, Saudi Arabia is here, Oman here, Yemen here, Kuwait is here. Look at this entire huge land mass, and look at tiny little Israel. That is number one.

Number two, when did these Arab States come into existence? Have they been around for centuries? Let us take them one at a time. Iran, established in 1935; Iraq, established in 1932; Syria, 1946; Lebanon, 1943; Egypt, 1952; Saudi Arabia, 1932; Jordan, 1946; and Israel, about the same time, 1948. So virtually all of these states, including the State of Israel, established at about the same time, in the middle of the 20th century.

Well, where is Palestine? Well, there never was a country called Palestine, ever. Never. Never a country, never a kingdom, never a country called Palestine. Never rulers who called themselves the rulers of the Palestinian people, never in the history of the world.

But what happened in the middle of the 20th century when all of these states were established by the United Nations or recognized by the United Nations, what happened to the Palestinians? I will tell you what happened.

In 1947, the year before the United Nations recognized Israel, this was the map that was proposed for what is now Israel. In 1947 the U.N. proposed two states, an Arab Palestinian state, marked here in the gray, with contiguous outline all the way from the top to the bottom of what is now Israel. Jerusalem was not then to be the capital of Israel. Jerusalem, according to the 1947 U.N. two-state plan, was to be an international city. The areas in yellow were to be the State of Israel, alongside this Palestinian state offered in 1947 by the U.N.

What did the Palestinians do when they were presented this offer of their own state in 1947? They rejected it totally. They rejected it totally. They said we do not want to live next to a Jewish state. We want the entire entity, all of this, or none. So the U.N. said, you know, England, who owned this land after World War I, after they got that land as part of the spoils from the Ottoman Empire when the Ottoman Empire, Turkey, was defeated in World War I, they were allies of Germany, England got the land. The United Nations said okay, if the Palestinians do not want to live and share this land with the Jewish state as neighbors, in 1948 the United Nations declared this whole area the State of Israel, recognized by the United Nations in 1948.

What happened in 1948? All of the armies of the Arab nations surrounding invaded Israel in 1948. They said, we will drive the Jews into the sea, fellow Palestinians, and then you can have that one state. You will not have to live next door to the Jews, the Jewish state. Something miraculous happened. The Jewish State of Israel survived, even though they were out numbered more than 30 to 1, the Jewish State of Israel survived in 1948.

What did the Palestinians do who fled? They went to refugee camps. What did their Arab brothers and sisters do when they fled Israel? They kept them in refugee camps all over the Middle East, their Arab brothers and sisters. What else did they do? 1956, they attacked Israel again and they lost. Israel survived. 1967, they all surrounded Israel again, attacked Israel again, said we will drive the Jews into the sea, destroy Israel. The Jews survived again in 1967. The same in 1973. The Yom Kippur War when they attacked Israel again, Israel survived.

Just as recently as 2 years ago, as was mentioned by my colleagues, when President Clinton brought Prime Minister Barak from Israel to Camp David along with Yasser Arafat, Israel offered some 97 percent of the land that the Palestinians wanted to the Palestinians; said you can have your own state, Palestinians, you can even have a portion of Jerusalem as your capital. You can have your own state and live in peace with us.

What did Yasser Arafat do when presented that 97 percent of what he wanted? By the way, the first time in history that a losing power or losing entity, the Palestinians, who had lost every war when they tried to drive Israel into the sea, was offered 97 percent of what it had originally been offered. What did Arafat do 2 years ago when offered 97 percent? Did he come back and bring a counteroffer? He left the negotiating table and started the suicide bombings 2 years ago, figuring, as he has for the last 50 years, we will terrorize the Israelis, force them to give up strategic sites, more than 100 percent, and then eventually we will take those sites and we will drive them entirely out of the region. That is what Arafat has been doing.

Now, people always ask me, Steve, what possibly could be the conditions for peace? I tell them three things. There are three conditions for peace between the Arabs and the Israelis.

Number one, every nation in the world, especially the Arab nations and the Palestinian people, must recognize that the United States of America will never abandon its 50-year-old friend, the State of Israel. Not just because Israel is America's most important strategic partner in the entire Middle East. Israel, the only dependable, the only democracy in that sea of dictatorships and totalitarians; Israel, America's forward battleship of military intelligence and co-development of missile defense systems.

□ 2215

Israel, on the front lines of democracy in a world of terror. But America does not give up its friends when confronted by terrorism or threats or blackmail. So that America will never abandon Israel is the first condition, and the world has got to know that.

Number two, America has to convince the world, and the world has got to understand, just as the United Nations in 1948 and the United States and the Soviet Union and all the countries of the world agreed, this shall be a Jewish State, the State of Israel, surrounded by states ruled by other religions, but this shall be a Jewish state. So today Israel will be and shall always be a Jewish state, albeit tiny, almost infinitesimal in the Middle East.

Finally, the third condition of the United States never abandoning Israel, Israel always being regarded as a Jewish state, but the third element, to paraphrase former Israeli Prime Minister

Golda Meir, the Palestinians have to accept responsibility for their own statelessness. The Palestinians have to love their children and love the idea that they can have their own country more than the Palestinians hate the thought of living next to a Jewish state in an otherwise Arabian Middle East.

Once those three conditions are met, the parties can go to the negotiating table. The Israelis have already over the years, with whoever has agreed to sit down with them, generally, for peace, Israel makes trades, land for peace. They did it with Egypt in wars of defense. Israel conquered the Sinai when Egypt kept attacking year after year. In exchange for peace, Israel gave up the Sinai, all of it, back to Egypt. The same with Jordan. They made peace with Jordan and established mutually agreed-upon borders. And they have made other concessions as well. Even in Lebanon when they had to invade Lebanon because they were being rocketed by Lebanon, they withdrew to internationally accepted borders in Lebanon.

So is Israel prepared to make concessions, land for peace, even with armies and peoples who despise them and try to drive them into the sea and put their children to death for 50 years? They are ready to make that decision. But what is missing? What is missing is a Palestinian leadership that is ready to live in peace next to a Jewish state, the only Jewish state in the world, the one established by the U.N. in 1948, the State of Israel. If the Palestinian leadership continues to demand that Israel be obliterated, even though it was established in 1948 at the same time as all of these other countries, the middle of the 20th century. Israel is no stranger to statehood. When we compare to it Syria, Iraq, Iran, Saudi Arabia, Egypt and Jordan, they all came about the same time. When the Palestinians elect a leadership ready to make peace with Israel, Israel will make that peace.

But finally, what do we ask of the Israelis now, when Yasar Arafat encourages in Arabic and in English his people to be martyrs, to blow themselves up in restaurants and religious observances? We say, do what America will do and is doing now. Fight for your lives. Fight for your children. Do not care what the world has to say. You defend yourself, protect your people. People say to get the Israelis to withdraw now before they finish rooting out terrorists from the areas controlled by the Palestinian Authority, that would be like someone saying to us in America, leave Afghanistan right now. After all, you have substantially done much of what you wanted to do. Leave it now. And also, America, by the way, even though there are al Qaeda terrorist cells in 60 countries around the world, terrorist cells plotting to overthrow the United States or cause additional terrorist attacks on innocent American civilians, they say, America, leave those 60 countries. Do not pursue these terrorists. You have already made too many waves. What would we Americans say to that? Tell them to go jump in a lake, or perhaps in stronger language, we would tell them, we are going to get these people who killed our innocent men, women, and children.

By the way, these people do not ask us for anything, just like the Palestinians do not want to negotiate. They want the end of Israel, this present Palestinian leadership. Al Qaeda does not want to negotiate with America; they want to destroy America. When the Palestinian people understand that America will never bend on Israel, that Israel will always be a Jewish state, and that they are ready to live in peace next to the Jewish State of Israel, albeit in a sea of Arab nations, then the Palestinian people will get what all of Israel's neighbors have gotten: peace with Israel. Until then, America must stand up for Israel, its number one ally in the Middle East.

If we look at the U.N.'s voting record, of all of the nations in the Middle East, Israel is at the very top supporting the United States of America. If we were to abandon Israel now or tell Israel not to finish rooting out the terrorists, it would be as if we were saying, it is possible for terrorists and suicide bombers to blackmail people of goodwill, people who live in democracies. It is possible for them to stop us from defending ourselves and our own families. We will not do that as Americans. We would not let anyone do it to us, so we shall not and will not let anyone do it to our number one ally in the Middle East, the State of Israel, the region's only democracy, our best friend in the region for 50 years, our strategic military and cultural partner for 50 years, this tiny little courageous democracy, the State of Israel.

Mr. DEUTSCH. Mr. Speaker, I thank the gentleman from New Jersey.

We have had a great deal of discussion about Chairman Arafat specifically and the interest to try to resolve the conflict. One of the things which has been pointed out by several of my colleagues is the Camp David agreement, where literally, Israel put on the table an offer which was far beyond any of the so-called red lines that Israel had ever talked about before, giving up the vast sections of Jerusalem, an independent state, giving up 98 percent of the area in the West Bank and Gaza and, in fact, equalizing the area, the other 2 percent, far beyond, actually the Temple Mount itself, the holiest place to Jews in the entire world. Literally, an offer on the table that was far beyond anything that any Israeli leader had ever talked about; in fact, something which, for those who follow Israeli politics understand could never have been approved by the Israeli Knesset. And Prime Minister Barak had actually said this and was ready to bring that proposal to the Israeli people, effectively a plebiscite, and it was unclear whether it would have passed, but it probably would have passed. When that offer was made and even enhanced at the Taba discussions, it was rejected by Chairman Arafat and the Palestinians.

In any negotiation, and I ask people to think about their own lives and their own interactions with people, in any negotiation, if someone made what you know is your bottom, bottom, bottom line, you know that you cannot possibly, under any circumstances go further, and the person on the other side of the table rejects that, can you actually believe that there is any possibility for an agreement with that person?

When Prime Minister Sharon has talked about this war as a war of Israel's survival and Israel's war of independence, I think there are some real points that lead to that; and that has also been a theme for most, in fact probably all, of the speakers at some level this evening, that there is still to this day not an acceptance by Chairman Arafat and by many Palestinians of Israel's, literally, their right to exist.

Mr. ROTHMAN. Mr. Speaker, will the gentleman yield for a minute?

Mr. DEUTSCH. I am happy to yield.

Mr. ROTHMAN. There are some of my dear friends and people I have never met who have asked me, Steve, how long is this going to take? It is so disturbing to see people being killed, the cameras recording warfare. And I say this: America fought the Soviet Union for decades. We had thousands of nuclear missiles pointed at us for decades. We did not give up. We should not give up on our war against al Qaeda until we are certain that we have them on the run, until we are protected. We should not give up on Israel. We should allow Israel to take the time Israel needs to make its people safe. Because do we know what will happen? Once the world understands that America will not give up Israel, that Israel will always be around as a Jewish state, and that it is the Palestinian people's own interest to live in peace and freedom next to Israel, then we can give the Palestinian people what we want for all people: peace and a good life. But they must have leaders who will say in English and in Arabic to themselves and the world, we are ready to live next to the Jewish State of Israel in peace. When that happens, as history has pointed out, they will sit at the negotiating table directly with Israel, and they will get a peace that they can live with, that Israel can live with, and we will have a new era. But until they are ready to have that kind of Palestinian leadership, Israel must do everything it needs to do to keep its people safe, as we expect our government to keep us safe from al Qaeda.

Mr. DEUTSCH. Let me again mention a follow-up to that point directly. The modern State of Israel, as the gentleman pointed out on his chart, is 54 years old, and there are still many in

the Palestinian community who again do not accept Israel's right literally to exist, want Israel to be destroyed, and for many in the Palestinian community, Israel is viewed no differently than the crusaders who took 150 years for the crusaders to leave. It is only a third of the way to that time frame.

But I think for those of us who understand the history of the State of Israel, it is not crusaders. I think part of what is going on now, and we can see it ourselves on TV or read about it, is that the Jews that are there are not leaving. This is a permanent home. This is not a temporary home. This is not a way station for the Jewish people; this is a permanent residence. I think when the Palestinians understand that, and I think that they will understand it, maybe they will not understand it this week or this month or maybe even this year or maybe even this decade, but when they understand that, the peace that the gentleman talked about that was on the table at Camp David will be an accepted peace.

Mr. ROTHMAN. Mr. Speaker, if I could make one final comment, I know the gentleman from Georgia wanted to make additional comments as well. What the American people should be doing and the American Government is saying to the Palestinian people and all of the other Arab nations is the following: get a new leadership in the Palestinian Authority who will be ready to accept living in their own state next to the Jewish State of Israel. When the Arab world forces that upon the Palestinian leadership, then we can have what we want for the Jews and the Palestinians together, to live together in peace. Until then, it breaks my heart that the Palestinians are suffering at the hands of their own misguided leaders who, even after 54 years, will not accept the existence of the State of Israel.

Mr. DEUTSCH. Mr. Speaker, I would like to yield the last moments of my time and, hopefully, he will be able to claim some of his own time, to the gentleman from Georgia (Mr. KINGSTON).

Mr. KINGSTON. Mr. Speaker, let me yield to the gentleman from New York (Mr. WEINER), because I know he wanted to make a comment.

Mr. WEINER. Mr. Speaker, I thank the gentleman for yielding. I just wanted to comment on the points made by my colleagues about the expanse of time. We frequently get into the misguided notion that everything has to run on a 24-hour news cycle, that sometimes we see something unsettling and we think instantly it is going to change.

□ 2230

I would remind my colleagues and remind those viewing at home that the first several weeks of the campaign against terror, against al-Qaeda in Afghanistan, we were all commenting, oh, my goodness, this does not seem to be working, this does not seem to be working; the terrorists seem to be surviving. Then suddenly, almost overnight, there was a collapse of the terrorist infrastructure that has made us today a much safer country.

The same strategy is being pursued, although it was not their first choice, by the Israeli government. I think we make a mistake when we say, well, as unsettling as this is, it has to end tomorrow or the next day. It may take a while.

It is estimated that for every suicide bombing, it takes 40 individuals to make that bombing happen. There is the person that puts the bomb together, that figures out the lock, that locates the person who is going to do it, that makes the harness that goes around.

Destroying that infrastructure may take a little while. But the only way to do it is not to look at what is going to be on tomorrow's television, but to think about how we do it in the context of a military operation against a very difficult foe to catch.

When we watch those images, and they are unsettling, there is nobody in Israel, I can say almost to a person, who thinks this is a desirable way to go, but it is the only way to catch them where they are. I thank the gentleman for yielding to me.

Mr. ROTHMAN. To build on that last point, by the way, it is important to remember that while we were at war, the Cold War, but nonetheless a very dangerous war with the Soviet Union for 50 years, we are now friends with Russia. We had a terrible world war against the Germans and Japanese, terrible losses of life, lasting years. Now we are best friends. We had a revolution against the British and now we are best friends.

There is no reason, once this effort to rout out terrorists concludes, that the Israelis and Palestinians cannot be friends.

REQUIREMENTS FOR PEACE WITH ISRAEL

The SPEAKER pro tempore (Mr. FLAKE). Under the Speaker's announced policy of January 3, 2001, the gentleman from Georgia (Mr. KINGSTON) is recognized for 60 minutes.

Mr. KINGSTON. Mr. Speaker, I yield to my friend, the gentleman from New Jersey (Mr. ROTHMAN), to let him finish his comments.

Mr. ROTHMAN. Mr. Speaker, I thank my dear friend, the gentleman from Georgia, for yielding.

All is not lost. We should not lose hope. As heartbreaking as it is to see these terrible images on our television, and we wonder what is going to happen, some things take time. But we have to do them right.

Sometimes our friends are put in very dangerous, difficult positions. We do not abandon our friends. To have a friend, as my dad used to say, you must be a friend. If we step away from our friend, Israel, after a friendship of an unparalleled kind for 50 years, what does that say about us? What does that say when we go looking to the world for our friends to help us?

We cannot abandon Israel. Stand with Israel. Let Israel carry the day and rout out these terrorists. Let us get a just peace between the Israelis and Palestinians.

If the Palestinians ever put together a leadership, because the other Arab nations force them, or they on their own demand it of their own leaders, if they put together a leadership that is committed to living in peace next to the Jewish state of Israel in their own state of Palestine, then but only then will the Palestinians have what they want, which is their own state.

It is up to the Palestinians, and it is up to their Arab brothers and sisters to make them realize that they cannot continue to reject the offer of peace and statehood that Israel and the world has been making to them since 1947.

Mr. DEUTSCH. If the gentleman would yield, I think one of the interesting things also, as we enter a dialogue stage this evening, it is important to note that the gentleman's comments were so much on point regarding the leadership of the Palestinians.

I think there has been a misplaced emphasis in many ways by this administration on calling Chairman Arafat the leader of the Palestinians. Let us be very specific. I think most Americans need to really understand this, that Chairman Arafat was elected, but what he did was he refused to have a reelection. His term of office ended in 2000.

All of us who are elected officials, we stand for election every 2 years, and in the Senate every 6 years, and the President every 4 years. I was an election observer. Some of us have participated in international election observation teams. I was an election observer this past year in Belarus, where the president of the country reelected himself. We do not recognize their government. Yet, our government says that Chairman Arafat is the chosen leader, when he chose not to have an election.

Mr. ROTHMAN. If I may, as far as I am concerned, the Palestinians need to take responsibility for choosing their own leaders. If they choose to call Yasser Arafat their leader, so be it. But that does not change what we as Americans must do.

We must say to the Palestinians, they have to put forth a leadership that announces in English and Arabic and to the world that they are ready to live in peace next to the Jewish state of Israel, something the Palestinians regrettably have refused to do, believing that they would intimidate, terrorize, or in other ways use the leverage of middle eastern oil to force America or Europe to make Israel weak enough so that they could finally, after 5 attempts to destroy Israel in five wars, they could finally destroy Israel.

What they are learning now is that Israel will not be defeated militarily or

morally, since they have the legal right recognized by the U.N., and were established at the same time as all those other nations in the middle of the 20th century, and that they, the Palestinians, are the only ones. They must look in the mirror if they are looking for the culprit as to who has deprived them of statehood.

The Palestinians were offered statehood in 1947 by the U.N. They rejected it. They were offered it again in 1967, after they invaded Israel, along with all the other Arab armies. They rejected it. In the year 2000 at Camp David, they rejected a proposal for 97 percent of what they wanted, even though they were the defeated entity. They did not even come back with a counter offer.

It is time for the Palestinians to say to themselves, do you know what, it has been 55 years since 1947, since we turned down a Palestinian state because we did not want to live next to a Jewish state of Israel. We hoped this Jewish state, as tiny as it is in the huge Middle East, that the Jewish state would no longer exist.

They made a big mistake. It is time to give their children, their own Palestinian people, the blessings of a state and liberty next to the Jewish state of Israel.

Mr. DEUTSCH. If the gentleman could yield, I have a blow-up of a letter which has been in the press, and unfortunately, I think it is something which has not gotten enough press attention at this point. I think it is a very significant letter. It is a letter that was found in the Ramallah headquarters by Israeli defense forces troops. It is there, it is real. There is other information that I will present, as well, but it is disturbing, to say the least, in terms of the whole concept of interacting with Chairman Arafat as a leader in terms of his direct personal involvement in terrorism.

I started this evening talking about his direct, personal involvement with the Karine-A incident, which was a direct violation of Oslo, sending weapons to the Palestinian Authority, which was documented, which the Americans completely understand.

I think that is what is probably most troubling to the President of the United States, because I do not believe that he wants to deal with this gentleman at all, because he understands who he is.

If I can just read some of the specifics, this is a letter to Chairman Arafat from assan al Ashid, who is a senior Fatah activist in the West bank, specifically asking for sums of $2,500 for the following brethren: three gentlemen who are specifically terrorists, they are known terrorists. And in Arafat's personal handwriting, with his signature, he says, ''I will allocate $600 to each of them'' on September 19 of 2001. I do not think we need anymore proof.

Mr. KINGSTON. I would like to see the gentleman's other chart, as well, because he has actually broken down Arafat's connection to terrorism in a particular region or city, has he not?

Mr. DEUTSCH. This is really the question on what has occurred, and the Israelis and the Americans, Israel wants a peace partner. Israel wants to have peace. Israel offered what we have discussed previously. They have negotiated with Chairman Arafat.

But I think what has occurred in the present time is not that Arafat might or might not be, is trying or is not trying, but I think the facts are there: Arafat has direct personal involvement in terrorism. He is a terrorist.

The President got a little squeamish when the press asked him, is he a terrorist. He refused to answer. Not only does he have blood on his hands yesterday, he has blood on his hands today. That is the person that the United States is requesting and demanding that Israel negotiate with, at the same time saying that we refuse to negotiate with terrorists.

Mr. KINGSTON. Further than that, if we do not call Arafat a terrorist, could we say that the PLO harbors terrorism? And certainly I think we would say yes to that, as well.

Mr. DEUTSCH. And let me go through the chart, which I think is interesting.

Chairman Arafat is part of the Fatah organization. Actually, I believe the gentleman has a chart, as well, which is very interesting and relevant to this. The Fatah organization is an organization that, in a particular region, many of us have heard of the city, the occupied and the non-occupied Tulkarm. It is a city with a leadership structure in Fatah, an organizational structure. There was a gentleman, Marwan Barghouti, Nasser Awis, Ra'ed Karmi, whose name was one of the names on the previous list as getting direct payment.

Mr. KINGSTON. These men, they all lead directly to Arafat?

Mr. DEUTSCH. They have said if Chairman Arafat requests, they will no longer engage in terrorist activities. Again, what the gentleman's chart points out is this organization, Fatah, which is directly tied to Arafat, in which the people themselves have said they report to Arafat, they have publicly stated if Arafat says to stop violence, they will stop violence.

The chart there is very illuminating, the gentleman's chart, which points out that in September to December of last year there were nine terrorist incidents and 66 Israelis were killed, the equivalent of more than one 9/11 for the state of Israel, that Fatah itself, Arafat's organization, claimed responsibility for nine incidents.

In January to April, when 99 Israelis were killed, several 9/11s, 67 were claimed by Fatah. Sixty-eight percent of this is suicide bombers were directly claimed by an organizational structure that reports to Arafat, that the members of that structure report to Arafat, and yet Arafat says he has no relationship with that structure. It is not credible. It is not believable are. It is not the truth.

Mr. ROTHMAN. If I can offer my agreement, Yasser Arafat is a terrorist. He is no Boy Scout. But that does not mean that he cannot make peace and be a partner in peace if he chooses. The problem is, so far, since 1948, since Israel was recognized by the United Nations, America, all the major nations of the world as an independent state and an independent country, since the Palestinians rejected their own state offered by the U.N. in 1947, Arafat has never said, never, we are prepared to live in peace next to the state of Israel, the Jewish state; never once.

The interesting point would be, what if Arafat said that in English and Arabic? What if all the other leaders of the Arab world were to say, you know, that is all that Israel has been asking for for the last 55 years of its existence, notwithstanding the fact that we in the Arab world have tried to drive these Jews into the sea for the last 55 years, without success. All the Israelis have ever said they want is to live in peace with their Arab neighbors. All they want from their Arab neighbors is a pledge to live in peace with them.

When Egypt made that offer, there is now a peace between Egypt and Israel, and Lebanon and Israel, and Jordan and Israel, albeit there are still some radical terrorists in Lebanon, fomented by Syria to try to stir things up.

But what we really need to do is to put the pressure on the Arab world, our friends, the Saudis, who we have done so much for, saved their necks countless times so they could charge us whatever they wanted at the oil pumps, but nevertheless, we did it, we saved their necks, say to the Saudis, tell Arafat his dreams of driving the Jews into the sea are over. If he wants to help the Palestinian people, tell him to live in peace with Israel, the Jewish state, and they will have negotiations and they will have a Palestinian state.

Why do not the leaders of Saudi Arabia, Egypt, Jordan, Syria, Lebanon, and all the Arab countries, make that demand to Arafat if they really are concerned about the Palestinian people? And I say to my friends, the Palestinian people, rise up and overthrow Arafat.

□ 2245

Get yourself leaders who will make peace for your children's sake.

Mr. DEUTSCH. Mr. Speaker, if the gentleman would yield on a specific point which he brought up again which is very much relevant to what is going on.

The gentleman mentioned Lebanon. For the last several days every day there have been artillery attacks from Lebanon to northern Israel. When Colin Powell and the President are calling for a cease fire, that is a cease fire they should be calling for. That is a border that has been peaceful, and there is absolutely no reason at all for

artillery to be shot at. We have mentioned this and many of us who have spoken this evening have talked about the analogy to the United States. Could you imagine how we would respond if there was artillery fire over the Canadian border or the Mexican border? There was a point in time when that happened many years ago, and we invaded both Canada and Mexico.

Mr. KINGSTON. Mr. Speaker, if the gentleman would yield, I wanted to pull out the gentleman from New Jersey's (Mr. ROTHMAN) map again, because we cannot emphasize this enough. Here is little Israel surrounded by Saudi Arabia, Yemen, Iran, Iraq, Afghanistan on the other side of it, Syria, Lebanon, Egypt, Somalia, Eritrea. It is not exactly the kind of neighborhood that is very pristine and peaceful and stable to begin with. Israel would not go out aggressively and start a conflict, as the gentleman pointed out, and I want to do it again. Statehood for these countries: Syria, 1946; Iraq, 1932; Iran, 1935; Saudi Arabia, 1932; Jordan, 1946; Lebanon, 1943; Egypt, 1952. To say Israel is the interloper because of 1948 is absurd, particularly given the fact that this is such a sliver of land here.

Mr. ROTHMAN. My colleague makes such a wonderful point. The Israelis are outnumbered 39 to one, some extraordinary number like 325 million Arabs and close to 6 million Israelis, most of them Jews, some Christians, some Israeli Arabs, outnumbered 39 to one. There is no oil in tiny little Israel. None. Tiny little Israel in a sea of other nations. Why do they focus so much attention on Israel? Why do they not just give their own people in Saudi Arabia, it is a monarchy, a kingdom, why do they not give their people democracy?

How about in Iraq? We know they are a dictatorship under Saddam Hussein. Why does he not give his people democracy and freedom? In Iran they have the mullahs, the religious council who are dictators themselves. Even over an elected Iranian president, the religious council overrules the elected officials. Why do they not give their people freedom?

The same as Syria with a totalitarian regime. Syria, who by the way has 45,000 Syrian troops in Lebanon. They are occupying Lebanon, Syria is. But why does the world focus attention on the tiny little only democracy in the entire Middle East, Israel?

Well, you know that saying when you have trouble at home you try to distract the locals by creating a bogeyman somewhere else. Rather than have the people living in these oppressive totalitarian countries fight against their totalitarian dictatorial rulers, they say all of your problems are caused by the tiny little Jewish state all these miles away who we outnumber 39 to one. It would be laughable if it were not such a horrible terrible tragedy.

America needs to talk to the Arab world and tell them, if you think the lynch pin to peace in the Middle East is settling the Israeli-Palestinian conflict, then tell the Palestinians to accept statehood, the statehood that has been offered to them for 55 years, or at least to sit down at the negotiating table after having said, yes, we are prepared to live in peace next to the Jewish State of Israel. Then the Arab world can get the peace it says it needs before they then can free their own people. Of course, that is ridiculous.

These Arab dictatorships, monarchies, totalitarian regimes throughout the Middle East they can free their people right now, but they will not. They would rather distract them with the Israeli-Palestinian conflict. If there needs to be pressure, it needs to be put on the Arab regimes to force the Palestinians to give their own people a state by agreeing to live next to Israel.

Mr. KINGSTON. I thank the gentleman. I want to yield to the gentleman from Florida (Mr. DEUTSCH) for closing remarks and also I am ready to close.

I think that in my final words that we need to stand with our ally, Israel. We need to understand that they have the right to defend themselves, and we need to have that message heard in the Middle East that we believe that Israel does have this right and is acting accordingly.

Mr. DEUTSCH. Mr. Speaker, I thank the gentleman for yielding to me.

I think by definition every day we wake up we live in historical times. In this Chamber where we speak, it is the oldest. We are as America the oldest democracy literally in the history of the world. Many people do not know, but the law givers of the world, the law givers of the world watch us in this Chamber. In fact, the greatest law giver in the history of the world is the gentleman in the center of the Chamber, Moses.

We are part of history as we speak here tonight and as we take action as Americans, as a Congress and our ally, Israel, takes action this evening. And I think the purpose of different Members from throughout the country getting together this evening to speak about this issue is to talk about our concern. That as much as we hope and we pray and we work towards Colin Powell's efforts for a cease fire, which again we were completely united in and support for, at that same time we urge Colin Powell and particularly, obviously, the President who Colin Powell works for, that the President understand that we are listening to him. We are supportive of him in the efforts against terrorism. But to stop Israel, to attempt to stop Israel from rooting out terrorism is sending a wrong message to terrorists.

It is saying that terrorism succeeds, that terrorist actions will get the United States to do things against its allies; that you can bomb us; you can suicide bomb us; you can sniper attack bomb us; you can kill our children, our women at sacred events in the most inhumane conceivable things and force us to do things. And that is not the message that I believe President Bush has sent to the world nor can we send to the world.

We need to be supportive of Israel and its efforts to eliminate terrorism as they were of us, as the rest of the world was of us, as all Americans are with us. And I urge the President to continue in those efforts in the coming days.

Mr. KINGSTON. Mr. Speaker, I thank the gentlemen for their leadership on this issue.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BECERRA (at the request of Mr. GEPHARDT) for today on account of business in the district.

Mr. RYAN of Wisconsin (at the request of Mr. ARMEY) for today and the balance of the week on account of the death of his stepfather.

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. DOGGETT) to revise and extend their remarks and include extraneous material:)

Ms. KAPTUR, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Mr. HOYER, for 5 minutes, today.

Ms. NORTON, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

(The following Members (at the request of Mr. WELDON of Florida) to revise and extend their remarks and include extraneous material:)

Mr. RAMSTAD, for 5 minutes, today.

Mr. WELDON of Florida, for 5 minutes, today.

Mr. PAUL, for 5 minutes, April 10.

Mr. GEKAS, for 5 minutes, today.

Mr. JONES of North Carolina, for 5 minutes, April 10.

Mr. FOLEY, for 5 minutes, today.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1222. An act to redesignate the facility of the United States Postal Service located at 89 River Street in Hoboken, New Jersey, as the ''Frank Sinatra Post Office Building'', to the Committee on Government Reform.

S. 1499. An act to provide assistance to small business concerns adversely impacted by the terrorist attacks perpetrated against the United States on September 11, 2001, and for other purposes to the Committee on Small Business.

ENROLLED BILLS SIGNED

Mr. Trandahl, Clerk of the House, reported and found truly enrolled bills of

the House of the following titles, which were thereupon signed by Mr. WOLF of Virginia, Speaker pro tempore:

On March 25, 2002:

H.R. 2356. An act to amend the Federal Election Campaign Act of 1971 to provide bipartisan campaign reform.

H.R. 3985. An act to amend the Act entitled ''An act to authorize the leasing of restricted Indian lands for public, religious educational, recreational, residential, business, and other purposes requiring the grant of long-term leases'', approved August 9, 1955, to provide for binding arbitration clauses in leases and contracts related to reservation lands of the Gila River Indian Community.

H.R. 3986. An act 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.

On March 28, 2002:

H.R. 1432. An act to designate the facility of the United States Postal Service located at 3698 Inner Perimeter Road in Valdosta, Georgia, as the ''Major Lyn McIntosh Post Office Building''.

H.R. 1748. An act to designate the facility of the United States Postal Service located at 805 Glen Burnie Road in Richmond, Virginia, as the ''Tom Bliley Post Office Building''.

H.R. 1749. An act to designate the facility of the United States Postal Service located at 685 Turnberry Road in Newport News, Virginia, as the ''Herbert H. Bateman Post Office Building''.

H.R. 2577. An act to designate the facility of the United States Postal Service located at 310 South State Street in St. Ignace, Michigan, as the ''Bob David Post Office Building''.

H.R. 2876. An act to designate the facility of the United States Postal Service located in Harlem, Montana, as the ''Francis Bardanouve United States Post Office Building''.

H.R. 2910. An act to designate the facility of the United States Postal Service located at 3131 South Crater Road in Petersburg, Virginia, as the ''Norman Sisisky Post Office Building''.

H.R. 3072. An act to designate the facility of the United States Postal Service located at 125 Main Street in Forest City, North Carolina, as the ''Vernon Tarlton Post Office Building''.

H.R. 3379. An act to designate the facility of the United States Postal Service located at 375 Carlls Path in Deer Park, New York, as the ''Raymond M. Downey Post Office Building''.

BILLS PRESENTED TO THE PRESIDENT

Jeff Trandahl, Clerk of the House reports that on March 25, 2002 he presented to the President of the United States, for his approval, the following bills.

H.R. 1499. To amend the District of Columbia College Access Act of 1999 to permit individuals who enroll in an institution of higher education more than 3 years after graduating from a secondary school and individuals who attend private historically black colleges and universities nationwide to participate in the tuition assistance programs under such Act, and for other purposes.

H.R. 2739. To amend Public Law 107–10 to authorize a United States plan to endorse and obtain observer status for Taiwan at the annual summit of the World Health Assembly in May 2002 in Geneva, Switzerland, and for other purposes.

H.R. 3985. To amend the Act entitled ''An Act to authorize the leasing of restricted Indian lands for public, religious, educational, recreational, residential, business, and other purposes requiring the grant of long-term leases'', approved August 9, 1955 to provide for binding arbitration clauses in leases and contracts related to reservation lands of the Gila River Indian Community.

H.R. 3986. To extend the period 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.

Jeff Trandahl, Clerk of the House reports that on March 26, 2002 he presented to the President of the United States, for his approval, the following bills.

H.R. 2356. To amend the Federal Election Campaign Act of 1971 to provide bipartisan campaign reform.

ADJOURNMENT

Mr. KINGSTON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 55 minutes p.m.), the House adjourned until tomorrow, Wednesday, April 10, 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:

6019. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule—Regulations Governing the California Prune/ Plum (Tree Removal) Diversion Program [Docket No. FV01–81–01 FR] (RIN: 0581–AC03) received March 15, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6020. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule—Grapes Grown in a Designated Area of Southeastern California; Increased Assessment Rate [Docket No. FV02–925–1 FR] received March 12, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6021. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule—Onions Grown in South Texas; Increased Assessment Rate [Docket No. FV02–959–1 FR] received March 12, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6022. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule—Melons Grown in South Texas; Increased Assessment Rate [Docket No. FV02–979–1 FR] received March 15, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6023. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule—Nectarines and Peaches Grown in California; Revision of Reporting Requirements for Fresh Nectarines and Peaches [Docket No. FV01–916–3 FIR] received March 15, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6024. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule—Kiwifruit Grown in California; Relaxation of Pack Requirements [Docket No. FV02–920–1 FIR] received March 15, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6025. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule—Hazelnuts Grown in Oregon and Washington; Establishment of Interim Final and Final Free and Restricted Percentages for the 2001–2002 Marketing Year [Docket No. FV02–982–1 IFR] received March 15, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6026. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule—Raisins Produced From Grapes Grown in California; Reduction in Production Cap for 2002 Diversion Program [Docket No. FV02–989–2 IFR] received March 15, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6027. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule—Beef Promotion and Research; Reapportionment [Docket No. LS–01–05] received March 15, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6028. A letter from the Regulatory Contact, Department of Agriculture, transmitting the Department's final rule—Fees for Official Inspection and Official Weighing Services [Docket No. FGIS–2001–003a] (RIN: 0580–AA79) received March 18, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6029. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule—Hazelnuts Grown in Oregon and Washington; Establishment of Interim and Final Free and Restricted Percentages for the 2000–2001 Marketing Year [Docket No. FV01–982–1 FIR] received March 13, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6030. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule—Oranges, Grapefruit, Tangerines and Tangelos Grown in Florida; Decreased Assessment Rate [Docket No. FV01–905–3 FIR] received March 13, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6031. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule—Tomatoes Grown in Florida; Decreased Assessment Rate [Docket No. FV01–966–2 FIR] received March 13, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6032. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule—Rules of Practice [AMS–02–001] received March 13, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6033. A communication from the President of the United States, transmitting requests to make available previously appropriated contingent emergency funds for the Department of Agriculture and a request to transfer previously appropriated funds from the Emergency Response Fund to the General Services Administration, pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 and in accordance with provisions of Public Law 107–38; (H. Doc. No. 107–194); to the Committee on Appropriations and ordered to be printed.

6034. A communication from the President of the United States, transmitting requests for emergency FY 2002 emergency supplemental appropriations, pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985; (H. Doc. No. 107–195); to the Committee on Appropriations and ordered to be printed.

6035. A letter from the Assistant Secretary, Department of Defense, transmitting a letter regarding Section 361 of the National Defense Authorization Act for Fiscal Year 1997 which authorized the Military Services to expend appropriated funds for recruiting functions, pursuant to Public Law 104–201, section 361(a) (110 Stat. 2491); to the Committee on Armed Services.

6036. A letter from the Under Secretary of Defense, Department of Defense, transmitting the Selected Acquisition Reports (SARS) for the quarter ending December 2001, pursuant to 10 U.S.C. 2432; to the Committee on Armed Services.

6037. A letter from the Assistant to the Board, Board of Governors of the Federal Reserve System, transmitting the Board's final rule—Risk-Based Capital Standards: Claims on Securities Firms [Regulations H and Y; Docket No. R–1085] received April 3, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

6038. A letter from the Assistant Secretary, Pension and Welfare Benefits Administration, Department of Labor, transmitting the Department's final rule—Delinquent Filer Voluntary Compliance Program (RIN: 1210–AA86) received April 3, 2002; to the Committee on Education and the Workforce.

6039. A letter from the Assistant Secretary, Pension and Welfare Benefits Administration, Department of Labor, transmitting the Department's final rule—Adoption of Voluntary Fiduciary Correction Program (RIN: 1210–AA76) received April 3, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

6040. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—National Emission Standards for Hazardous Air Pollutants for Petroleum Refineries: Catalytic Cracking Units, Catalytic Reforming Units, and Sulfur Recovery Units [FRL–7163–7] (RIN: 2060–AF28) received March 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6041. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—National Emission Standards for Hazardous Air Pollutants for Wet-Formed Fiberglass Mat Production [FRL–7163–3] (RIN: 2060–AH89) received March 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6042. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—National Emission Standards for Hazardous Air Pollutants From the Portland Cement Manufacturing Industry [FRL–7168–1] (RIN: 2060–AE78) received April 3, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6043. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule—List of Approved Spent Fuel Storage Casks: HI-STORM 100 Revision (RIN: 3150–AG97) received March 27, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6044. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule—Operator License Eligibility and Use of Simulation Facilities in Operator Licensing (RIN: 3150–AG40) received March 19, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6045. A letter from the Governor and Secretary of State, Office of the Governor, Carson City, Nevada, transmitting a Notice of Disapproval of the site designation of Yucca Mountain in Nevada as the nation's high level nuclear waste repository; to the Committee on Energy and Commerce.

6046. A communication from the President of the United States, transmitting a 6-month periodic report on the national emergency with respect to persons who commit, threaten to commit, or support terrorism that was declared in Executive Order 13224 of September 23, 2001, pursuant to 50 U.S.C. 1641(c) and 50 U.S.C. 1703(c); (H. Doc. No. 107–192); to the Committee on International Relations and ordered to be printed.

6047. A letter from the Director, Defense Security Cooperation Agency, Department of Defense, transmitting the listing of all outstanding Letters of Offer to sell any major defense equipment for $1 million or more; the listing of all Letters of Offer that were accepted, as of December 31, 2001, pursuant to 22 U.S.C. 2776(a); to the Committee on International Relations.

6048. A communication from the President of the United States, transmitting a report, consistent with the War Powers Resolution and Public Law 107–40, to help ensure that the Congress is kept informed on the status of United States efforts in the global war on terrorism; (H. Doc. No. 107–193); to the Committee on International Relations and ordered to be printed.

6049. A letter from the Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule—License Exception CIV Eligibility for Certain ''Microprocessors'' Controlled by ECCN 3A001 [Docket No. 020308050–2050–01] (RIN: 0694–AC59) received March 20, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

6050. A letter from the Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule—Revisions and Clarifications to the Export Administration Regulations: Czech Republic, Hungary and Poland [Docket No. 020215031–2031–01] (RIN: 0694–AC53) received March 12, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

6051. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the redesignation as ''foreign terrorist organizations'' pursuant to Section 219 of the Immigration and Nationality Act , as added by the Antiterrorism and Effective Death Penalty Act of 1996, and amended by the Illegal Immigration Reform and Immigrant Responsibility Act of 1996; to the Committee on International Relations.

6052. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–312, ''Sidewalk and Curbing Assessment Amendment Act of 2002'' received April 8, 2002, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

6053. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–320, ''Mandarin Oriental Hotel Project Tax Deferral Temporary Act of 2002'' received April 8, 2002, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

6054. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–319, ''Education and Examination Exemption for Respiratory Care Practitioners Temporary Amendment Act of 2002'' received April 8, 2002, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

6055. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–318, ''Interim Disability Assistance Temporary Amendment Act of 2002'' received April 8, 2002, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

6056. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–317, ''Emergency Management Assistance Compact Temporary Act of 2002'' received April 8, 2002, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

6057. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–316, ''Tax Increment Financing Temporary Amendment Act of 2002'' received April 8, 2002, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

6058. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–315, ''Rehabilitation Services Program Establishment Temporary Act of 2002'' received April 8, 2002, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

6059. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–313, ''Department of Transportation Establishment Act of 2002'' received April 8, 2002, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

6060. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–311, ''Misdemeanor Jury Trial Act of 2002'' received April 8, 2002, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

6061. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–321, ''Tax Increment Financing Amendment Act of 2002'' received April 9, 2002, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

6062. A letter from the Under Secretary, Research, Education, and Economics, Department of Agriculture, transmitting the Department's final rule—Availability of Information—received March 18, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

6063. A letter from the White House Liaison, Department of Education, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

6064. A letter from the White House Liaison, Department of Education, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

6065. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule—Pay for Administrative Appeals Judge Positions (RIN: 3206–AJ44) received March 18, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

6066. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule—Reasonable Accommodation Requirements in Vacancy Announcements (RIN: 3206–AJ11) received March 18, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

6067. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule—Cost-of-Living Allowances (Nonforeign Areas); Commissary/Exchange Rates; Survey Frequency; Gradual Reductions (RIN: 3206–AJ40) received March 18, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

6068. A letter from the Chief Judge, Superior Court of the District of Columbia, transmitting the Family Court Transition Plan; to the Committee on Government Reform.

6069. A letter from the Director, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule—Endangered and Threatened Wildlife and

Plants: Listing the Desert Yellowhead as Threatened (RIN: 1018–AI35) received March 18, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

6070. A letter from the Deputy Assistant Administrator for Ocean Services and Coastal Zone Management, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Announcement of Funding Opportunity to Submit Proposals for the Coral Reef Ecosystem Studies (CRES–2002) [Docket No. 001102309–2028–02; I.D. 010802D] received March 18, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

6071. A letter from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Magnuson-Stevens Act Provisions; Fisheries off West Coast States and in the Western Pacific; Pacific Coast Groundfish Fishery; Groundfish Fishery Management Measures [Docket No. 011231309–1309–01; I.D. 121301B] (RIN: 0648–AO69) received March 18, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

6072. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone off Alaska; Atka Mackerel Platoons in Areas 542 and 543 [Docket No. 011218304–1304–01; I.D. 011702B] received April 3, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

6073. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Atka Mackerel in the Bering Sea and Aleutian Islands [Docket No. 011218304–1304–01; I.D. 011702] received April 3, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

6074. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's final rule—Documentation of Nonimmigrants Under the Immigration and Nationality Act, as Amended: International Organizations—received March 15, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

6075. A letter from the Secretary, Federal Trade Commission, transmitting the Commission's final rule—Premerger Notification; Reporting and Waiting Period Requirements—received March 14, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

6076. A letter from the Director, Office of Government Ethics, transmitting the Office's final rule—Exemption Amendments Under 18 U.S.C. 208(b)(2) (RIN: 3209–AA09) received March 14, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

6077. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Security Zone; Ohio River Mile 119.0 to 119. 8, Natrium, West Virginia [COTP Pittsburgh-02–001] (RIN: 2115–AA97) received March 14, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6078. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Security Zone; Chevron Multi-Point Mooring, Barbers Point Coast, Honolulu, HI [COTP Honolulu 01–005] (RIN: 2115–AA97) received March 14, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6079. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations: Norwalk River, CT [CGD01–02–017] received March 14, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6080. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations: Harlem River, NY [CGD01–02–007] (RIN: 2115–AE47) received March 14, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6081. A letter from the Chief, Regulations and Administrative Law, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations: Saugatuck River, CT [CGD01–02–010] received March 14, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6082. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations: Hampton River, NH [CGD01–02–019] received March 14, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6083. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Security Zone; Missouri River, Mile Marker 532.9 to 532.5, Brownville, Nebraska [COTP St. Louis-02–002] (RIN: 2115–AA97) received March 14, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6084. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Security Zone; Missouri River, Mile Marker 646.0 to 645.6, Fort Calhoun, Nebraska [COTP St. Louis-02–001] (RIN: 2115–AA97) received March 14, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6085. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Security Zones; Port of Tampa, Tampa Florida [COTP TAMPA 01–097] (RIN: 2115–AA97) received March 14, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6086. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Security Zone; Port of Charleston, South Carolina [COTP Charleston-01–145] (RIN: 2115–AA97) received March 14, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6087. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Security Zone; Ohio River Mile 34.6 to 35.1, Shippingport, Pennsylvania [COTP Pittsburgh-02–002] (RIN: 2115–AA97) received March 14, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6088. A letter from the Deputy Chief Counsel, Department of Transportation, transmitting the Department's final rule—Eligibility of U.S.-Flag Vessels of 100 Feet or Greater in Registered Length to Obtain a Fishery Endorsement to the Vessel's Documentation [Docket No. MARAD–2001–10518] (RIN: 2133–AB45) received March 12, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6089. A letter from the Regulations Officer, FMCSA, Department of Transportation, transmitting the Department's final rule—Motor Carrier Identification Report [Docket No. FMCSA–00–8209] (RIN: 2126–AA57) received March 12, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6090. A letter from the Chief Counsel, Department of Transportation, transmitting the Department's final rule—Seaway Regulations and Rules: Ballest Water [Docket No. SLSDC 2002–11358] (RIN: 2135–AA13) received March 12, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6091. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations: Jamaica Bay and connecting waterways, NY [CGD01–02–012] (RIN: 2115–AE47) received March 14, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6092. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations: Jamaica Bay and connecting waterways, NY [CGD01–02–011] (RIN: 2115–AE47) received March 14, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6093. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations: Hackensack River NJ [CGD01–02–018] received March 14, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6094. A letter from the Chief, Regulations and Administrative Law, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Taunton River, Ma [CGD01–02–035] received April 3, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6095. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Security Zone; Operation Native Atlas 2002, Waters adjacent to Camp Pendleton, California [COTP San Diego 02–004] (RIN: 2115–AA97) received April 3, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6096. A letter from the Chief, Regulations and Administrative Law, Department of Transportation, transmitting the Department's final rule—Security Zone; Corpus Christi Inner Harbor, Corpus Christi, Texas [COTP Corpus Christi 02–001] (RIN: 2115–AA97) received April 3, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6097. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Long Beach, CA [COTP Los Angeles-Long Beach 02–003] (RIN: 2115–AA97) received April 3, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6098. A letter from the Regulations Officer, FHWA, Department of Transportation, transmitting the Department's final rule—Procedures for Abatement of Highway Traffic Noise and Construction Noise [FHWA Docket No. FHWA–2000–8056] (RIN: 2125–AE80) received April 3, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6099. A letter from the Deputy Assistant Chief Counsel for Safety, FRA, Department

of Transportation, transmitting the Department's final rule—Locomotive Cab Sanitation Standards [Docket No. FRA 2000–8545, Notice No. 3] (RIN: 2130–AA89) received April 8, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6100. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations: Hackensack River, NJ [CGD01–02–030] received April 3, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6101. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Special Local Regulations for Marine Events; St. Mary's River, St. Mary's City, MD [CGD05–02–003] (RIN: 2115–AE46) received April 3, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6102. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Ouzinkie Harbor, Ouzinkie, AK [COTP Western Alaska 02–003] (RIN: 2115–AA97) received April 3, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6103. A letter from the Regulations Officer, FMCSA, Department of Transportation, transmitting the Department's final rule—Revision of Regulations and Application Form for Mexico-Domiciled Motor Carriers To Operate in United States Municipalities and Commercial Zones on the United States-Mexico Border [Docket No. FMCSA–98–3297] (RIN: 2126–AA33) received March 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6104. A letter from the Trial Attorney, FRA, Department of Transportation, transmitting the Department's final rule—Brake System Safety Standards for Freight and Other Non-Passenger Trains and Equipment; End-of-Train Devices [FRA Docket No. PB–9; Notice No. 21] (RIN: 2130–AB52) received April 8, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6105. A letter from the Regulations Officer, FMCSA, Department of Transportation, transmitting the Department's final rule—Application by Certain Mexico-Domiciled Motor Carriers To Operate Beyond United States Municipalities and Commercial Zones on the United States-Mexico Border [Docket No. FMCSA–98–3298] (RIN: 2126–AA34) received March 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6106. A letter from the Regulations Officer, FHWA, Department of Transportation, transmitting the Department's final rule—Truck Length and Width Exclusive Devices [FHWA Docket No. 1997–2234 (formerly 87–5 and 89–12)] (RIN: 2125–AC30) received April 3, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6107. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Notice of Availability of Grants for Development of Coastal Recreation Water Monitoring and Public Notification under the Beaches Environmental Assessment and Coastal Health Act [OW-FRL–7161–5] received March 18, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6108. A letter from the Acting Director, Office of Regulatory Law, Department of Veterans' Affairs, transmitting the Department's final rule—Information Collection Needed in VA's Flight-Training Programs (RIN: 2900–AJ23) received March 18, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

6109. A letter from the Secretary, Department of the Treasury, transmitting notification of the Secretary's determination that by reason of the public debt limit, the Secretary will be unable to fully comply with the requirements of section 8438(e) of title 5, United States Code, beginning on April 4, 2002 and ending on April 18, 2002, pursuant to 5 U.S.C. 8438(h)(2); to the Committee on Ways and Means.

6110. A letter from the Board of Trustees, Federal Old-Age And Survivors Insurance And Disability Insurance Trust Funds, transmitting the 2002 Annual Report of the Board of Trustees of the Federal Old-Age and Survivors Insurance and the Federal Disability Insurance Trust Funds, pursuant to 42 U.S.C. 401(c)(2), 1395i(b)(2), and 1395t(b)(2); (H. Doc. No. 107–196); to the Committee on Ways and Means and ordered to be printed.

6111. A letter from the Chief, Regulations Branch, Department of the Treasury, transmitting the Department's final rule—Payment of Duties on Certain Steel Products [T.D. 02–12] (RIN: 1515–AD07) received March 18, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6112. A letter from the Chief, Regulations Branch, Department of the Treasury, transmitting the Department's final rule—Drawback; Conforming Amendments (RIN: 1515–AD00) received April 3, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6113. A letter from the Acting Chief, Regulations Branch, Department of the Treasury, transmitting the Department's final rule—North American Free Trade Agreement (RIN: 1515–AD08) received April 3, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6114. A letter from the Chief, Regulation Unit, Internal Revenue Service, transmitting the Service's final rule—Weighted Average Interest Rate Update—received April 3, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6115. A letter from the Regulations Officer, Social Security Administration, transmitting the Administration's final rule—Determining Income Under the Supplemental Security Income Program; Student Child Earned Income Exclusion (RIN: 0960–AF60) received March 12, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6116. A letter from the Board Of Trustees, Federal Hospital Insurance and Federal Supplementary Medical Insurance Trust Funds, transmitting the 2002 Annual Report of the Boards of Trustees of the Federal Hospital Insurance and Federal Supplementary Medical Insurance Trust Funds, pursuant to 42 U.S.C. 401(c)(2), 1395i(b)(2), and 1395t(b)(2); (H. Doc. No. 107–197); jointly to the Committees on Ways and Means and Energy and Commerce, and ordered to be printed.

6117. A letter from the Regulations Coordinator, Department of Health and Human Services, transmitting the Department's final rule—Medicare and Federal Health Care Programs: Fraud and Abuse; Revisions and Technical Corrections (RIN: 0991–AB09) received March 18, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Energy and Commerce.

6118. A letter from the Regulations Coordinator, Department of Health and Human Services, transmitting the Department's ''Major'' final rule—Medicare Program; Modifications to Managed Care Rules Based on Payment Provisions of the Medicare, Medicaid, and SCHIP Benefits Improvement and Protection Act of 2000, and Technical Corrections [CMS–1181–F] (RIN: 0938–AK90) received April 3, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Energy and Commerce.

6119. A letter from the Secretary, Department of Health and Human Services, transmitting a study performed on the appropriateness of establishing minimum staffing ratios in nursing homes, as required by the Omnibus Budget Reconciliation Act of 1990; jointly to the Committees on Ways and Means and Energy and Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

[Pursuant to the order of the House on March 20, 2002 the following report was filed on April 4, 2002]

Mr. BOEHNER: Committee on Education and the Workforce. H.R. 3762. 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 beneficaries in individual account plans from excessive investment in employer securities and to promote the provision of retirement investment advice to workers managing their retirement income assets, and to amend the Securities Exchange Act of 1934 to prohibit insider trades during any suspension of the ability of plan participants or beneficaries to direct investment away from equity securities of the plan sponsor; with an amendment (Rept. 107–383, Pt. 1). Ordered to be printed.

[Filed on April 9, 2002]

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 3925. A bill to establish an exchange program between the Federal Government and the private sector in order to promote the development of expertise in information technology management, and for other purposes; with amendments (Rept. 107–379 Pt. 2).

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 3297. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to ensure that chaplains killed in the line of duty receive public safety officer death benefits; with an amendment (Rept. 107–384). Referred to the Committee of the Whole House on the State of the Union.

Mr. HANSEN: Committee on Resources. H.R. 3848. A bill to provide funds for the construction of recreational and visitor facilities in Washington County, Utah, and for other purposes (Rept. 107–385). Referred to the Committee of the Whole House on the State of the Union.

Mr. HANSEN: Committee on Resources. H.R. 3958. A bill to provide a mechanism for the settlement of claims of the State of Utah regarding portions of the Bear River Migratory Bird Refuge located on the shore of the Great Salt Lake, Utah; with an amendment (Rept. 1207–386). Referred to the Committee of the Whole House on the State of the Union.

Mr. HANSEN: Committee on Resources. H.R. 2937. A bill to provide for the conveyance of certain public land in Clark County, Nevada, for use as a shooting range; with an amendment (Rept. 107–387). Referred to the Committee of the Whole House on the State of the Union.

Mr. HANSEN: Committee on Resources. H.R. 3480. A bill to promote Department of the Interior efforts to provide a scientific basis for the management of sediment and nutrient loss in the Upper Mississippi River

Basin (Rept. 107–388). Referred to the Committee of the Whole House on the State of the Union.

Mr. HANSEN: Committee on Resources. H.R. 3853. A bill to make technical corrections to laws passed by the 106th Congress related to parks and public lands, and for other purposes; with an amendment (Rept. 107–389). Referred to the Committee of the whole House on the State of the Union.

Mr. HANSEN: Committee on Resources. H.R. 2109. A bill to authorize the Secretary of the Interior to conduct a special resource study of Virginia Key Beach, Florida, for possible inclusion in the National Park System; with amendments (Rept. 107–390). Referred to the Committee of the Whole House on the State of the Union.

Mr. HANSEN: Committee on Resources. H.R. 3425. A bill to direct the Secretary of the Interior to study the suitability and feasibility of establishing Highway 49 in California, known as the ''Golden Chain Highway'', as a National Heritage Corridor; with an amendment (Rept. 107–391). Referred to the Committee of the Whole House on the State of the Union.

Mr. HANSEN: Committee on Resources. H.R. 3909. A bill to designate certain Federal lands in the State of Utah as the Gunn McKay Nature Preserve, and for other purposes (Rept. 107–392). Referred to the Committee of the Whole House on the State of the Union.

Mrs. MYRICK: Committee on Rules. House Resolution 380. Resolution providing for consideration of the bill (H.R. 3925) to establish an exchange program between the Federal Government and the private sector in order to promote the development of expertise in information technology management, and for other purposes (Rept. 107–393). Referred to the House Calendar.

Mr. THOMAS: Committee on Ways and Means. H.R. 3991. A bill to amend the Internal Revenue Code of 1986 to protect taxpayers and ensure accountability of the Internal Revenue Service; with an amendment (Rept. 107–394). Referred to the Committee of the Whole House on the State of the Union.

DISCHARGE OF COMMITTEE

[The following action occurred on March 29, 2002]

Pursuant to clause 2 of rule XII the Committee on the Judiciary discharged from further consideration. H.R. 556 referred to the Committee of the Whole House on the State of the Union.

Pursuant to clause 2 of rule XII the Committee on Armed Services discharged from further consideration. H.R. 2481 referred to the Committee of the Whole House on the State of the Union.

[The following action occurred April 9, 2002]

Pursuant to clause 2 of rule XII the Committee on Education and the Workforce discharged from further consideration. H.R. 3669 referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

Pursuant to clause 2 of rule XII the Committees on Ways and Means and Financial Services discharged from further consideration. H.R. 3762 referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

Pursuant to clause 2 of rule XII the Committee on Ways and Means discharged from further consideration. H.R. 3925 referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

TIME LIMITATION OF REFERRED BILL

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

[The following action occurred on April 4, 2002]

H.R. 3762. Referred to the Committees on Ways and Means and Financial Services extended for a period ending not later than April 9, 2002.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. LAFALCE (for himself, Mr. FRANK, Mr. KANJORSKI, Mr. SANDERS, Mrs. MALONEY of New York, Mr. GUTIERREZ, Ms. SCHAKOWSKY, Mrs. JONES of Ohio, Mr. CLAY, Mr. DINGELL, Ms. DELAURO, and Mr. GEORGE MILLER of California):

H.R. 4083. A bill to provide for enhanced corporate responsibility under the securities laws; to the Committee on Financial Services.

By Ms. RIVERS:

H.R. 4084. A bill to amend the Securities Exchange Act of 1934 to prohibit certain employees and shareholders from obtaining special loans, and for other purposes; to the Committee on Financial Services.

By Mr. SMITH of New Jersey (for himself, Mr. EVANS, Mr. SIMPSON, and Mr. REYES):

H.R. 4085. A bill to increase, effective as of December 1, 2002, the rates of disablity compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for survivors of certain service-connected disabled veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. WILSON of South Carolina:

H.R. 4086. A bill to amend the Public Health Service Act to authorize grants to carry out programs to improve recovery rates for organs in eligible hospitals; to the Committee on Energy and Commerce.

By Mr. MANZULLO (for himself, Ms. VELAZQUEZ, Mr. PORTMAN, Mr. PENCE, Mr. TERRY, Mr. BARTLETT of Maryland, Mr. COMBEST, Mrs. CHRISTENSEN, and Mr. ACEVEDO-VILA):

H.R. 4087. A bill to amend the Internal Revenue Code of 1986 to provide for an increase in expensing under section 179; to the Committee on Ways and Means.

By Mr. SKELTON (for himself and Mrs. TAUSCHER):

H.R. 4088. A bill to authorize the appropriation of the $10,000,000,000 reserve fund within the national defense budget function for activities to prosecute the war on terrorism; to the Committee on Armed Services.

By Ms. SOLIS (for herself, Ms. LEE, Ms. BROWN of Florida, Mr. CONYERS, Ms. MCCOLLUM, Ms. WATSON, Mr. FROST, Ms. KILPATRICK, Ms. BALDWIN, Ms. CARSON of Indiana, Mr. UNDERWOOD, Mrs. CAPPS, Mr. PALLONE, Mr. GEORGE MILLER of California, Mr. HINOJOSA, Mr. GONZALEZ, Mr. PASTOR, Ms. SCHAKOWSKY, Mr. STARK, Mrs. MINK of Hawaii, Mrs. NAPOLITANO, Ms. MILLENDER-MCDONALD, Ms. DELAURO, Mrs. MEEK of Florida, Mr. BACA, Mr. LANTOS, Mr. SANDERS, Mr. CUMMINGS, Mr. HONDA, Mr. KUCINICH, Mr. SERRANO, Ms. WOOLSEY, and Mr. FARR of California):

H.R. 4089. A bill to provide grants for public information campaigns to educate racial and ethnic minorities about domestic violence; to the Committee on the Judiciary.

By Mr. HERGER (for himself, Mr. SHAW, Mr. WATKINS, Mr. MCCRERY, Mr. ENGLISH, Mr. LEWIS of Kentucky, Ms. DUNN, Mr. PORTMAN, Mr. BRADY of Texas, Mr. CAMP, Mr. MCINNIS, and Mrs. JOHNSON of Connecticut):

H.R. 4090. A bill to reauthorize and improve the program of block grants to States for temporary assistance for needy families, and for other purposes; to the Committee on Ways and Means.

By Ms. SOLIS (for herself, Ms. LEE, Ms. BROWN of Florida, Mr. LANTOS, Mrs. JONES of Ohio, Mr. CONYERS, Ms. WATSON, Mr. FROST, Ms. KILPATRICK, Ms. CARSON of Indiana, Mr. UNDERWOOD, Mrs. CAPPS, Mr. PALLONE, Mr. GEORGE MILLER of California, Mr. HINOJOSA, Mr. GONZALEZ, Mr. PASTOR, Ms. SCHAKOWSKY, Mr. STARK, Mrs. MINK of Hawaii, Mrs. NAPOLITANO, Ms. MILLENDER-MCDONALD, Ms. DELAURO, Mrs. MEEK of Florida, Mr. BACA, Mr. SANDERS, Mr. CUMMINGS, Mr. HONDA, Mr. KUCINICH, Mr. SERRANO, and Ms. WOOLSEY):

H.R. 4091. A bill to authorize the establishment of domestic violence court systems from amounts available for grants to combat violence against women; to the Committee on the Judiciary.

By Mr. MCKEON (for himself, Mr. BOEHNER, Mr. PETRI, Mr. HOEKSTRA, Mr. GREENWOOD, Mr. UPTON, Mr. TANCREDO, Mr. DEMINT, Mr. ISAKSON, Mr. KELLER, and Mr. CULBERSON):

H.R. 4092. A bill to enhance the opportunities of needy families to achieve self-sufficiency and access quality child care, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ACEVEDO-VILA:

H.R. 4093. A bill to amend title 10, United States Code, to repeal limitations on the eligibility of dependents of civilian employees of the Federal Government residing in a territory, commonwealth, or possession of the United States to enroll in Department of Defense domestic dependent elementary and secondary schools; to the Committee on Armed Services.

By Mr. CARDIN:

H.R. 4094. A bill to reduce temporarily the duty on cis, trans-3-(2-chloro-3,3,3 triflouro-1-propenyl)-2,2-dimethyl-cyclopropane carboxylic acid; to the Committee on Ways and Means.

By Mr. CARDIN:

H.R. 4095. A bill to suspend temporarily the duty on 2-chlorobenzyl chloride; to the Committee on Ways and Means.

By Mr. CARDIN:

H.R. 4096. A bill to suspend temporarily the duty on (S)-Alpha-hydroxy-3-phenoxybenzeneacetonitrile; to the Committee on Ways and Means.

By Mr. CARDIN:

H.R. 4097. A bill to suspend temporarily the duty on 4-Pentenoic acid, 3,3-dimethyl-, methyl ester; to the Committee on Ways and Means.

By Mr. CONYERS (for himself, Mr. FRANK, Mr. BERMAN, Ms. JACKSON-LEE of Texas, Ms. WATERS, Mr. GEPHARDT, Mr. LAFALCE, Mr. ENGEL, Mr. DINGELL, Mr. JACKSON of Illinois,

Mrs. CHRISTENSEN, Mr. DAVIS of Illinois, Mr. CUMMINGS, Mr. SANDERS, Ms. SOLIS, Mrs. CLAYTON, Ms. BROWN of Florida, Mr. LYNCH, Mr. HOEFFEL, Mr. GUTIERREZ, and Ms. SCHAKOWSKY):

H.R. 4098. A bill to provide for criminal prosecution of persons who alter or destroy evidence in certain Federal investigations or defraud investors of publicly traded securities, to disallow debts incurred in violation of securities fraud laws from being discharged in bankruptcy, to protect whistleblowers against retaliation by their employers, and for other purposes; to the Committee on the Judiciary.

By Mr. CRANE (for himself, Mr. JEFFERSON, and Mr. LEWIS of Kentucky):

H.R. 4099. A bill to amend the Internal Revenue Code of 1986 to clarify the status of employee leasing organizations and to promote and protect the interests of employee leasing organizations, their customers, and workers; to the Committee on Ways and Means.

By Mr. CROWLEY (for himself, Mr. GORDON, Mr. FROST, Ms. LEE, Mr. HINCHEY, Mr. LANGEVIN, Mrs. JONES of Ohio, and Ms. NORTON):

H.R. 4100. A bill to establish the National Vaccine Authority within the Department of Health and Human Services; to the Committee on Energy and Commerce.

By Mr. CROWLEY (for himself, Mr. WEXLER, Mr. GEORGE MILLER of California, Mr. ENGEL, Mr. MORAN of Virginia, Mr. CAPUANO, Mr. MCGOVERN, Mrs. MCCARTHY of New York, Mr. BLAGOJEVICH, Mr. CLAY, and Ms. WOOLSEY):

H.R. 4101. A bill to amend title 18, United States Code, to require firearms, ammunition, and explosives purchases to be made in person and to require records to be kept of the means by which the purchases are made; to the Committee on the Judiciary.

By Mr. GIBBONS:

H.R. 4102. A bill to designate the facility of the United States Postal Service located at 120 North Maine Street in Fallon, Nevada, as the ''Rollan D. Melton Post Office Building''; to the Committee on Government Reform.

By Mr. HANSEN (for himself, Mr. MATHESON, Mr. CANNON, Mr. FALEOMAVAEGA, Mr. DOOLITTLE, Mr. HERGER, and Mr. FLAKE):

H.R. 4103. A bill to direct the Secretary of the Interior to transfer certain public lands in Natrona County, Wyoming, to the Corporation of the Presiding Bishop, and for other purposes; to the Committee on Resources.

By Mr. HILL (for himself, Mr. MATSUI, Mr. RANGEL, Mr. LEVIN, Mr. STENHOLM, Mrs. TAUSCHER, Mr. TANNER, Mr. BENTSEN, Mr. DOOLEY of California, and Mr. JEFFERSON):

H.R. 4104. A bill to provide for the creation of private-sector-led Community Workforce Partnerships, and for other purposes; to the Committee on Education and the Workforce.

By Mrs. JOHNSON of Connecticut:

H.R. 4105. A bill to suspend until December 31, 2005, the duty on Terrazole; to the Committee on Ways and Means.

By Mrs. JOHNSON of Connecticut:

H.R. 4106. A bill to suspend until December 31, 2005, the duty on 2-Mercaptoethanol; to the Committee on Ways and Means.

By Mrs. JOHNSON of Connecticut:

H.R. 4107. A bill to suspend until December 31, 2005, the duty on Bifenazate; to the Committee on Ways and Means.

By Mr. KOLBE (for himself and Mr. FLAKE):

H.R. 4108. A bill to amend the Immigration and Nationality Act to improve the administrative structure for carrying out the immigration laws; to the Committee on the Judiciary.

By Mr. LANGEVIN:

H.R. 4109. A bill to provide for the reliquidation of certain entries; to the Committee on Ways and Means.

By Mr. MATSUI:

H.R. 4110. A bill to extend the temporary suspension of duty on an ultraviolet dye; to the Committee on Ways and Means.

By Mr. MCINNIS:

H.R. 4111. A bill to amend the National Trails System Act to designate the Old Spanish Trail as a National Historic Trail; to the Committee on Resources.

By Mr. MCINNIS:

H.R. 4112. A bill to amend title XVIII of the Social Security Act to protect and preserve access of Medicare beneficiaries to health care in rural areas; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MORELLA (for herself, Mr. GREENWOOD, Ms. SLAUGHTER, and Ms. DEGETTE):

H.R. 4113. A bill to provide for the provision by hospitals of emergency contraceptives to women who are survivors of sexual assault; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MORELLA (for herself and Mrs. LOWEY):

H.R. 4114. A bill to increase the United States financial and programmatic contributions to advancing the status of women and girls in low-income countries around the world, and for other purposes; to the Committee on International Relations, and in addition to the Committees on Ways and Means, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PALLONE (for himself and Mr. LOBIONDO):

H.R. 4115. A bill to authorize the Secretary of the Interior to establish a program to inventory, evaluate, document, and assist efforts to preserve surviving United States Life-Saving Service stations; to the Committee on Resources.

By Mr. PETERSON of Minnesota:

H.R. 4116. A bill to require the Secretary of Agriculture to use funds of the Commodity Credit Corporation to provide emergency financial assistance to agricultural producers that have incurred income losses in calendar year 2001; to the Committee on Agriculture.

By Mr. RAMSTAD:

H.R. 4117. A bill to suspend temporarily the duty on certain filter media; to the Committee on Ways and Means.

By Mr. RAMSTAD:

H.R. 4118. A bill to suspend temporarily the duty on a certain polymer; to the Committee on Ways and Means.

By Mr. RYUN of Kansas:

H.R. 4119. A bill to amend title 10, United States Code, to authorize a voluntary leave sharing program for members of the Armed Forces; to the Committee on Armed Services.

By Mr. SPRATT:

H.R. 4120. A bill to suspend temporarily the duty on para ethylphenol; to the Committee on Ways and Means.

By Mr. SPRATT (for himself, Mr. CLYBURN, Mr. DEMINT, Mr. BROWN of South Carolina, Mr. GRAHAM, and Mr. WILSON of South Carolina):

H.R. 4121. A bill to amend the Internal Revenue Code of 1986 to allow an additional advance refunding of tax-exempt bonds issued for the purchase or maintenance of electric generation, transmission, or distribution assets; to the Committee on Ways and Means.

By Mr. UPTON (for himself, Mr. HALL of Texas, Mr. TAUZIN, and Mr. BILIRAKIS):

H.R. 4122. A bill to amend title V of the Social Security Act to extend abstinence education funding under maternal and child health program through fiscal year 2007 and to amend title XIX of that Act to extend the authorization of transitional medical assistance for 1 year; to the Committee on Energy and Commerce.

By Ms. WATERS:

H.R. 4123. A bill to amend the Higher Education Act of 1965 to establish student loan forgiveness programs for adult education instructors; to the Committee on Education and the Workforce.

By Ms. WATERS:

H.R. 4124. A bill to amend title VI of the Civil Rights Act of 1964 to apply to that title a burden shifting rule currently applicable to title VII; to the Committee on the Judiciary.

By Mr. YOUNG of Alaska:

H. Con. Res. 370. Concurrent resolution expressing the sense of the Congress that the United States should promote and support the use of sound science in management decisions made by the International Whaling Commission and remain diligent in their efforts to protect the ability of Native people of the United States, who have been issued quotas by the International Whaling Commission, to continue to legally harvest whales, and for other purposes; to the Committee on International Relations.

By Mr. BURTON of Indiana (for himself and Mr. RANGEL):

H. Res. 377. A resolution recognizing the Ellis Island Medal of Honor and commending the National Ethnic Coalition of Organizations; to the Committee on Government Reform. considered and agreed to.

By Mr. NEY:

H. Res. 378. A resolution permitting official photographs of the House of Representatives to be taken while the House is in actual session; to the Committee on House Administration.

By Mr. GEKAS:

H. Res. 379. A resolution providing that certain actions should be taken with respect to the actions of OPEC and other oil-exporting countries, and with respect to decreasing the dependency of the United States on foreign sources of oil; to the Committee on International Relations, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SWEENEY:

H. Res. 381. A resolution expressing the sense of the House of Representatives that a day ought to be established to bring awareness to the issue of missing persons; to the Committee on Government Reform.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

209. The SPEAKER presented a memorial of the Senate of the State of Michigan, relative to Senate Resolution No. 109 memorializing the United States Congress to enact legislation to permit states to promote long-term care insurance under Medicaid; to the Committee on Energy and Commerce.

210. Also, a memorial of the General Assembly of the State of Vermont, relative to

Joint Senate Resolution No. 248 memorializing the United States Congress to exercise the maximum effort possible, in coordination with the international relief agencies, to assure delivery of vital food supplies to the millions of starving people in Afghanistan; to the Committee on International Relations.

211. Also, a memorial of the House of Representatives of the State of Hawaii, relative to House Concurrent Resolution No. 50 memorializing the United States Congress to support legislation to equalize reparations for Japanese of Latin American ancestry interned during World War II; to the Committee on the Judiciary.

212. Also, a memorial of the General Assembly of the State of California, relative to Assembly Joint Resolution No. 5 memorializing the President and Congress of the United States to fully fund the Coast Guard's operational readiness and recapitalization requirements to ensure this humanitarian arm of our National Security remains Semper Paratus through the 21st century; to the Committee on Transportation and Infrastructure.

213. Also, a memorial of the General Assembly of the State of California, relative to Assembly Joint Resolution No. 17 memorializing the President and Congress of the United States to urge the Congress of the United States to amend paragraph (4) of Section 143 (l) of the Internal Revenue Code of 1986 to read: ''(6) Qualified veteran—For purposes of this subsection, the term 'qualified veteran' means any veteran——(A) who meets such requirements as may be imposed by the State law pursuant to which qualified veterans' mortgage bonds are issued''; to the Committee on Ways and Means.

214. Also, a memorial of the General Assembly of the State of California, relative to Assembly Joint Resolution No. 15 memorializing the President and Congress of the United States and the United States Border Patrol to proceed in a cooperative effort with the Mexican government through the working group on migrations and border safety to achieve a comprehensive examination of border safety and migration issues, an assessment of the impact of United States border initiatives, enhanced investigations and prosecutions of criminal gangs of smugglers, and increasing search and rescue operations along the border; jointly to the Committees on International Relations and the Judiciary.

215. Also, a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 213 memorializing the Congress of the United States, the Department of Defense, and the Department of State to increase efforts to account fully for American military personnel missing in action in southeast Asia; jointly to the Committees on International Relations and Armed Services.

216. Also, a memorial of the House of Representatives of the State of Maine, relative to a Joint Resolution memorializing the United States Congress to honor Maine victims of the September 11th tragedy; jointly to the Committees on the Judiciary and International Relations.

217. Also, a memorial of the House of Representatives of the Commonwealth of Pennsylvania, relative to House Resolution No. 348 memorializing the United States Congress to help workers by considering the following provisions: extending federally funded unemployment compensation, where needed by 26 weeks; aiding workers by improving health care access by at least paying 75% of the COBRA health care costs and other health care assistance; aiding workers by fully funding targeted training and worker reemployment programs and taking such other actions to save personal homes and stabilize credit transactions; jointly to the Committees on Education and the Workforce, Energy and Commerce, and Ways and Means.

218. Also, a memorial of the Senate of the State of Louisiana, relative to Senate Concurrent Resolution No. 11 memorializing the United States Congress to express support and solidarity for actions taken as a result of the terrorist attacks launched against the United States on Tuesday, September 11, 2001; jointly to the Committees on the Judiciary, Armed Services, and Transportation and Infrastructure.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 122: Mr. KINGSTON, Mr. PENCE, Mrs. CAPITO, Ms. ROS-LEHTINEN, Mr. MICA, and Mr. GIBBONS.

H.R. 144: Mr. CUMMINGS, Mr. KILDEE, Mr. ENGEL, and Ms. KAPTUR.

H.R. 168: Ms. DUNN.

H.R. 183: Mr. HOLDEN.

H.R. 218: Mr. GANSKE.

H.R. 250: Mrs. CLAYTON.

H.R. 280 Mr. BOOZMAN.

H.R. 303: Mr. LUTHER.

H.R. 360: Mr. WAXMAN and Mr. ABERCROMBIE.

H.R. 448: Mr. DOOLITTLE.

H.R. 488: Ms. SCHAKOWSKY, Mr. LYNCH, and Ms. WATSON.

H.R. 519: Mr. BISHOP.

H.R. 527: Mrs. BIGGERT.

H.R. 572: Mr. BONILLA and Mr. GEKAS.

H.R. 599: Mr. GRUCCI.

H.R. 628: Mr. BOYD, Mr. CRENSHAW, Mrs. THURMAN, Mr. MICA, Mr. BILIRAKIS, Mr. YOUNG of Florida, Mr. DAVIS of Florida, Mr. DAN MILLER of Florida, Mr. GOSS, Mr. FOLEY, Mrs. MEEK of Florida, Ms. ROS-LEHTINEN, Mr. DEUTSCH, Mr. WEXLER, Mr. HASTINGS of Florida, and Mr. STEARNS.

H.R. 629: Mr. BOYD, Mr. CRENSHAW, Mrs. THURMAN, Mr. MICA, Mr. BILIRAKIS, Mr. YOUNG of Florida, Mr. DAVIS of Florida, Mr. DAN MILLER of Florida, Mr. GOSS, Mr. FOLEY, Mrs. MEEK of Florida, Ms. ROS-LEHTINEN, Mr. DEUTSCH, Mr. WEXLER, Mr. HASTINGS of Florida, and Mr. STEARNS.

H.R. 630: Ms. WATSON.

H.R. 632: Ms. JACKSON-LEE of Texas and Ms. WATSON.

H.R. 638: Mrs. MORELLA.

H.R. 745: Ms. MCCOLLUM.

H.R. 747: Mrs. NAPOLITANO.

H.R. 781: Mr. MATHESON.

H.R. 786: Mr. LaTourette and Ms. WATSON.

H.R. 817: Mr. CALVERT.

H.R. 827: Mr. BARCIA, Mrs. JOHNSON of Connecticut, Mr. GILMAN, Mr. ISRAEL, and Mr. SANDERS.

H.R. 831: Mr. GEKAS, Mr. JEFFERSON, Mr. HYDE, Mr. SAWYER, Mr. MICA, Mr. OTTER, Mr. GREENWOOD, Mr. WELDON of Florida, Mr. SMITH of New Jersey, and Mr. BAIRD.

H.R. 858: Mr. UDALL of Colorado.

H.R. 914: Mr. CANTOR.

H.R. 938: Ms. SLAUGHTER and Mr. HASTINGS of Florida.

H.R. 950: Mr. LEWIS of Kentucky.

H.R. 951: Mr. ORTIZ, Mr. DAVIS of Florida, Ms. DUNN, Mr. SKEEN, Mr. GREEN of Texas, Mr. SESSIONS, Mrs. CAPITO, Mr. WAMP, Ms. BROWN of Florida, Mr. HASTINGS of Florida, and Mr. DEFAZIO.

H.R. 952: Mr. GRAHAM.

H.R. 978: Mr. HONDA.

H.R. 1009: Mrs. KELLY.

H.R. 1043: Ms. WATSON.

H.R. 1111: Mr. ROTHMAN, Mr. LARSON of Connecticut, Mr. HOYER, and Mr. LANTOS.

H.R. 1177: Mr. GEKAS and Mr. PASCRELL.

H.R. 1181: Mr. FOLEY, Mr. HASTINGS of Washington, and Mr. LEACH.

H.R. 1184: Mr. NEAL of Massachusetts, Mr. FOSSELLA, and Mr. SNYDER.

H.R. 1213: Mr. HOBSON.

H.R. 1214: Mr. HOBSON.

H.R. 1255: Mr. SAWYER.

H.R. 1265: Mrs. MINK of Hawaii.

H.R. 1294: Ms. BROWN of Florida, Mr. KILDEE, Mr. FRANK, and Mr. UNDERWOOD.

H.R. 1295: Mr. HOEFFEL and Ms. WOOLSEY.

H.R. 1307: Mr. MEEHAN and Mr. PASCRELL.

H.R. 1324: Mr. BONIOR, Ms. BERKLEY, and Mr. FROST.

H.R. 1354: Mr. SIMMONS and Ms. WATSON.

H.R. 1360: Mrs. KELLY, Mr. WEINER, Mr. ENGEL, and Ms. BERKLEY.

H.R. 1433: Mr. MORAN of Virginia.

H.R. 1452: Mr. BERMAN.

H.R. 1460: Mr. CALVERT.

H.R. 1475: Mr. SIMMONS, Mr. GALLEGLY, Mr. DINGELL, Mr. SULLIVAN, and Mr. BACA.

H.R. 1520: Mr. BAIRD, Mr. HALL of Texas, Mr. GRUCCI, Mr. FRANK, and Mrs. ROUKEMA.

H.R. 1556: Mr. WAMP, Mr. JOHNSON of Illinois, Mr. REYES, Mr. LEVIN, Mr. DEMINT, Mr. NEY, Mr. JENKINS and Ms. SOLIS.

H.R. 1581: Mr. SHERWOOD, Mr. LUCAS of Oklahoma, Mr. BALLENGER, and Mr. BOEHLERT.

H.R. 1598: Mr. FRELINGHUYSEN.

H.R. 1624: Mr. RODRIGUEZ, Mr. LYNCH, Mr. CHAMBLISS, and Mr. DINGELL.

H.R. 1626: Mr. WELLER.

H.R. 1671: Mr. JACKSON of Illinois, Mr. LANGEVIN, and Ms. BROWN of Florida.

H.R. 1672: Mr. HALL of Ohio and Ms. WATSON.

H.R. 1673: Mr. KILDEE.

H.R. 1784: Mr. BALDACCI, Mr. OWENS, and Ms. WOOLSEY.

H.R. 1795: Mr. LINDER, Mr. ADERHOLT, Mr. BAIRD, Mr. RAMSTAD, Ms. MCCOLLUM, Mr. LEVIN, Mr. NUSSLE, and Mr. LARSON of Washington.

H.R. 1808: Mr. ROHRABACHER, Mr. OLVER, Mr. CONYERS, Mrs. CHRISTENSEN, and Ms. ROS-LEHTINEN.

H.R. 1810: Mr. ENGEL.

H.R. 1822: Mr. LEACH, Mr. GRAHAM, Mr. SMITH of Washington, Mr. LYNCH, Mr. COYNE, Mr. BOEHLERT, Mr. CROWLEY, Mr. OLVER, and Mr. CLEMENT.

H.R. 1830: Mr. ALLEN and Mr. KIND.

H.R. 1882: Mr. BISHOP.

H.R. 1904: Mr. FALEOMAVAEGA, Mr. SMITH of New Jersey, Ms. VELAZQUEZ, Mr. SABO, Mr. UDALL of Colorado, Mrs. MINK of Hawaii, Mr. NADLER, Mr. DAVIS of Florida, Mr. DOYLE, Mr. BARRETT, and Mr. BISHOP.

H.R. 1908: Mr. LAHOOD, Mr. OTTER, Mr. LUCAS of Kentucky, and Mr. ENGLISH.

H.R. 1911: Mr. WELLER.

H.R. 1935: Mr. HOLDEN, Mr. HOLT, Mr. SHUSTER, Mr. PASCRELL, Mr. RANGEL, Mr. GREENWOOD, Mr. CALVERT, Mr. TOM DAVIS of Virginia, Mr. MARKEY, Mr. OLVER, Mr. CONYERS, Mr. BORSKI, Mr. NEAL of Massachusetts, Mr. SHOWS, Mr. MORAN of Virginia, Mr. PETERSON of Pennsylvania, Mr. GILCHREST, Mr. HONDA, Mr. PENCE, Mr. PICKERING, and Mr. FROST.

H.R. 1978: Mr. GEORGE MILLER of California.

H.R. 2012: Mr. LIPINSKI, Mr. LARSEN of Washington, Mr. FOLEY, Mr. STENHOLM, Mr. MASCARA, Mr. CALVERT, Mr. BONILLA, Mr. PASCRELL, Mr. GEKAS, and Mr. MATHESON.

H.R. 2074: Mr. BROWN of Ohio.

H.R. 2125: Mr. SMITH of Texas, Ms. KAPTUR, Mr. TIAHRT, Mrs. MCCARTHY of New York, Mr. BORSKI, Mr. BONILLA, Mr. HINOJOSA, Mr. GREEN of Texas, Mr. RUSH, and Mr. DEMINT.

H.R. 2148: Mr. ABERCROMBIE.

H.R. 2161: Mr. SKELTON.

H.R. 2162: Mr. MENENDEZ.

H.R. 2163: Mr. DIAZ-BALART, Mr. PASTOR, Mr. DOYLE, Mr. MCNULTY, Mr. HASTINGS of

Florida, Mr. CARSON of Oklahoma, Mr. GORDON, Mr. FORBES, and Mr. INSLEE.

H.R. 2173: Mr. MARKEY, Mr. DINGELL, Mr. GREEN of Texas, and Ms. NORTON.

H.R. 2222: Mr. EVANS and Mr. REYES.

H.R. 2228: Mr. STUPAK.

H.R. 2230: Mr. PAYNE.

H.R. 2239: Mr. SANDERS.

H.R. 2290: Mr. ABERCROMBIE, Mr. SMITH of Washington, and Mr. HAYWORTH.

H.R. 2347: Mr. MANZULLO and Mr. LEACH.

H.R. 2378: Mr. GORDON.

H.R. 2405: Mr. OWENS.

H.R. 2419: Mr. PALLONE.

H.R. 2442: Mr. ACKERMAN and Mr. FORBES.

H.R. 2449: Mr. SIMMONS.

H.R. 2462: Mr. ANDREWS, Mr. GEKAS, Mr. HOLDEN, Mr. FOLEY, Mr. BONILLA, and Mr. COOKSEY.

H.R. 2487: Mr. HOLT, Mr. OWENS, and Mr. CLEMENT.

H.R. 2555: Mr. DAVIS of Florida.

H.R. 2569: Mr. GILLMOR.

H.R. 2570: Mr. BACA.

H.R. 2592: Mr. MCDERMOTT and Mr. UDALL of Colorado.

H.R. 2623: Mr. PALLONE, Ms. BROWN of Florida, and Mr. LYNCH.

H.R. 2624: Ms. WATSON, Mr. LYNCH, Mr. FOLEY, and Mr. HINCHEY.

H.R. 2629: Mr. ALLEN, Mr. CUMMINGS, Mr. BAIRD, Ms. CARSON of Indiana, Mr. ABERCROMBIE, Mr. PICKERING, and Mrs. TAUSCHER.

H.R. 2631: Mr. LATOURETTE and Mr. SHIMKUS.

H.R. 2637: Mrs. CAPITO and Mr. RAHALL.

H.R. 2649: Mr. NUSSLE, Mr. RYAN of Wisconsin, Mr. KANJORSKI, Mr. CRENSHAW, Mr. GORDON, and Mr. BACA.

H.R. 2663: Ms. DELAURO and Mr. TIERNEY.

H.R. 2695: Mr. CANNON and Ms. PRYCE of Ohio.

H.R. 2723: Mr. KNOLLENBERG.

H.R. 2725: Mr. SHERMAN.

H.R. 2726: Mr. DUNCAN, Mr. CALVERT, Mrs. CUBIN, Mr. COX, and Mr. TANCREDO.

H.R. 2740: Mrs. JOHNSON of Connecticut.

H.R. 2765: Mr. BOSWELL.

H.R. 2820: Mr. ORTIZ, Ms. SCHAKOWSKY, Mr. EHRLICH, Mr. LUCAS of Kentucky, Mr. GONZALEZ, Mr. SHUSTER, and Mr. HOLDEN.

H.R. 2868: Mr. MCNULTY, Mr. MORAN of Kansas, Mr. BACHUS, Mr. TIERNEY, and Mr. CLEMENT.

H.R. 2874: Mr. FALEOMAVAEGA, Mr. OWENS, and Mr. NADLER.

H.R. 2878: Ms. KAPTUR and Mr. FROST.

H.R. 2953: Ms. ROYBAL-ALLARD, Mrs. TAUSCHER, Mr. GIBBONS, Ms. SOLIS, Ms. WATSON, and Ms. BERKLEY.

H.R. 2974: Ms. MCCOLLUM, Mr. UDALL of New Mexico, Mr. POMEROY, Mr. WAXMAN, and Mr. MATHESON.

H.R. 3025: Mr. PASTOR and Mrs. MEEK of Florida.

H.R. 3087: Mr. GORDON.

H.R. 3113: Mr. HINOJOSA, Mr. CUMMINGS, Mrs. NAPOLITANO, Mr. BLAGOJEVICH, and Ms. ESHOO.

H.R. 3132: Mr. COSTELLO, Mr. INSLEE, Mr. BAIRD, Ms. BROWN of Florida, Mr. MORAN of Virginia, Mrs. TAUSCHER, Mr. DICKS, Mr. OLVER, Mr. MARKEY, and Ms. RIVERS.

H.R. 3139: Mr. NUSSLE.

H.R. 3186: Ms. MILLENDER-MCDONALD.

H.R. 3211: Mrs. BIGGERT.

H.R. 3231: Mr. KENNEDY of Minnesota, Ms. PRYCE of Ohio, and Mr. KELLER.

H.R. 3233: Mr. BRADY of Pennsylvania, Ms. MCKINNEY, and Mr. BACA.

H.R. 3238: Ms. CARSON of Indiana, Mr. BLAGOJEVICH, and Ms. RIVERS.

H.R. 3244: Mr. SESSIONS, Mr. DINGELL, Ms. MCCARTHY of Missouri, and Mr. LEACH.

H.R. 3267: Mr. BERMAN.

H.R. 3321: Mr. CHAMBLISS, Mr. JOHNSON of Illinois, and Mr. WILSON of South Carolina.

H.R. 3324: Mr. LANTOS, Ms. LEE, Mr. MEEHAN, and Ms. ROYBAL-ALLARD.

H.R. 3335: Mr. OWENS.

H.R. 3337: Mr. GORDON and Ms. HART.

H.R. 3351: Mr. CROWLEY, Mr. KNOLLENBERG, Mr. SIMMONS, Mr. SULLIVAN, and Ms. KAPTUR.

H.R. 3358: Mr. CAPUANO.

H.R. 3363: Mr. ROSS, Mr. BARRETT, Mr. GRAHAM, Mr. OSBORNE, Mr. BROWN of South Carolina, Mr. KILDEE, and Mr. KIRK.

H.R. 3389: Mr. CAPUANO, Mr. FILNER, Mr. SMITH of Washington, Mrs. THURMAN, Mr. MORAN of Virginia, Mr. BAKER, Mr. SCOTT, Mrs. MALONEY of New York, Mr. SCHROCK, Ms. MCKINNEY, Mr. PICKERING, Mr. OLVER, Mr. DEMINT, Mr. NORWOOD, Mr. HOLDEN, Ms. WOOLSEY, Mr. PASCRELL, Mr. TIERNEY, Ms. ESHOO, Mr. JEFFERSON, Mr. SHERMAN, and Mr. CHAMBLISS.

H.R. 3399: Mr. THOMPSON of California and Mrs. TAUSCHER.

H.R. 3414: Ms. HOOLEY of Oregon, Mr. FILNER, Mr. KILDEE, Ms. ROYBAL-ALLARD, Mr. CLAY, and Mr. TANCREDO.

H.R. 3430: Mr. KILDEE, Mr. FILNER, Mr. GORDON, Mr. JEFFERSON, Ms. KAPTUR, Mr. DEMINT, Mr. RANGEL, Mrs. MALONEY of New York, and Mr. FROST.

H.R. 3431: Mr. REYES, Mr. BARTON of Texas, Mr. BRYANT, Mr. SMITH of New Jersey, Mr. RAMSTAD, Mr. GEORGE MILLER of California, Mrs. MINK of Hawaii, Mr. JOHN, Mr. COYNE, Mr. BAIRD, Mr. NEAL of Massachusetts, Mr. MATHESON, Mr. SNYDER, Ms. RIVERS, Mr. BERRY, Mr. CAPUANO, Mr. ISAKSON, Mr. LEACH, Mr. BENTSEN, Mr. ROGERS of Michigan, Mr. LEVIN, Mr. PITTS, Mrs. THURMAN, Mr. MICA, and Mr. CARDIN.

H.R. 3450: Mr. NETHERCUTT, Mr. MENENDEZ, Mr. FARR of California, Mr. COOKSEY, Ms. RIVERS, Mr. BLAGOJEVICH, Mrs. MINK of Hawaii, Mr. BONIOR, Ms. ROYBAL-ALLARD, Mr. CARDIN, Mr. HOEFFEL, Mr. MCNULTY, and Mr. LEVIN.

H.R. 3462: Mr. MEEHAN, Mr. JOHN, Mr. PASCRELL, Ms. SCHAKOWSKY, Mr. STRICKLAND, Mr. TRAFICANT, Ms. HOOLEY of Oregon, Mr. FOLEY, Mr. GUTIERREZ, Mr. MCDERMOTT, and Mr. THORNBERRY.

H.R. 3464: Ms. ROYBAL-ALLARD, Mr. OLVER, Mr. HORN, Mrs. MINK of Hawaii, and Mr. CLYBURN.

H.R. 3494: Mrs. LOWEY.

H.R. 3512: Mr. RANGEL.

H.R. 3521: Mr. WAXMAN and Mr. LIPINSKI.

H.R. 3524: Ms. SOLIS, Ms. SCHAKOWSKY, Ms. WATSON, and Mr. RANGEL.

H.R. 3530: Mrs. JOHNSON of Connecticut.

H.R. 3569: Mr. TIAHRT, Mr. MURTHA, and Mr. BISHOP.

H.R. 3581: Ms. SCHAKOWSKY and Mr. PAYNE.

H.R. 3594: Mr. CARSON of Oklahoma.

H.R. 3597: Ms. SCHAKOWSKY.

H.R. 3616: Mr. FILNER, Mr. HOEFFEL, Mr. CLAY, Ms. MCKINNEY, Mr. HINCHEY, Ms. LEE, and Mr. STARK.

H.R. 3618: Mr. BOYD, Mrs. CLAYTON, Mr. BACHUS, Mr. COBLE, and Mr. Pickering.

H.R. 3628: Ms. BERKLEY, Mrs. JONES of Ohio, Ms. CARSON of Indiana, Mr. BLAGOJEVICH, Mr. WATT of North Carolina, Mr. RANGEL, and Mr. SERRANO.

H.R. 3639: Mr. FALEOMAVAEGA.

H.R. 3661: Mrs. DAVIS of California, Mr. LANTOS, Mr. HASTINGS of Washington, Mr. TANCREDO, and Mr. ROHRABACHER.

H.R. 3670: Mr. SMITH of Washington, Mrs. TAUSCHER, Mr. MCDERMOTT, Mr. RAHALL, Mr. BAIRD, Mr. ETHERIDGE, Mr. DAVIS of Illinois, and Mr. NORWOOD.

H.R. 3686: Mr. SHIMKUS and Mr. PAYNE.

H.R. 3694: Mr. SUNUNU.

H.R. 3710: Mr. LEACH, Mr. MCNULTY, Mr. REYES, Mr. WEXLER, and Ms. WOOLSEY.

H.R. 3713: Mr. WALDEN of Oregon and Mr. SANDERS.

H.R. 3715: Mr. SWEENEY.

H.R. 3731: Mr. UDALL of New Mexico and Mr. MILLER of Florida.

H.R. 3733: Ms. MCCOLLUM, Mrs. MINK of Hawaii, Mr. FALEOMAVAEGA, Mr. BACA, and Mrs. DAVIS of California.

H.R. 3741: Ms. RIVERS and Mr. HALL of Texas.

H.R. 3747: Mrs. MINK of Hawaii, Ms. DUNN, Ms. ESHOO, and Mr. DEFAZIO.

H.R. 3749: Mr. BONIOR, Ms. MCKINNEY, Mrs. JONES of Ohio, Mr. CASTLE, Ms. MILLENDER-MCDONALD, and Ms. BROWN of Florida.

H.R. 3763: Mrs. BIGGERT.

H.R. 3771: Mr. BACA and Mr. FILNER.

H.R. 3773: Mr. NEY and Mr. COBLE.

H.R. 3775: Mr. DOGGETT and Mr. FROST.

H.R. 3781: Mr. MCGOVERN, Mr. FILNER, Mr. ISAKSON, Mr. FATTAH, Mr. WAXMAN, Mr. FRANK, Mr. TAYLOR of Mississippi, Mr. HALL of Ohio, Ms. ROYBAL-ALLARD, and Mr. NADLER.

H.R. 3784: Mr. PLATTS, Mr. BROWN of South Carolina, Mr. WICKER, Mr. OLVER, Mr. SAWYER, Mr. MCINTYRE, Mr. BARRETT, Mr. KENNEDY of Rhode Island, Ms. MCCOLLUM, Mr. BENTSEN, Mrs. BIGGERT, Mr. WAMP, Mr. LANGEVIN, Mr. MOORE, Mr. EHLERS, Mr. JOHNSON of Illinois, Mr. LATOURETTE, Mrs. TAUSCHER, Mr. SNYDER, Mr. GILLMOR, Mr. PRICE of North Carolina, Mr. FARR of California, Mr. TAYLOR of Mississippi, and Mr. ETHERIDGE.

H.R. 3794: Mr. OWENS, Mr. STUPAK, Mr. CALVERT, Mrs. LOWEY, Mr. LATOURETTE, Mr. ANDREWS, Ms. BROWN of Florida, Mr. DICKS, Mr. HASTINGS of Florida, Mr. RANGEL, Mr. MEEKS of New York Mr. EHRLICH, and Mr. BERMAN.

H.R. 3805: Mr. BARR of Georgia, Mr. HUNTER, Mr. SULLIVAN, and Mr. HAYES.

H.R. 3807: Mr. DAVIS of Illinois, Mr. FATTAH, Ms. KILPATRICK, Mr. WYNN, Mr. HILLIARD, Mr. CLYBURN, Mr. THOMPSON of Mississippi, Mr. TOWNS, Ms. BROWN of Florida, Ms. JACKSON-LEE of Texas, and Mr. CLAY.

H.R. 3808: Mr. GUTKNECHT, Mr. JONES of North Carolina, and Mr. ACEVEDO-VILA.

H.R. 3814: Mr. PRICE of North Carolina, Ms. KILPATRICK, Mr. BONIOR, and Mr. ISAKSON.

H.R. 3818: Mr. WATT of North Carolina, Mrs. CLAYTON, Mr. BLAGOJEVICH, Mrs. DAVIS of California, Mr. RANGEL, Mr. OWENS, Mrs. MEEK of Florida, Ms. KILPATRICK, Mr. FILNER, Mr. SANDERS, and Ms. ROYBAL-ALLARD.

H.R. 3825: Mr. FRANK, Mr. ROGERS of Michigan, Ms. HART, and Mr. DEUTSCH.

H.R. 3831: Mr. PAUL, Mr. KILDEE, Mr. PLATTS, Mr. SMITH of Washington, Ms. BROWN of Florida, Mr. MCGOVERN, Mr. HOLDEN, Mr. FALEOMAVAEGA, Mr. GORDON, Mr. DEMINT, Ms. HOOLEY of Oregon, Ms. BALDWIN, Mr. GILMAN, Mrs. JO ANN DAVIS of Virginia, Mr. BACA, and Mr. UNDERWOOD.

H.R. 3833: Ms. BROWN of Florida, Ms. HART, Mr. FOSSELLA, Mr. RUSH, Mr. GORDON, Mr. FLETCHER, and Mr. GREEN of Wisconsin.

H.R. 3839: Mrs. BIGGERT, Mr. GEORGE MILLER of California, and Mr. ROEMER.

H.R. 3840: Mr. KENNEDY of Rhode Island.

H.R. 3882: Mrs. CHRISTENSEN, Mr. WAMP, Mr. EHLERS, Mr. BOEHLERT, Mr. FRANK, Mr. MCINTYRE, Mr. SHAYS, Mr. TOWNS, Ms. GRANGER, Mr. SMITH of New Jersey, Mr. WOLF, Ms. WOOLSEY, and Mr. BRADY of Pennsylvania.

H.R. 3884: Mr. STUPAK.

H.R. 3887: Mr. ROTHMAN, Mr. ABERCROMBIE, Mr. SHERMAN, Mr. FILNER, Ms. SCHAKOWSKY, Mr. FARR of California, Ms. LEE, Mrs. CAPPS, Mr. OWENS, Mr. OLVER, Mr. STARK, Mr. THOMPSON of California, Mr. BLUMENAUER, Mr. FRANK, Mrs. TAUSCHER, Mr. BALDACCI, Mr. BLAGOJEVICH, Ms. RIVERS, Mr. WEXLER, Mr. WAXMAN, Mrs. LOWEY, Mr. HORN, Mr. GEORGE MILLER of California, Ms. WATSON, Mr. DEFAZIO, and Mr. SANDLIN.

H.R. 3894: Mr. KUCINICH, Mr. FALEOMAVAEGA, Mr. PASCRELL, and Ms. WOOLSEY.

H.R. 3898: Mr. BLUMENAUER.

H.R. 3906: Mr. BARTLETT of Maryland, Mrs. MINK of Hawaii, Mr. UNDERWOOD, Ms. SCHAKOWSKY, and Mr. LANTOS.

H.R. 3912: Mr. PAYNE, Mrs. JONES of Ohio, and Mr. WEXLER.

H.R. 3915: Ms. SCHAKOWSKY, Mr. ACKERMAN, Mr. MCDERMOTT, Mr. BALDACCI, Mr. LYNCH, Ms. ROYBAL-ALLARD, Mr. BLUMENAUER, Mr. SANDERS, and Ms. MCKINNEY.

H.R. 3916: Mr. SMITH of Washington, Mr. BLUMENAUER, Mr. BACA, Ms. MCKINNEY, Mr. SHAYS, Mrs. CAPPS, Ms. DELAURO, Mr. FRANK, Ms. LEE, Mr. LARSEN of Washington, Mr. MCGOVERN, Mr. WU, Ms. KAPTUR, and Mr. ABERCROMBIE.

H.R. 3917: Mrs. THURMAN, Ms. HART, Mrs. TAUSCHER, Mr. GEORGE MILLER of California, Mr. SERRANO, Mr. HOLT, Mr. SHUSTER, and Mr. KING.

H.R. 3932: Mrs. CAPPS, Ms. SCHAKOWSKY, Mr. LARSEN of Washington, Mr. KENNEDY of Rhode Island, Mrs. LOWEY, and Ms. ROYBAL-ALLARD.

H.R. 3946: Mr. PETRI.

H.R. 3955: Mrs. CHRISTENSEN.

H.R. 3956: Mr. BARRETT.

H.R. 3962: Mr. DUNCAN, Mr. DOOLITTLE, Mr. SKEEN, Mr. CANNON, Mr. WALDEN of Oregon, and Mr. HASTINGS of Washington.

H.R. 3974: Mr. WAMP, Mrs. CHRISTENSEN, Mr. DAVIS of Illinois, Mr. FATTAH, Ms. KILPATRICK, Mr. WYNN, Mr. HILLIARD, Mr. CLYBURN, Ms. LEE, Mr. THOMPSON of Mississippi, Mr. TOWNS, Mr. BISHOP, Ms. BROWN of Florida, and Mr. CLAY.

H.R. 3975: Mr. NUSSLE.

H.R. 3983: Mr. DEFAZIO, Mr. BAIRD, and Mr. BEREUTER.

H.R. 3995: Mr. PETERSON of Minnesota, Mr. SIMMONS, Mr. SHOWS, Mr. GREEN of Texas, and Mr. BOEHLERT.

H.R. 4000: Mr. SMITH of New Jersey, Mrs. EMERSON, Mr. NORWOOD, Mr. RUSH, Mr. FILNER, Mr. COSTELLO, Mr. CUMMINGS, Mr. LYNCH, Mr. DICKS, Mrs. MINK of Hawaii, and Mr. PHELPS.

H.R. 4003: Mr. ENGEL.

H.R. 4014: Mr. MCGOVERN, Mr. HORN, Mr. SMITH of New Jersey, Ms. MCKINNEY, Mrs. MORELLA, Mr. WYNN, Mr. GREEN of Texas, Mr. TOWNS, Mr. FRANK, Mr. LYNCH, Mr. PALLONE, Ms. RIVERS, Mr. GEORGE MILLER of California, and Mrs. CAPPS.

H.R. 4017: Mr. BLUMENAUER, Ms. HARMAN, and Mr. LANTOS.

H.R. 4018: Mr. FILNER, Mr. GOODE, and Mr. FROST.

H.R. 4019: Mr. GIBBONS, Mr. KENNEDY of Minnesota, Mr. BAKER, Mr. MANZULLO, Mr. BARR of Georgia, Mr. CANTOR, and Mr. VITTER.

H.R. 4020: Mr. BARR of Georgia, Mr. CANTOR, and Mr. SIMMONS.

H.R. 4026: Mr. PENCE, Ms. BROWN of Florida, Mr. HALL of Ohio, and Mr. SCHAFFER.

H.R. 4032: Mr. KILDEE, Mr. MCNULTY, Mr. BROWN of Ohio, Mr. PALLONE, Mrs. MCCARTHY of New York, Ms. LEE, Ms. BROWN of Florida, Mr. WYNN, Mr. TOWNS, Ms. WATSON, Mrs. CLAYTON, Mrs. CHRISTENSEN, Ms. NORTON, Mr. STUPAK, Ms. MILLENDER-MCDONALD, Mr. NADLER, Ms. DELAURO, Mr. FILNER, Mr. LANGEVIN, Mr. GORDON, Mr. ACKERMAN, Mr. JACKSON of Illinois, Mr. KAPTUR, Mr. LYNCH, Mr. GRUCCI, Mr. HORN, Mr. SANDERS, and Ms. WOOLSEY.

H.R. 4034: Mr. RANGEL.

H.R. 4035: Mr. FRANK.

H.R. 4046: Ms. SCHAKOWSKY, Mr. CAPUANO, Mr. DOOLEY of California, and Mr. HASTINGS of Florida.

H.R. 4066: Mr. SMITH of New Jersey, Mrs. MORELLA, Mr. PALLONE, Mr. BLAGOJEVICH, Mr. CRAMER, Mr. SHAYS, Mr. CROWLEY, Mr. LEACH, Mr. HORN, Mr. SAWYER, Mr. GILMAN, Mr. REYES, Mr. BONIOR, Mr. GRUCCI, Mr. FARR of California, Mr. ANDREWS, Mr. SIMMONS, Ms. WATSON, Mr. BLUMENAUER, Mr. SNYDER, Ms. BERKLEY, Mr. RUSH, Mr. DOYLE, Ms. NORTON, Mr. WAXMAN, Ms. KAPTUR, Mr. HINCHEY, Mr. TOWNS, Mrs. TAUSCHER, Mr. INSLEE, Ms. PELOSI, Mr. GREENWOOD, Mrs. MINK of Hawaii, Mr. MCDERMOTT, Ms. BROWN of Florida, Mr. MCGOVERN, Mr. SERRANO, Mr. MALONEY of Connecticut, Mr. BRADY of Pennsylvania, Mrs. THURMAN, Mr. COYNE, Ms. SCHAKOWSKY, Ms. JACKSON-LEE of Texas, Mr. BORSKI, Mr. PAYNE, Mr. CLYBURN, Mr. LARSEN of Washington, Mr. CONYERS, Mr. OBERSTAR, Ms. RIVERS, Mr. KILDEE, Mr. MARKEY, Mr. HOLDEN, Mr. LANGEVIN, Mr. JEFFERSON, Mr. CUMMINGS, Mr. LARSON of Connecticut, Mr. MOLLOHAN, Mr. GILCHREST, Mrs. CAPPS, Ms. DELAURO, Mr. DAVIS of Florida, and Ms. KILPATRICK.

H.R. 4078: Mr. SCHAFFER.

H.J. Res. 6: Mrs. MALONEY of New York, Mr. ACKERMAN, and Mr. OWENS.

H.J. Res. 20: Mr. WICKER.

H.J. Res. 40: Mr. FRELINGHUYSEN.

H. Con. Res. 42: Mr. FOLEY, Ms. SCHAKOWSKY, Mr. GORDON, and Mr. CLAY.

H. Con. Res. 127: Mr. GILMAN, Mr. ENGEL, Mr. TOWNS, Ms. WATSON, Mr. SABO, Mr. CLAY, Mr. FROST, Ms. BROWN of Florida, Mr. FOSSELLA, Ms. NORTON, and Mr. OWENS.

H. Con. Res. 162: Mr. ROTHMAN.

H. Con. Res. 177: Mr. UDALL of New Mexico, Mr. PAYNE, Ms. WATSON, and Mr. WU.

H. Con. Res. 182: Mr. TOWNS, Ms. LEE, Mr. HASTINGS of Florida, Mr. CLAY, and Mr. DAVIS of Illinois.

H. Con. Res. 238: Mr. BILIRAKIS.

H. Con. Res. 268: Mr. COOKSEY.

H. Con. Res. 314: Mr. KERNS, Mr. SESSIONS, Mr. SCHROCK, Ms. BROWN of Florida, Mr. SHUSTER, Mr. MCGOVERN, Mr. HASTINGS of Florida, and Mr. FROST.

H. Con. Res. 315: Mr. RYUN of Kansas.

H. Con. Res. 316: Mr. SULLIVAN.

H. Con. Res. 317: Mr. BEREUTER.

H. Con. Res. 320: Mr. PALLONE, Mr. BROWN of Ohio, Mrs. THURMAN, Mr. BONIOR, Mr. SMITH of New Jersey, Mr. SNYDER, and Mr. BOEHLERT.

H. Con. Res. 340: Mr. ISAKSON, Mrs. JONES of Ohio, and Mr. BISHOP.

H. Con. Res. 346: Mr. MCGOVERN, Ms. PELOSI, Mr. FRANK, Mr. NADLER, Ms. LEE, Ms. SOLIS, Mr. LANTOS, Ms. WOOLSEY, Ms. BALDWIN, Ms. ROYBAL-ALLARD, and Mr. TOWNS.

H. Con. Res. 358: Mr. PICKERING, Mr. LANGEVIN, Mr. BORSKI, Mr. QUINN, Mr. ENGEL, Mr. STRICKLAND, Mrs. MORELLA, Mr. JOHN, Mr. MICA, Mr. BOOZMAN, Mr. MATSUI, Mr. WAXMAN, Mr. FATTAH, and Mr. HOSTETTLER.

H. Con. Res. 363: Mr. OTTER, Mr. BISHOP, Mr. OWENS, and Mr. HASTINGS of Florida.

H. Con. Res. 366: Mr. FALEOMAVAEGA.

H. Res. 105: Mr. OLVER and Mr. LANTOS.

H. Res. 117: Mr. RANGEL.

H. Res. 190: Mr. CARSON of Oklahoma.

H. Res. 197: Mr. SOUDER.

H. Con. Res. 363: Mr. HASTINGS of Florida, Mr. FALEOMAVAEGA, Mr. ACEVEDO-VILA, Mrs. CHRISTENSEN, Mr. SCHAFFER, Mr. RADANOVICH, Mr. WALDEN of Oregon, Mr. SIMPSON, Mr. OTTER, Mr. UDALL of New Mexico, Mr. UDALL of Colorado, Mr. TAUZIN, Mrs. CUBIN, Mr. POMBO, Mr. GIBBONS, Mr. RAHALL, Mr. MCINNIS, Mr. HASTINGS of Washington, Mr. FLAKE, Mr. YOUNG of Alaska, and Mr. OSBORNE.

H. Res. 369: Mr. HONDA and Mrs. MYRICK.

PETITIONS, ETC.

Under clause 3 of rule XII,

54. The SPEAKER presented a petition of the Legislature of Rockland County, New York, relative to Resolution No. 604 petitioning the United States Congress to appropriate approximately $12 million to the North Rockland Central School District for the redevelopment of the Letchworth Development Center in Haverstraw and Stony Point, New York; which was referred to the Committee on Education and the Workforce.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 3925

OFFERED BY: MR. TOM DAVIS OF VIRGINIA

AMENDMENT NO. 1: At the end of section 3702 of title 5, United States Code (as contained in section 3(a) of the bill), add the following:

''(f) CONSIDERATIONS.—In exercising any authority under this chapter, an agency shall take into consideration—

''(1) the need to ensure that small business concerns are appropriately represented with respect to the assignments described in sections 3703 and 3704, respectively; and

''(2) how assignments described in section 3703 might best be used to help meet the needs of the agency for the training of employees in information technology management.

At the end of section 3704 of title 5, United States Code (as contained in section 3(a) of the bill), add the following:

''(d) PROHIBITION AGAINST CHARGING CERTAIN COSTS TO THE FEDERAL GOVERNMENT.—A private sector organization may not charge the Federal Government, as direct or indirect costs under a Federal contract, the costs of pay or benefits paid by the organization to an employee assigned to an agency under this chapter for the period of the assignment.

Insert after section 5 of the bill the following new section (and redesignate the succeeding section accordingly):

SEC. 6. REPORT ON THE ESTABLISHMENT OF A GOVERNMENTWIDE INFORMATION TECHNOLOGY TRAINING PROGRAM.

(a) IN GENERAL.—Not later January 1, 2003, the Office of Personnel Management, in consultation with the Chief Information Officers Council and the Administrator of General Services, shall review and submit to the Committee on Government Reform of the House of Representatives and the Committee on Governmental Affairs of the Senate a written report on the following:

(1) The adequacy of any existing information technology training programs available to Federal employees on a Governmentwide basis.

(2)(A) If one or more such programs already exist, recommendations as to how they might be improved.

(B) If no such program yet exists, recommendations as to how such a program might be designed and established.

(3) With respect to any recommendations under paragraph (2), how the program under chapter 37 of title 5, United States Code, might be used to help carry them out.

(b) COST ESTIMATE.—The report shall, for any recommended program (or improvements) under subsection (a)(2), include the estimated costs associated with the implementation and operation of such program as so established (or estimated difference in costs of any such program as so improved).

H.R. 3925

OFFERED BY: MS. VELÁZQUEZ

AMENDMENT NO. 2: In section 3703 of title 5, United States Code (as contained in section 3(a) of the bill), insert after subsection (d) the following:

''(e) SMALL BUSINESS CONCERNS.—

''(1) IN GENERAL.—The head of each agency shall take such actions as may be necessary to ensure that, of the assignments made under this chapter from such agency to private sector organizations in each year, at least 20 percent are to small business concerns.

''(2) DEFINITIONS.—For purposes of this subsection—

''(A) the term 'small business concern' means a business concern that satisfies the definitions and standards specified by the Administrator of the Small Business Administration under section 3(a)(2) of the Small Business Act (as from time to time amended by the Administrator);

''(B) the term 'year' refers to the 12-month period beginning on the date of the enactment of this chapter, and each succeeding 12-month period in which any assignments under this chapter may be made; and

''(C) the assignments 'made' in a year are those commencing in such year.

''(3) REPORTING REQUIREMENT.—An agency which fails to comply with paragraph (1) in a year shall, within 90 days after the end of such year, submit a report to the Committees on Government Reform and Small Business of the House of Representatives and the Committees on Governmental Affairs and Small Business of the Senate. The report shall include—

''(A) the total number of assignments made under this chapter from such agency to private sector organizations in the year;

''(B) of that total number, the number (and percentage) made to small business concerns; and

''(C) the reasons for the agency's noncompliance with paragraph (1).

''(4) EXCLUSION.—This subsection shall not apply to an agency in any year in which it makes fewer than 5 assignments under this chapter to private sector organizations.

H.R. 3925

OFFERED BY: MR. WAXMAN

AMENDMENT NO. 3: In the last sentence of section 3702(a) of title 5, United States Code (as contained in section 3(a) of the bill), strike the period and insert the following: '', and applicable requirements of section 3705 are met with respect to the proposed assignment of such employee.''.

In section 3702(d) of title 5, United States Code (as contained in section 3(a) of the bill), strike ''Assignments under this chapter'' and insert ''An assignment described in section 3704'', and strike '', except that no'' and insert ''. No''.

In section 3704(b) of title 5, United States Code (as contained in section 3(a) of the bill), strike ''and'' at the end of paragraph (2), redesignate paragraph (3) as paragraph (4), and insert after paragraph (2) the following:

''(3) may not have access to any trade secrets or to any other nonpublic information which might be of commercial value to the private sector organization from which he is assigned; and

In chapter 37 of title 5, United States Code (as contained in section 3(a) of the bill), insert after section 3704 the following new section (and make the appropriate conforming amendments):

''§ 3705. Federal Information Technology Training Program

''(a) ESTABLISHMENT.—In consultation with the Federal Chief Information Officer, the Chief Information Officers Council, and the Administrator of General Services, the Director of the Office of Personnel Management shall establish and operate a Federal Information Technology Training Program (in this section referred to as the 'Training Program').

''(b) FUNCTIONS.—The Training Program shall—

''(1) analyze, on an ongoing basis, the personnel needs of the Federal Government related to information technology and information resource management;

''(2) design curricula, training methods, and training schedules that correspond to the projected personnel needs of the Federal Government related to information technology and information resource management; and

''(3) recruit and train Federal employees in information technology disciplines, as necessary, at a rate that ensures that the Federal Government's information resource management needs are met.

''(c) AUTHORITY TO DETAIL EMPLOYEES TO NON-FEDERAL EMPLOYERS.—The Training Program may include a program under which a Federal employee may be detailed to a non-Federal employer. The Director of the Office of Personnel Management shall prescribe regulations for such program, including the conditions for service, length of detail, duties, and such other criteria as the Director considers necessary.

''(d) CURRICULA.—The curricula of the Training Program—

''(1) shall cover a broad range of information technology disciplines corresponding to the specific needs of Federal agencies;

''(2) shall be adaptable to achieve varying levels of expertise, ranging from basic nonoccupational computer training to expert occupational proficiency in specific information technology disciplines, depending on the specific information resource management needs of Federal agencies;

''(3) shall be developed and applied according to rigorous academic standards; and

''(4) shall be designed to maximize efficiency through the use of self-paced courses, online courses, on-the-job training, and the use of remote instructors, wherever such features can be applied without reducing training effectiveness or negatively impacting academic standards.

''(e) PARTICIPATION ENCOURAGED.—Subject to information resource management needs and the limitations imposed by resource needs in other occupational areas, agencies shall encourage their employees to participate in the occupational information technology curricula of the Training Program.

''(f) AGREEMENTS.—Employees who participate in full-time training at the Training Program for a period of 6 months or longer shall be subject to an agreement for service after training under section 4108 of title 5, United States Code.

''(g) COORDINATION PROVISION.—

''(1) IN GENERAL.—Notwithstanding any other provision of this chapter, no assignment described in section 3703 may be made unless a program under subsection (c) has been established, and the assignment meets the requirements of such program.

''(2) REGULATIONS.—The Director of the Office of Personnel Management shall by regulation establish any procedural or other requirements which may be necessary to carry out this subsection.

''(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Office of Personnel Management for developing and operating the Training Program, $7,000,000 in fiscal year 2003, and such sums as may be necessary for each fiscal year thereafter.

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PROCEEDINGS AND DEBATES OF THE 107th CONGRESS, SECOND SESSION

Vol. 148 WASHINGTON, TUESDAY, APRIL 9, 2002 No. 37

Senate

The Senate met at 10 a.m. and was called to order by the Honorable MAX CLELAND, a Senator from the State of Georgia.

The PRESIDING OFFICER. Today's prayer will be offered by our guest Chaplain, Rev. Kirbyjon Caldwell, Senior Pastor, Windsor Village United Methodist Church, Houston, TX.

PRAYER

The guest Chaplain offered the following prayer:

Almighty God, the supply and supplier of every good and perfect gift, the author and finisher of our faith, we pause now, O God, to acknowledge Your matchless goodness, greatness, and grace. We ask Your blessings upon the distinguished Members of the Senate and their families. We decree and declare that no weapon formed against them shall prosper. And we pray, O Lord, that You will continue to grant them inner peace, outer protection, and power from on high.

As this great country deals with the uncertainty abroad and occasional unpredictability here at home, we find grace, peace, and comfort in knowing that You are a very present help in the time of trouble. Grant the Senators wisdom, discernment, and insight that they will draft and pass legislation which will make America and the world a better place tomorrow than it is today. We reverence and adore You, and we bless Your holy name. Let all who agree say Amen.

PLEDGE OF ALLEGIANCE

The Honorable MAX CLELAND led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The assistant clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, April 9, 2002.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MAX CLELAND, a Senator from the State of Georgia, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. CLELAND thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE ACTING MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The Senator from Nevada is recognized.

SCHEDULE

Mr. REID. Mr. President, I will yield momentarily to my colleague, the junior Senator from Texas, whose pastor is our guest Chaplain today.

The Senate will be in a period for morning business until 11 a.m. today. At 11 a.m., we will again begin consideration of the energy reform bill, which will be the 15th day we have been on this legislation. The Senate will recess, as we normally do on Tuesdays, from 12:30 p.m. to 2:15 p.m. for the weekly party conferences.

The ACTING PRESIDENT pro tempore. The Senator from Texas.

THE GUEST CHAPLAIN

Mrs. HUTCHISON. Mr. President, I rise to introduce properly the Pastor who just gave the wonderful invocation that opened the Senate.

It is my distinct pleasure to introduce our guest Chaplain and fellow Texan, the Rev. Kirbyjon Caldwell. Reverend Caldwell is the Senior Pastor of the Windsor Village United Methodist Church in my hometown of Houston. I thank him for opening with a wonderful prayer this morning.

Reverend Caldwell has led his church of approximately 14,000 members in southwest Houston for nearly 20 years. He also delivered the invocation at the President's inauguration last January.

Reverend Caldwell is an influential and motivational leader in the Houston community. He is well known for his zeal and compassion for people. As an articulate and accomplished businessman, he has utilized his pulpit as well as his business skills to develop successful faith-based community programs throughout Houston. These initiatives provide housing, job training, counseling, and other important services to needy residents throughout the community, truly demonstrating Christian charity and brotherly love.

The social programs fostered by Reverend Caldwell in Windsor Village have become models for faith-based initiatives throughout the United States. Reverend Caldwell came to the ministry truly from a calling and truly from his heart for he earned a master's degree in business at the Wharton School at the University of Pennsylvania, and he was a bond trader with a firm in Houston and was doing well. But something else nudged at him while he was in the business field, and he decided that he wanted to be a minister. So he went back to Southern Methodist University to get yet another master's degree, this time in theology. He serves on the boards of a range of community groups from the Children's Defense Fund to the MD Anderson Cancer Center. Reverend Caldwell is also the author of the book

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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''The Gospel of Good Success: A Roadmap to Spiritual, Emotional, and Financial Wholeness.''

I have known Reverend Caldwell for a long time. He is also a friend to President George W. Bush. He is such an important person in the Houston community, looked to by business leaders, community leaders, and by the people in the community who need help. He is always there when called. I am very proud to welcome him to the Senate this morning.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business not to extend beyond the hour of 11 a.m., with Senators permitted to speak therein for up to 10 minutes each and with the time equally divided between the two leaders or their designees.

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. The Senator from Nevada.

TRANSPORTATION OF HAZARDOUS MATERIALS

Mr. REID. Mr. President, if you picked up a paper yesterday, you would have seen stories about a transportation wreck again. It was all over the television. It was all over the newspapers. There was a train wreck on Sunday in Gainsville, VA, not far from Washington. Five cars on the train derailed, including two carrying propane, which is very explosive. Route 29—I have traveled that road many times going to Virginia to watch my boy play soccer—was closed for several miles. This is one of the main arteries bringing people to Washington from Virginia. The train derailment not only closed Route 29, but two nearby elementary schools were closed as workers tried to get the cars back on the track and also put the propane back on the railcars or remove them completely.

An emergency worker said if the train cars had rolled in the opposite direction, they would have hit an aboveground gas line, and there would have been a catastrophe. This is the third train wreck on that stretch of tracks since 1997.

Over the past few weeks, several tragic accidents on highways around the country have raised the question: What if? Just this weekend, a dust storm reduced visibility to zero on a highway in rural southern Arizona. The result was a 26-car pileup. Another dust storm in Colorado caused a 30-car pileup on Interstate 70.

What if a truck carrying hazardous waste had been involved in one of these accidents? Less than a month ago at least five people were killed in a massive wreck caused by fog on Interstate 75 in northwest Georgia. That accident involved more than 100 vehicles, including 20 tractor-trailers.

In February, three accidents in 1 day claimed the lives of five people in Miami-Dade County, all involving large trucks. The accidents were attributed to human error.

We know accidents involving hazardous waste can and do occur on our highways and railways. We all remember the Baltimore tunnel fire last year which was caused when a train derailed. The resulting fire burned for 1 week, and an extremely dangerous acid was spilled in the tunnel. Baltimore was closed basically for 3 days. We are very fortunate this accident was not worse.

Each year crashes kill over 5,000 people—that is, truck crashes—and injure another 150,000 people. Over 50,000 people are killed in automobile accidents each year. Large trucks are involved in multivehicle fatal crashes at twice the rate of passenger vehicles. What if more of the trucks on our highways carried hazardous waste? How could we ensure the safety of our communities? Are local emergency teams fully prepared to respond when hazardous chemicals are released?

The answer to all of those questions is obvious.

I can remember being in Ely, NV—I have said this before—where I was visiting one of my friends who I went to high school with. He is a police officer in Ely. He picked up a teletype indicating there was going to be a hazardous load coming through his town. He said: Why did they send me this? I would just as soon not know. I cannot do anything if something happens.

He does not know. They do not have the equipment. He is not trained.

Last summer I introduced, and Congress passed, an amendment requiring the Secretary of Transportation to study the hazards and the risks to public health and safety, the environment, and the economy associated with the transportation of hazardous chemicals and radioactive material. This report should come soon. I am told it will be finished in the next couple of months. In the meantime, this is an issue about which we need to be concerned. These accidents are serious. We have a deteriorating infrastructure, and we have more and more pressure being put on this deteriorating infrastructure.

Serious accidents have happened and are going to continue to happen, and we need to be aware of this.

The ACTING PRESIDENT pro tempore. The Senator from Wyoming.

NEED FOR A DOMESTIC ENERGY POLICY

Mr. THOMAS. Mr. President, we are prepared—I guess at 11—to move back to the issue that has been before us now for 3 weeks, and that is energy policy. It is probably one of the most important issues that has been before the Congress in this session and one of the most important with which we will deal.

Some important things have been with us for a very long time, of course, but now we find it even more important as we have national security issues, as we have a need for economic security, as the situation is changing in the Middle East that is even more pressing than it was before.

One of the issues that has been with us all along is the fact we have not had an energy policy. We have not had a policy that has directed the efforts in the United States, which I think in itself is probably one of the most important things we can do. It is hard to make decisions in the interim when there is no policy that says where we want to be and where we want to go. We need a policy so these interim decisions can add toward reaching the goals we have in mind.

We have a very broad policy before us. We have worked on it some in committee. Of course, the President and Vice President CHENEY have worked on a policy as well, the House has passed an energy policy, and the Senate is the one which has not yet done the job we really need to do. I am very hopeful we will come to the snubbing post and get that done as soon as possible.

A lot of things go into it. This has been covered, but I hope we are kind of reenergizing ourselves—no pun intended—as we come back from the recess to talk about a broad energy policy, one that modernizes and increases conservation. We all want to find ways to make better use of the energy we have, whether it be coal, oil, or electricity. We need to modernize and expand our energy infrastructure, and as things change we have to have an infrastructure, for instance in electricity, as we move towards now having more of a market segment in generation.

If that is going to be done, then there needs to be a transmission system that moves the generation to the market. It is a new thing for us, and we do not have that.

We have to have some diversity and talk about and maintain diversity in our supply so we begin to use renewables. We need to find new ways of doing that.

I will always remember a meeting in Casper, WY, years ago when someone said we have never run out of a source of energy because we continue to find and refine new sources. We will continue to do that and indeed need to do so. We need to improve and accelerate our environmental protection, of course. Maybe most of all now, we need to strengthen our energy security.

We have found ourselves, rightly or wrongly—I think probably it is not right—in a position of depending on foreign imports for almost 60 percent of our oil supply. Much of that oil supply has come from the Middle East, and continues to come from the Middle East, and we find that less secure than in the past.

Certainly that dependency on imported oil changes the decisions we can make, and all these factors go into dealing with that. The one that probably deals with it most directly is the opportunity to increase domestic production, which has been one of the controversial areas on the energy bill.

In fact, the energy bill was taken out of the committee. I happen to be on the Energy Committee. We did not have the opportunity to put together the bill. So the bill that has come to the Senate is basically very oriented toward conservation, toward renewables, toward most everything except an increase in domestic production. Now we have come to a point where we need to take a look at that. It is very clear how much more important that is right now than it was before. We see energy prices going up. We see much more uncertainty in the Middle East.

There are some good things as well. We see some new suppliers. We see more imports coming from Russia, and hopefully some more stability there. At the same time we now see instability in Venezuela. We have seen instability recently in Iraq. So it becomes much more clear that over time we really have to deal with this question of becoming less reliant on imported energy. So that affects not only our ability to carry on what we are committed to do in the war on terrorism—obviously that is one that requires a great deal of energy—but I think it is also very important and vital to our efforts to regenerate and strengthen the economy. The economy cannot function without energy.

I hope we can move more quickly in resolving the issues before Congress. The tax package has been completed by the Finance Committee. There are 150 amendments pending.

Hopefully, we do not have to struggle through all of those. Obviously, the question of ANWR is out there. We need to deal with that. That could be perceived differently now than in the past because of continued pressure on the notion of imported oil.

We have a great deal of work to develop more clean coal technology, as coal is one of the most plentiful domestic resources we have. We have an opportunity to become more efficient and effective in generating energy and electric energy. We dealt with that a year ago, particularly in California.

Wyoming is the largest producer of coal. One of the real opportunities in coal is producing the low-sulfur clean coal, and transporting that energy to other places. We can do more.

We have an opportunity to continue making nuclear energy important. For anyone interested in clean air, which we all are, nothing is cleaner in producing electricity than nuclear power. We have not figured out a way to deal with the waste. There is controversy on that. There are things we can do. We can find storage. Looking at what is done in Europe, they recycle from time to time. We can work those areas.

There is much that needs to be done; there is much that people need to agree to do to move forward on those goals. We find ourselves tied up over some of the elements. I hope we come together and decide what it is we need to do and get on with it.

I am hopeful we can move quickly, certainly to do the best we can. The House has already passed a bill and is ready to go to conference. We can reconcile the differences. The administration is anxious to have an energy policy, to have an energy bill passed, and is working with Congress to do something to make it work while making our economy and environment stronger. We have a lot of energy in our State.

The idea that if you produce and have access to public lands for multiple use, it suddenly ruins the land, is not the case. We have seen over the years we can have multiple use. We can have production. We can have gas production. We can have oil production. We can continue to have a decent environment.

We completed a study on a portion of land under consideration for wilderness in Wyoming called Jack Morrow Hills. One study showed there were operations there some time ago, and the natural evolution had changed it back to a natural place. We have to be careful. We have to use environmentally sound procedures and techniques. We can do that. We are committed to do that. I am hopeful we can move forward.

We have had support from veterans, from organized labor, from women's groups, from the Hispanic and Jewish community, from Native Alaskans. Almost everyone has been here. I had the pleasure of working with veterans who were here promoting energy policy. I look forward to that.

As we return to energy at 11 a.m., I hope our goal is to complete that as soon as possible and move on to other matters.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

MOVING ON THE ENERGY BILL

Mr. MURKOWSKI. Mr. President, I want to take a moment to discuss where we are on the energy bill and how I see us moving forward. As I think the record will note, prior to the recess I filed an amendment on sanctions against Iraq. The specific justification for that was my belief that, at a time when we are seeing the situation in the Mideast erupt, we find ourselves in a position where we are importing over 800,000 barrels a day from Iraq, a country where we are enforcing a no-fly zone, putting the lives of our men and women at risk. At the same time as we are importing this oil, we put it in our aircraft and use it to enforce the no-fly zone. As a consequence, in Iraq, Saddam Hussein generates a cashflow that allows him to keep his Republican Guard well paid and obviously contributes to Iraq's capability of developing weapons of mass destruction.

The purpose of the amendment is to initiate a sanction against Iraq until such time as we can satisfy ourselves that the U.N. inspectors have evaluated whether, indeed, Saddam is using his oil money to develop weapons of mass destruction. I may bring that up today. I have previously received from the majority leader a commitment that he would allow an up-or-down vote on that particular subject at a point in time. I think this may be an opportune time.

The rationale for that is obvious. We find ourselves in a position now where Iraq has indicated it probably will initiate a curtailment of oil exports from that country for a 30-day period. We can only ponder the results of that, as to what it will mean to the consumers in the United States as we see ourselves continuing to be dependent on foreign sources of oil.

I want to take a moment here to discuss where we are in the energy bill and my commitment to see us move forward on it. As you know, we have had a number of successful amendments. I think we have developed a stronger bill. I think it is appropriate to give a rundown on the current situation in the Mideast before I discuss that, and how that has increased the importance of moving an energy bill off the floor.

There is virtually no way to explain the situation in the Mideast. I will not go into the details, other than to highlight the effects it will have on the United States.

While we were on our Easter recess, clearly the tinderbox in the Mideast exploded. In 2 weeks, we have seen 5 suicide bombers; we have seen some 29 Israelis killed, 100 wounded. The same is true on the other side, the Palestinians. Israelis rolled into Yasser Arafat's headquarters in the Palestine settlement when Prime Minister Sharon declared, ''Israel is at war.''

What did that do to the price of oil? It jumped, first $3 a barrel on Monday, March 25, closed at $24.53; trading at $28, and it is going up over $30. The Iraqis are calling on the Arab States to use oil as a weapon—oil as a weapon,

Mr. President. Quoting from a statement issued by the ruling Iraqi Baath Party:

If the oil weapon is not used in the battle to defend our nations and safeguard our lives and dignity against American and Zionist aggression, it is meaningless.

Now Saddam announces a 30-day embargo against U.S. consumption—basically a 30-day reduction of his output.

New reports emerge that Saddam Hussein had planned to ram a suicide tanker into a U.S. warship in the Persian Gulf. That came out of a Christian Science Monitor story, which I ask unanimous consent to have printed in the RECORD.

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

[From the Christian Science Monitor]

EX-SMUGGLER DESCRIBES IRAQI PLOT TO BLOW UP U.S. WARSHIP

(By Scott Peterson)

Iraq planned clandestine attacks against American warships in the Persian Gulf in early 2001, according to an operative of Iranian nationality who says he was given the assignment by ranking members of Saddam Hussein's inner circle.

The alleged plan involved loading at least one trade ship with half a ton of explosives, and sailing under an Iranian flag to disguise Iraq's role, using a crew of suicide bombers to blow up a U.S. ship in the Gulf.

The operative, who says he smuggled weapons for Iraq through Iran for Al Qaeda during the late 1990s, says he was told that $16 million had already been set aside for the assignment—the first of ''nine new operations'' he says the Iraqis wanted him to carry out, which were to include missions in Kuwait.

The first plot, remarkably similar to the attack on the USS *Cole* on Oct. 12, 2000, was never carried out. The status of the other nine operations remains unclear.

The smuggler, Mohamed Mansour Shahab, now in the custody of Kurdish opponents of Mr. Hussein in northern Iraq, says he was first told of the role he was to play in the plan in February 2000—one month after an apparently unrelated attempt in Yemen to target a U.S. destroyer, the USS *The Sullivans*, failed when the bombers' boat, overloaded with explosives, sank. Suicide bombers later succeeded in striking the USS *Cole* in Yemen, leaving 17 U.S. sailors dead and a gaping 40-by-40 foot hole in the side of the warship.

TERROR'S FOOTPRINTS

If this Iranian smuggler is telling the truth, it would represent the first information in nearly a decade directly linking Baghdad to terrorist plans. No evidence has surfaced to date that Iraq was involved in the Sept. 11 attacks or the bombing of the *Cole*. But President George W. Bush has declared Iraq part of an ''axis of evil,'' and makes no secret of his determination to end the rule of Saddam Hussein as part of his ''war on terrorism.''

The last publicly known terrorism involvement by Baghdad was a failed assassination plot against Bush's father, former President George H. W. Bush, during a visit to Kuwait in 1993. The elder Bush orchestrated the 1991 Gulf War against Iraq.

''The Iraqis may have been waging war against the U.S. for 10 years without us even knowing about it,'' says Magnus Ranstorp, at the Center for the Study of Terrorism and Political Violence at St. Andrews University in Scotland. ''Iraq may have fought, using terrorism as the ultimate fifth column, to counter U.S. sanctions and bombing. Plausible deniability is something Iraq . . . would want to ensure, putting layer upon layer to hide their role.''

Part of the justification for any future U.S. strike against Iraq may be the kind of information provided by the young-faced, nervous Iranian smuggler, now held in the U.S.–protected Kurdish ''safe haven'' of northern Iraq.

Mr. Shahab spoke last weekend in an intelligence complex run by the Patriotic Union of Kurdistan (PUK), one of two rival armed Kurdish factions that control northern Iraq. He did not appear coerced to speak, and bore no physical signs that he had been mistreated since his arrest on May 16, 2000.

Still, shaking nervously and swallowing repeatedly, he at first refused to answer questions, saying that he was concerned about his family's safety in Iran. Two days later—after learning that part of his smuggling history and role in several killings had already been made public in the New Yorker magazine—he agreed to describe information that he had previously withheld, about Iraq's plan to target U.S. warships.

''If this information is true, it would be in the interest of the U.S., and of all the world, for the U.S. to be here to find out,'' says a senior Kurdish security officer involved in the case. Kurdish investigators were initially skeptical of some parts of Shahab's story. But the investigators say they later independently confirmed precise descriptions of the senior Iraqi officials Shahab says he met, by cross-examining a veteran Iraqi intelligence officer in their custody, and checking other sources.

Wearing a pale-green military jacket, dark-blue sweat pants and worn plastic sandals, Shahab softly recounts how he smuggled arms and explosives for Al Qaeda and the Iraqis. He at times flashes a boyish smile—the same disarming grin he uses in images on a roll of film he was carrying when arrested. Shahab also claims to be an assassin. The photos—shown to the Monitor—show Shahab killing an unidentified man with a knife. He grins at the camera as he holds up the victim's severed ear.

During a two-and-a-half-hour interview, Shahab describes the origin of the plot to blow up U.S. warships, while his hands work nervously. He received an urgent phone call early in 2000, from a longtime Afghan contact named Othman, who told him to go to a meeting in Iraq. In February 2000, Shahab says he was taken to the village of Ouija, the birthplace of Saddam Hussein near Hussein's clan base at Tikrit, in north central Iraq.

At the meeting, he says, were two influential Iraqis, fellow clansmen of Saddam Hussein: Ali Hassan al-Majid—Mr. Hussein's powerful cousin and former defense minister—and Luai Khairallah, a cousin and friend of Hussein's notoriously brutal son Uday. Mr. al-Majid is known among Iraqi Kurds as ''Chemical Ali,'' for his key role in the genocidal gassing and destruction of villages in northern Iraq that killed more than 100,000 Kurds in 1987 and 1988.

The Iraqis said they considered Shahab to be Arab, and not Persian, and could trust him because he was from Ahvaz, a river city in southwest Iran rich with smugglers and close to the Persian Gulf, Iraq, and Kuwait. It is known as ''Arabistan'' because of the number of Arabs living there.

NINE MISSIONS

Al-Majid and Mr. Khairallah spoke of the nine operations: We've allocated $16 million already for you,'' Shahab remembers them telling him. ''We start with the first one: We need you to buy boats, pack them with 500 kilograms of explosives each, and explode U.S. ships in Kuwait and the Gulf.''

The plan was ''long term,'' Shahab says, and meant to be carried out a year or so later, in early 2001, after he had carried out another mission to take refrigerator motors to the Taliban. Each motor had a container attached holding an apparently important liquid unknown to Shahab. He says he doesn't know if all nine operations mentioned were similar to the boat plan, or completely different. Some were to take place in Kuwait.

The attack against a U.S. vessel, Shahab recounts al-Majid and Khairallah explaining, was to be ''a kind of revenge because [the Americans] were killing Iraqis, and women and children were dying ''because of stringent UN sanctions, which the U.S. backed most strongly. ''They said: 'This is the Arab Gulf, not the American Gulf,'" Shahab recalls, referring to the large U.S. naval presence in the area.

The Iraqis knew that Shahab, with his legitimate Iranian passport and wealth of smuggler contacts, would have little trouble purchasing the common 400-ton wooden trading boats. He would have raised few eyebrows sailing under an Iranian flag—the only ships in the area, since UN sanctions prohibit such Iraqi trade.

Shahab was to rent or buy a date farm along the water at Qasba, on the marshy Shatt al-Arab waterway that narrowly divides Iraq and Iran, just a few hundred yards from the Iraqi port city of Fao. Using a powerful small smuggling boat, he says he would have been able to reach Kuwaiti waters from Qasba in just 10 minutes.

Iraqi agents were to provide the explosives and suicides squad; Shahab was to handle the boats and the regular crew. ''The group that worked with me would sail the ship, and not know about the explosives,'' Shahab says. ''When we crossed out of Iranian waters, we were to kill the crew, hand over the ship to the suicide bombers, and then leave by a smuggler's way.''

The job, Shahab said, ''was easy for me, I could start at any time.'' Shahab said the Iraqis told him they ''had a lot of suicide bombers in Baghdad'' ready to take part in such an operation.

But the plans were never finalized for Shahab, and after delivering the refrigerator motors to the Taliban, he was arrested in northern Iraq in May 2000, with his roll of film, as he tried to avoid Iranian military exercises going on along the border to the south. Though carrying a false Kurdish identy card, his accent gave him away at the last PUK checkpoint.

Iraqi experts say that such a plot is plausible, since Saddam Hussein's multiple intelligence services are sophisticated and smart.

''Anything is possible,'' says Sean Boyne, an Ireland-based Iraq specialist, who writes regularly for Jane's Intelligence Review in London. ''Certainly Saddam has gone to great trouble to shoot down [U.S. and British] aircraft'' patrolling no-fly zones in northern and south Iraq, Mr. Boyne says. ''He has invested heavily in his antiaircraft system. He is eager to have a crack at the Americans.''

That impulse may also help explain the presence of a training camp at Salman Pak, a former biological-weapons facility south of Baghdad. It includes a mock-up Boeing 707 fuselage, which Western intelligence agencies believe has been used for several years to train Islamic militants from across the region in the art of hijacking. A senior Iraqi officer who defected told The New York Times last November that the regime was increasingly getting into the terrorism business. ''We were training these people to attack installations important to the United States,'' an unnamed lieutenant general said. ''The Gulf War never ended for Saddam

Hussein. He is at war with the United States. We were repeatedly told this.''

Still, the political situation Saddam Hussein finds himself in today—in light of the example of decisive U.S. military action in Afghanistan—may not be as conducive to a strike at the U.S. as it was when Shahab says he first heard of the plan to blow up a U.S. warship. In recent months, Boyne notes,

Iraq has engaged in a region-wide charm offensive to portray itself as a victim, and to build Arab and European support against any U.S. attack. Baghdad is even pursuing warmer ties with Kuwait (at the Arab League summit last week) and with Iran, in an attempt to gain mileage from Iran's anger at being listed as part of Washington's ''axis of evil.''

While the Bush administration focuses on Iraq's apparent pursuit of weapons of mass destruction—in the absence of UN weapons inspectors, who were kicked out in 1998—clues to Iraq's true role may lie in the credibility of the 29-year-old smuggler from Ahvaz.

Why is he talking now? ''Afghanistan is finished, so now I feel free to speak,'' says Shahab, who was given the name Mohamed Jawad by accomplices in Afghanistan. Asked if he fears the wrath of senior members of the regime in Baghdad, who still hold power, Shahab replies: ''I lost everything. For many years I worked with assassinations and killing—it doesn't make a difference to me.''

Mr. MURKOWSKI. Mr. President, yesterday major oil producers in Venezuela went on strike. Between Venezuela and Iraq, nearly 30 percent of our oil imports are at risk. And that is nearly 12 million barrels today.

We also learned that Saddam Hussein has indicated a payment to the families of the Palestinian suicide bombers of roughly $25,000. Previously it was around $10,000. That is a terrible incentive for terrorism. One has to wonder where he gets the cash. But you don't have to wonder very long because of the $4-plus billion that the United States paid Saddam Hussein last year for oil.

The Senate needs to remember that Saddam is much more than just a member of the axis of evil. He is an energy partner of the United States.

We now understand that Iraq, Libya, and Iran have called for an OPEC oil embargo—an event that could cripple the world economy.

With each passing hour, the Mideast grows more unstable, and the future grows more uncertain. With each passing day, the United States grows more dependent on foreign sources of energy.

What does tomorrow hold? More chaos and more bloodshed. The United States has a role and an obligation to help lead the region to peace. I applaud the President for sending Secretary Powell to personally supervise these efforts. But now more than ever we should turn our attention to here at home. We need to look at the realities of how we are going to meet our energy needs with or without the Mideast.

Given the choice, will we choose to keep us dependent on foreign oil or will we choose solutions found here at home to lessen our dependence on imported oil, solutions within our borders free from the chaos and uncertainty in the Mideast?

I go back to 1995. If the Senate passed an amendment in the omnibus bill that would have allowed the opening of ANWR, where would we be today? We would be in production. We would be generating at least a million barrels more from domestic sources, eliminating at least a million barrels from imports. Unfortunately, our former President vetoed that bill.

The energy bill before us is one on which we spent nearly 3 weeks. There is some criticism for the delay, but I remind my colleagues that we are taking on an extremely difficult and divisive issue and dealing with it on the floor of the Senate as opposed to the committee process. Since the debate started on this issue, we have disposed of 49 amendments—21 offered by Republicans and 28 by Democrats. Working with my good friend, Senator BINGAMAN, I think we have moved in a responsible manner.

That total, I might add, does not include the two amendments dealing with judicial nominees, or several amendments that have been dealt with off the floor. We have dealt with extremely difficult amendments, including CAFE, and specifically whether Congress should decide on new vehicle standards or leave that decision to experts; whether Congress should impose a renewable portfolio standard on some electric producers or leave the decision on appropriate standards to the States; whether the Federal Government should continue the liability protection on nuclear powerplants—that is the Price-Anderson amendment—the issue of reliability, and how best to ensure reliability on our electricity grid; ethanol; and whether to create a reasonable fuel requirement.

But there are still significant issues left to decide. We need to close out the issues dealing with electricity. We need to reach some agreement on the climate change provision in the bill. Of course, we must address the tax provisions for renewable conservation, alternative fuel efficiency and production. We must decide how best to increase our domestic production of energy sources since there are no real production provisions in the Daschle substitute.

The ACTING PRESIDENT pro tempore. The Senator has used 10 minutes.

EXTENSION OF MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that morning business be extended until the hour of 11:30 today.

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

Mr. MURKOWSKI. Mr. President, I ask unanimous consent to speak for another 5 minutes to finish my statement.

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

MOVING ON THE ENERGY BILL

Mr. MURKOWSKI. Mr. President, although we have some significant issues left to decide, we need to close out electricity, climate change, tax provisions, and increasing our domestic production.

As I stated in my opening statement, because of the manner in which this legislation has come before the Senate, we have been forced to consider the measure without the benefit of the committee deliberation and action that ordinarily would accompany a bill of this nature. We have had difficult and divisive issues that should and could have been worked out in committee. It is debated here in this Chamber. It is not a question of laying blame on one or the other. The point is, we have to move on from where we are. This bill can only be resolved by the amendment process.

Recently, we have seen statements that the Republicans were stalling this bill because we had not offered an ANWR amendment. It is my intention to offer an ANWR amendment this week. I regret that some on the other side believe there have been delays. But I believe the Feinstein amendment is pending today. Of course, I anticipate that we will proceed and there will be an objection to moving off of it for any other reason. I have always believed the best way to move important legislation is to work through the less controversial issues first and then address the more difficult.

I remind my colleagues that it was the majority leader, not the Senator from Alaska, who decided to spend the entire first day of the debate on various amendment provisions. We saw those amendments which would not necessarily have been resolved with any significant advancing of the process. But, nevertheless, I will not belabor the manner in which this bill has moved forward. We have seen an extremely difficult process on both sides of the aisle in trying to balance a comprehensive and bipartisan bill that balances production, efficiencies, alternative fuels, and conservation.

The problems associated again with the movement of the bill probably need a little identification as we work through the process.

There were no committee reports or committee-approved texts for anyone to work from. The substitute that was brought about by the majority leader was kind of a moving target, and continued to be modified even after introduction. Even with that, we still deal with moving targets.

The renewable portfolio amendment offered by the manager on the other side changed so many times before introduction that the majority whip didn't really know—and I didn't know—whether we were talking about a standard of 8 or 10 percent or whatever. That does not form a basis for any kind of debate, and seriously complicates the ability of Members to draft amendments or know what they are voting on.

But I don't want to belabor this because what we are attempting to do is move this process along and bring up the other amendments. We are certainly not looking to extend the debate on the issue or filibuster this bill through unlimited amendments.

Currently, as I have indicated, there are roughly 150 known potential amendments remaining—roughly 100 on the Democratic side and 50 on the Republican side. Virtually all of them could and would have been dealt with within the committee process. But the staff for both the majority and the minority are working to eliminate this list.

I pledge my support to improve the legislation before us and get a bill to the President as soon as possible. I urge my colleagues to recognize the weight of this task before us as we push through the agenda and do what is right for the Nation.

I hope that as we start afresh after our Easter recess we can come together and recognize the reality that this country is in peril over energy, that the continued escalation of prices is going to hit the consumer and hit our recovery, the prospects associated with the curtailment of imports from Venezuela and Iraq, which constitute 30 percent of our oil imports, and the results of nearly 2 million barrels coming to a halt which we have depended on is going to severely affect our economic recovery.

It has been estimated for every million barrels of oil taken off the world market, crude oil prices rise roughly $3 per barrel. Today's price is roughly $27. Obviously, we are looking at somewhere between $30 and $33 if, indeed, this curtailment continues.

It is time to recognize that indeed we have some recourse. The recourse is to reduce our dependence, and one way to do that is obviously to look favorably upon the ANWR amendment.

I thank the Chair and my colleagues for the time. I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

CHERRY BLOSSOM QUEEN ELIZABETH O'CONNOR

Mr. DODD. Mr. President, my colleague from Connecticut is joining me on the floor, and we are going to spend a couple minutes talking about two sources of State pride. I will very briefly mention, before I talk about the University of Connecticut women's basketball team, that last Friday night the U.S. Cherry Blossom Queen was crowned in Washington. We are very proud in my office to say Elizabeth O'Connor was chosen, by a random selection process, as the Cherry Blossom Queen of the United States.

She is a staff assistant in my office. She is a wonderful young woman who is very accomplished in many ways. A summa cum laude graduate of Notre Dame University from Farmington, CT, she went to Farmington High School. She is the daughter of wonderful parents, Fred and Katherine O'Connor in Farmington, CT.

She will be going to Japan for a couple of weeks, meeting with the Prime Minister, the Speaker of the House, as the Cherry Blossom Queen of the United States.

You can understand the source of pride in our office and in Connecticut that Elizabeth has been chosen as Connecticut's society princess crowned the Cherry Blossom Queen. We are very proud of her. I know she will represent the State and the country very admirably. In the last few years we had another queen, Shannon Kula of my office, also chosen the Cherry Blossom Queen. People are beginning to wonder if Connecticut has some fix, a hold on the cherry blossom queen festival. Nothing such as that has occurred. This is good fortune and good luck for the State of Connecticut.

NCAA WOMEN'S BASKETBALL CHAMPIONS

Mr. DODD. Mr. President, I rise today, along with my friend and colleague, Senator LIEBERMAN, to offer a Senate resolution commending the Connecticut women's basketball team. We have had a phenomenal season from start to finish, with the crowning victory at the Alamodome in Texas, defeating the University of Oklahoma just a few weeks ago. Their 82-to-70 victory in the national championship game on March 31 capped one of the most dominant seasons enjoyed by any sports team in recent memory.

The Huskie Women's Basketball Team finished the season undefeated, 39 and 0, becoming only the fourth women's NCAA basketball team in history to do so and one of a few teams that have had multiple national championships. There are only a handful that have had undefeated seasons and national championships.

The margin of victory of the UConn team over the season was astounding. A historical 35 points was the average margin of victory in the 39 victories they had during the regular season. In all my years—I know the Presiding Officer is a fan as well of sports and basketball—I never have seen anything quite like this. Each game was not a question of whether or not they would win but by how much. A phenomenal group of young women, a phenomenal coaching staff, they just did a terrific job during the entire season.

The accomplishments of this team go far beyond their dominance on the hard court. The Huskies have helped contribute to the greater cause of increasing the visibility of women athletes. Nearly 3.5 million people watched the final game on ESPN, which represented the largest audience for a college basketball game, men's or women's, in network history. Imagine, a few years ago, you would have been lucky to have a handful of people that might show up for a women's basketball game.

Not only did they have 3.5 million people watching on television, 30,000 people were packed into the Alamodome to watch the final game. Many people would have predicted that could never have happened only a few years ago. Why shouldn't it be so? Anyone who watched this remarkable team from Connecticut as well as the other top teams across the Nation—Tennessee, Duke, Oklahoma; there are a lot of great women's teams, the number growing each and every year—would certainly be impressed with the quality of the play they have brought to the game.

Theirs is a wonderful, pure style of basketball combining accurate shooting and flashy passing, as we have all seen, and sound all-around play. For the women's team, one of the strengths was the senior leadership. NCAA Player of the Year Sue Bird, along with her senior teammates Asjha Jones, Tamika Williams, and Swin Cash, have played together for 4 years—four remarkable women.

This last victory caps an incredible collegiate career for these four women, including an unbelievable 136-and-9 record and two national championships—rather phenomenal. Throughout the season, their familiarity with each other made it seem as though they could read each other's minds as they played on the court.

All of us in Connecticut are deeply proud. Last Saturday, there was a parade in Hartford, CT. Literally thousands of people on a bitterly cold day showed up to express their admiration and pride in these wonderful players and their coaches.

Coach Geno Auriemma is truly a special individual and deserves some very special recognition. He has led this team to victory after victory and does so with a great deal of style, emotion, and feeling for these young women. He arrived on the Storrs campus in 1985, at which time the Huskie team had experienced only one winning season. He quickly turned the program into one of the leading powerhouses in the Nation, and the pride of the people of Connecticut has been swelling ever since.

Coach Auriemma has compiled over 400 career wins at UConn including an unbelievable 272-and-17 record over the last 8 seasons. This represents a run of dominance possibly unmatched in the history of team sports competition. Under Coach Auriemma's leadership, the Huskies have won 3 national titles, 12 Big East regular season titles, and 11 Big East tournament titles. This year, Coach Auriemma was named National Coach of the Year for the fourth time in his career and the Big East Coach of the Year for the fifth time in his career.

Perhaps the most important example of Coach Auriemma's philosophy is the way he has led these women to be winners on the court and off as well. I know the Presiding Officer will be impressed by this statistic. Coach Auriemma has overseen a program that

boasts a 100-percent graduation rate for the young women of his team. That is something to be emulated across the country. The entire sports world could learn a great deal from Coach Auriemma and his staff and the generation of UConn women's players who have played for him. Athletes do not need to sacrifice an education or other valuable things in life for the sake of winning. If you set your sights on excellence, there is no telling how much you can achieve in life and where excellence will come in every endeavor in which you engage.

Although some Huskies have gone on to excel in the WNBA, many others have gone on to careers as physicians, lawyers, and educators. I know Coach Auriemma is extremely proud of the alumni association that has come from the teams he has coached over the years.

Let me also congratulate everyone involved in this incredible season. I mentioned the four seniors on the team: Sue Bird; Swin Cash; Diana Taurasi, a young woman, not a senior. She was the most junior in age of the starting five. I mentioned Asjha Jones and Tamika Williams. The starting five is the only team in NCAA history where all five starting players are All-Americans. Sue Bird was on the first team, two were on the second team, one on the third team, and one honorable mention. That has never been done before by a starting five on a basketball team. And the other players on the team could easily have been a starting team almost anywhere else, and they contributed successfully to the success and overall efforts. They include: Jessica Moore, Ashley Battle, Maria Conlon, Morgan Valley, Ashley Valley, and Stacey Marron. Thanks go to Geno Auriemma and his associate head coach, Chris Dailey, and Tonya Cardoza and Jamelle Elliott.

Senator LIEBERMAN and I are very proud of this wonderful group of people, these young players. They receive a lot of support around Connecticut. We have always had to export our sports allegiance, on a professional level, and in Connecticut you are either a Boston Red Sox fan or a Yankee fan. Some are now Mets fans. In football, you either support the Giants or the Patriots. In hockey, it is Boston, New York, or New Jersey. At the collegiate level, the UConn men's team, under Jim Calhoun, had a wonderful season, getting to the final eight, losing to Maryland, and the UConn women's team going on to the third national title in the last few years.

While we don't have a professional sports team in our State, we have wonderful college athletics, and you can understand the great sense of pride we all feel over this unique and special accomplishment achieved by the UConn women's basketball team. I know my colleague is here being supportive.

CONGRATULATING THE UNIVERSITY OF CONNECTICUT'S WOMEN'S BASKETBALL TEAM ON WINNING THE NCAA NATIONAL TITLE

Mr. DODD. Mr. President, I send to the desk a resolution, S. Res. 232, and ask for its consideration.

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

The assistant legislative clerk read as follows:

A resolution (S. Res. 232) congratulating the Huskies of the University of Connecticut for winning the 2002 NCAA Division I women's basketball championship.

The PRESIDING OFFICER (Mr. CORZINE). Without objection, the Senate will proceed to consider the resolution.

The junior Senator from Connecticut is recognized.

Mr. LIEBERMAN. Mr. President, it is with profound pride—and I suppose I should add provincial pleasure—that I join Senator DODD and all of our colleagues from Connecticut in the House of Representatives in introducing this resolution, which is the legislative equivalent of wagging our tails and howling like huskies at the Capitol dome.

We are very proud to salute the 2002 national champion University of Connecticut women's Huskies basketball team, who, on March 31, capped a 39-to-0 season—a perfect season—the ninth undefeated run in the whole history of college basketball, with a victory over Oklahoma in the title game. I suppose we should pay some respect and give some sense of congratulations, even in defeat, to our former colleague, David Boren, who is now the president of the University of Oklahoma.

This fantastic season leads me to repeat a pressing question that opponents of the UConn women's basketball team must have been asking all year, which is: Who let the Huskies out? I think the answer might be the great Coach Geno Auriemma and his superb staff, who not only coached but led, inspired, and mentored this extraordinary group of women to this extraordinary season. This marks the third time that UConn women have leapt above the rim of college basketball and the first time in NCAA history that any school has gone unbeaten on two separate occasions.

Mr. President, you may remember—and I certainly do—a similar swell of pride when Rebecca Lobo and Jenn Rizzotti and company ran the table on the way to the national championship in 1995. For years to come, student athletes around the Nation will be striving to approach the perfection of this program, and we in Connecticut are so proud of it.

As Senator DODD indicated, five of these great basketball players won All-American notice. They poured in more points than any other team in the Nation and racked up an NCAA record average margin of victory of more than 35 points a game—a remarkable achievement.

But the true measure of the team, as Senator DODD indicated, can't be distilled in numbers or records. You have to look at the humans involved. The legendary Geno Auriemma, one of the winningest coaches in college basketball history, once again brought together a great group of talented and hard-working young women and imbued that team not just with the skills but with the team spirit and the togetherness that we saw on the court perfectly and gracefully executed time and time again.

Senator DODD referred to the four seniors who are legendary and will remain legendary in Connecticut for a long time to come: Sue Bird, Asjha Jones, Tamika Williams, and Swin Cash; and a great sophomore sensation, Diana Taurasi. They became an unstoppable combination. I will say with pride that the surge of success is starting to feel happily familiar to us, and we are very grateful for that. Over the last 4 years, the UConn women's team has gone 136 and 9, made three Final Four appearances, and claimed four Big East tournament titles in 4 years, along with the Huskies men's basketball team, which this year earned its 15th consecutive trip to national post-season play on the way to the Elite Eight. The two make a truly triumphant tandem, that Huskies men or women have now won the national college basketball championship in 1995, 1999, 2000, and 2002.

This is a great program, and we owe a particular thanks and expression of pride to the athletic director of the University of Connecticut, Lou Perkins, to coaches Geno Auriemma and Jim Calhoun, and to all their staffs.

Mr. President, this may give you some small sense of why Connecticut residents are as loyal to our Huskies as huskies are to their owners. We love the way this team came to play. We love the way they brought out the best in our State. If I may say so, as Americans, every day we pledge allegiance to the red, white, and blue; but during basketball season in Connecticut, we have a special place in our hearts for the white and blue alone. We are proud that the rest of the Nation is catching on. A record crowd of nearly 30,000 fans turned out at the Alamodome in San Antonio to watch the Huskies win the national title. That growing popularity is helping women's college basketball ascend to truly new heights.

I am proud to join with Senator DODD and our colleagues in the House in introducing this resolution and in congratulating the UConn players and coaches on their singular accomplishment and asking the Senate to do the same. We are filled with pride over the honor the Huskies have brought to Connecticut.

Two years ago, when Senator DODD and I were here and I was honored to give a similar speech saluting the UConn men's Huskies, I closed with the

UConn cheer. I believe if I don't do it today, there will be objections raised under various Federal statutes. So here it is: U-C-O-N-N, UConn, UConn, UConn.

Thank you. I yield the floor.

The PRESIDING OFFICER. Without objection, the resolution and the preamble are agreed to.

The resolution (S. Res. 232) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 232

Whereas the University of Connecticut women's basketball team won its second national championship in 3 years by defeating the University of Oklahoma by the score of 82–70;

Whereas NCAA Division I Women's Basketball Coach of the Year Geno Auriemma's team finished the 2002 season with a perfect 39–0 record, becoming only the fourth NCAA Division I women's basketball team to go undefeated;

Whereas Sue Bird was chosen as the national women's player of the year;

Whereas Swin Cash was named the Final Four Most Outstanding Player;

Whereas Sue Bird, Swin Cash, Diana Taurasi, Asjha Jones, and Tamika Williams were selected as All-Americans;

Whereas the Huskies' 35-point average margin of victory during the regular season was the largest in NCAA Division I women's basketball history;

Whereas the Huskies dominated this year's NCAA Division I women's basketball tournament, averaging 83.3 points and a 27-point margin of victory en route to the championship;

Whereas the high caliber of the Huskies in both athletics and academics has significantly advanced the sport of women's basketball and provided inspiration for future generations of young men and women alike; and

Whereas the Huskies' season of unparalleled accomplishment rallied Connecticut residents of all ages, from New London to New Haven, from Hartford to Hamden, behind a common purpose, and triggered a wave of euphoria across the State: Now, therefore, be it

Resolved, That the Senate commends the Huskies of the University of Connecticut for—

(1) completing the 2001–2002 women's basketball season with a 39–0 record; and

(2) winning the 2002 NCAA Division I Women's Basketball Championship.

The PRESIDING OFFICER. The Senator from Texas is recognized.

ORDER OF PROCEDURE

Mrs. HUTCHISON. Mr. President, I ask unanimous consent to set the speaking order. I would like to have up to 10 minutes to speak, after which Senator MILLER would like 10 minutes, after which Senator FRIST would like 15 minutes.

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

ENERGY SECURITY

Mrs. HUTCHISON. Mr. President, I rise today to talk about the need for an energy policy for our country. I have tried ever since I have been in the Senate to get us to plan ahead, to lead our country to be self-sufficient in our energy needs. Unfortunately, the disagreements have been too great and Congress has not been able to come up with a plan that could be signed by the President.

Today we are not only talking about economic security, we are talking about something bigger, and that is national security. We must have an energy policy that begins to make our country self-sufficient because we can no longer allow 60 percent of our energy needs to be imported, especially from countries that may or may not be there for us.

I do not know what it takes for the American people to get it. Iraq has just said they are not going to export oil for 30 days. The United States uses 1 million barrels a day from Iraq and the world market. Every time a country says they are not going to produce, it takes that oil out of the world market and increases the price of gasoline at the pump and the cost to every factory to stay in business.

We are in a war. There is no question we are in a war on terrorism. We are in a war for the very freedoms on which our country was built. Religious diversity in our country has been the beacon in the world for tolerance and respect of people with different views. That has been attacked.

We are in a war, and when we are in a war, it means we must make sure our underlying strength is everything we can make it. Part of our underlying strength is a ready supply of energy. We must have a stable price for the energy we consume in our homes, in our cars, and in our factories to keep the jobs in our country.

We should have done this 6 years ago. We should have done it 4 years ago. We should have done it 2 years ago. But if we do not do it now, we are remiss in our responsibility as leaders of this country. The President has called on Congress to send him an energy package. We are debating an energy package that has been passed by the House. It is a balanced package. It increases production of oil and gas in our country. It has renewable incentives so that we will have wind energy and research into ethanol, soy fuel, and other products we can renew. It encourages the building of more nuclear powerplants which is a clean and safe energy. We will have more clean-burning coal.

There are so many opportunities for us to become self-sufficient, but until we have an energy policy, we will not be self-sufficient and we will be beholden to countries, such as Iraq, that are already cutting us off as I speak. We cannot allow any country, even a supposed friend, to have a veto over our economic stability which, in turn, is a veto over our national security. We cannot allow it, Mr. President. If we do, we are not the leaders of our country that we should be.

I am calling on the Senate to pass an energy bill. Even if it is not a perfect bill, we need to pass an energy bill. I do not like the bill the Senate is considering. It has some big problems. We are trying to straighten out those problems, and we have made some headway. Some of the amendments that have been adopted have improved the bill.

When the price of gas at the pump goes up 14 cents in the last 14 days, we cannot sit here and twiddle our thumbs. We cannot do it in good conscience. It is time for the Senate to get to work.

There will be an amendment pending in the next 15 to 30 minutes. We need to complete that amendment and go to the next one. It is very important. Part of the bill will give tax incentives for the small drillers, the 15-barrel-a-day drillers, to stay in business so we will have stability if the price goes below $15 a barrel. These are small business people. They are not going to reopen a well if they do not have some floor to help them stay in business and avoid the cost of closing that well. That is the reason many of the wells, that were closed when prices were $11 a barrel, have not been reopened.

If we can get all of the marginal wells pumping in this country, we will equal the amount we import from Saudi Arabia every day. If we drill in a very small part of ANWR, we can equal the amount we import from Iraq every day. That would be a significant step toward our stability.

ANWR is an area the size of the State of South Carolina. Part of it has vegetation and is a wildlife preserve. The part we are talking about drilling is 2,000 acres, about the size of Dulles Airport. We are talking about the size of Dulles Airport and the State of South Carolina. I think sometimes when I hear the environmentalists debate this issue, they do not know about the new techniques for drilling. We do not drill all over an area anymore. We used to have an oil well about every 50 feet. We do not do that anymore because we have technology that allows us to go down lower and spread out to get the oil without damaging the surface at all.

We are talking about a very small area that can be drilled, and it happens to be an area that does not have vegetation. Two- thirds of the year it is ice, and the road will not ever hit the dirt because it is an ice road. We will not harm the caribou. There was a study that came out from the Department of the Interior that indicated there would be harm to the caribou, but they were not talking about the bill we are going to address. The assumptions the Department made in the report are not in the bill that the House passed. It is a totally different issue. They assume we will be drilling in other parts of the refuge which we will not.

We will be sensitive to the environment. We should also protect the national security of our country. We can do both. Do we want to protect jobs and security in America, or do we want to be beholden to foreign countries for

our energy needs which could shut down factories, lay off workers, cause lines at the gas pumps, and cause economic hardship in this country? That is our choice, and the choice is before us today: Are we going to choose to be self-reliant, like the greatest country on Earth at war, or are we going to rely on imports from countries that have already said they are going to cut us off? It is a no-brainer, Mr. President. It is a no-brainer. We must look out for the interests of America. If we are going to be the beacon of freedom in the world, this is part of our ability to protect that freedom.

We can do no less than pass an energy bill, go to conference, and work out with the White House the differences we have. Let us put the partisan differences aside and let us make sure America has a balanced energy policy. This includes conservation, renewable energy, electricity deregulation, more production in our own country of oil and gas, and lessening the liability for nuclear powerplants, so we will once again be able to build nuclear powerplants for clean energy.

The United States is not going to walk backward on protection of the environment. We will never do that. We are going to protect the environment, and at the same time we are going to protect the national security of our country, if we do the right thing.

I hope my colleagues, who have come back from 2 weeks at home, have seen the prices rise at the pump, have seen the moms in SUVs who are taking their children to school in carpools saying: My gosh, I cannot afford to fill up my tank and pay $150; I cannot do it.

No one says: Well, do not have an SUV. If they have five or six children and they are car-pooling, they are saving a lot of money because they are doing something that would take two cars to do. They are also looking out for the safety of their children by having heavier vehicles.

The time is now. We have the opportunity to pass an energy bill and put one more piece of our homeland security in place. It is our responsibility, and I hope the Senate will step up to the plate and do the right thing.

I yield the floor.

The PRESIDING OFFICER. Under the previous order, the Senator from Georgia is recognized.

PRESCRIPTION DRUG LEGISLATION IS NEEDED TO HELP AMERICA'S ELDERLY

Mr. MILLER. Mr. President, there is a little family restaurant in my hometown of Young Harris, GA, that is called Mary Ann's. It is where the locals gather, and often some tourists, to enjoy the north Georgia mountains. It is a good cross-section of folks: Blue-collar laborers who build houses and cut timber; teachers from the little junior college up the street where I once taught, and may do so again; young folks determined to eke out a living without having to move to Atlanta; retired folks who did go to the city to find work and then came back home as soon as they could.

There is also a percentage of people from States such as New York and Michigan who dreamed of retiring to the sunshine of Florida, and did. Some found it a little crowded and then came on up to our area in north Georgia. We call them halfbacks. They retired to Florida, then moved halfway back home. Nothing wrong with Florida, mind you. They just enjoy the beauty of our mountains.

The point I am making is this is a great cross-section of folks, usually equally divided between Republicans, Democrats, and Independents. It is where I do my focus groups, for free—or not exactly for free: sausage, a biscuit, and a cup of coffee.

I suggest to both parties in Washington who pay those enormous sums of money for focus groups and polling that there is a much cheaper way to do it, and I swear I believe it is just about as accurate.

Anyway, the point I want to make is over the recess I was in Mary Ann's a lot, and I processed a lot of information on the cross-tabs of my brain, you might say.

One day, an old timer, so thin he was mostly breath and britches, followed me out into the parking lot. That is where you can have real private conversations, usually with one leg propped up on the bumper of a pickup. We have known each other all of our lives. He stared deep into my eyes and he said: ZELL, I am worried about Hoyle.

Hoyle Bryson is my uncle, kind of like a father since my dad died when I was a baby. Hoyle has always lived next door. When I was a little boy, he played professional baseball in the minor leagues at far-away and exciting places such as Tallahassee, FL; Tarboro, NC; Portsmouth, VA. Most of his life he was a hunter and a trapper and worked as a lineman for the Rural Electric Association. He is 88 years old now, has lived alone for over 20 years since his wife died. Once, a strong mountain man, he now has diabetes, prostate cancer, recently had angioplasty, and this week was bothered with a kidney infection. That once strong body is gradually growing weaker.

So I am worried about Hoyle. I am worried about Hoyle, even though he still makes his own garden and keeps a passel of hound dogs, as he always has.

I took him to the doctor a few weeks ago and stopped back with him at the drugstore to fill his prescriptions. They came to well over $100 and will only last him a couple of weeks.

Hoyle, as do most of our elderly, lives below what statistically is known as the lower poverty level threshold. This is the group that is hurt most by taxes and especially by rising health care costs. They are a valuable human resource that we must be, as my mountain friend said, worried about. It is not always pleasant and uplifting to see this segment of our society. They make us sad. Many of us—too many—even refuse to see them. We refuse to see them because we fear we may see ourselves to be the lonely elderly waiting, waiting for someone, anyone, to knock on their screen door and, as John Prine sings, say, ''Hello in there.''

The elderly are waiting for something else, too. They are waiting for us to do something about their needs. So far, they have waited in vain, each day growing older and weaker and many dying.

Do you know who we in Washington are like? We are like those people in the biblical story of the Good Samaritan who passed by the man in the ditch and refused to help him. We are no better than they are.

Our elderly have always been the backbone of our society, and if we do not give them some help soon, this Nation is going to get a permanent curvature of the spine.

Twenty-five centuries ago, Plato said it best: States are as men are. They grow out of the character of man—and woman, I might add.

If we in the Senate are to be called civilized, decent, God-fearing and God-obeying, we who are so richly blessed must meet this stark question of human need. We must have a meaningful prescription drug benefit, and we must have it soon.

I say to my fellow Senators, let us get our priorities in order. Sure, it was important to pass campaign finance reform, to try to take big money out of the political process. But is there anyone who would argue it is more important than a prescription drug benefit?

Election reform, we are going to get back on that. I am for it, too. We need to make the process easier, and we need to make it fairer. Fast-track trade, let's debate it. It is important.

These important time-consuming, well-meaning pieces of legislation that will tie this body in knots and run out the clock, are any of them close to dealing with the clear human need of a prescription drug benefit for our elderly?

If someone tuned in to the debates in this Senate since Christmas, they would conclude we care more about the welfare reform of the caribou than we do about the welfare reform of our elderly. This is a life-and-death issue about our fellow human beings, for goodness' sake. It is not about the fragility of the tundra in some far away isolated place only a very few people will ever see. It is about the fragility of a human being's last days on Earth.

There is absolutely no reason, no reason except cheap political gamesmanship, that we can't have a prescription drug benefit before election day—no good reason, no acceptable reason at all.

There are 11 prescription drug bills pending in this Senate today, all of

which would be better than what we have. With 54 different Senators listed as cosponsors, that says to me a majority of this Senate wants to do something and do it now. All of the budget proposals floating around out there include money for a prescription drug benefit.

Both parties made this promise to our elderly in the 2000 election. So why are we waiting? How much longer must we wait? How long are we going to continue to play this nonproductive, partisan, never ending ping-pong game of retribution and payback that takes up so much valuable time and, frankly, makes us all look silly and petty? How long will we keep using the antiquated rules that slow down everything to a crippled snail's pace, that on a regular basis thwarts the clear will of the majority of this body and instead substitutes the tyranny of a minority? We should stop this dilatory dillydallying and put up a sign around here that says ''No Loitering.''

We should cut down on some of this Presidential candidate posturing. I know you cannot do away with all of it, of course. But you want to be a contender? Quit preaching and preening and produce. You want the well off to show you the money? Show the not so well off a prescription drug benefit.

To do that, you will have to say no to some of those high-priced political strategists, those consultants who couldn't get elected dogcatcher themselves, whose advice is always the same: Have an issue, not a result. Never compromise, never accept a half of loaf of anything.

Remember FDR once said:

> Try something. If it doesn't work, try something else. But for God's sake, try something.

That is what I am trying to say. I want Hoyle and all those millions like him in the land of plenty who have played by the rules and worked hard all of their lives to have some peace and hope in the twilight days of their last years.

If this so-called center of democracy keeps piddling and procrastinating and postponing this issue, I hope the American people will rise up as did those fans at that football game in Cleveland and run both teams off the field.

The PRESIDING OFFICER. Under the previous order, the Senator from Tennessee is recognized.

ORDER OF PROCEDURE

Mr. WYDEN. For the purpose of a unanimous consent request, I ask to be recognized after the Senator from Tennessee.

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

Mr. WYDEN. I appreciate the graciousness of the Senator from Tennessee, and I ask unanimous consent that at this time morning business be extended for 10 minutes so at the conclusion of the remarks of the Senator from Tennessee I can speak as if in morning business for up to 10 minutes.

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

The Senator from Tennessee.

HUMAN CLONING

Mr. FRIST. Mr. President, in the coming weeks the Senate will consider legislation to prohibit human cloning. In advance of that important debate, which will center upon this intersection of values, of ethics as it crosses with science, many have begun studying in a very careful way this complex issue.

A number of colleagues have come forward and asked me, personally, about this issue, in part because of my medical background, but also in large part because they know I am a strong advocate for and a strong supporter of stem cell research, as long as that stem cell research is conducted within a framework of a comprehensive, ethical, and moral oversight system.

The question I hear most is the following: Can one truly be an advocate for stem cell research and, at the same time, oppose human cloning experimentation? After an in-depth study of this issue from a policy standpoint, from the standpoint of being a Senator and looking at that legislation as a science, from a medical standpoint, I believe the answer to this question is yes.

Until now, the overall human cloning debate has been presented almost as an absolute choice between, on the one hand, medical science and the hope for cures and, on the other, ethical restraint.

This is an oversimplification that does not do justice to the clinical, scientific, philosophical, moral, ethical, and spiritual complexities underlying this discussion. I am glad to see that a number of my colleagues and people around the country have not locked into this false choice, but rather have stayed back to examine these in our deliberations.

After carefully considering all of the evidence brought forward in hearings and on the floor in support of human embryo research cloning experimentation, after considering the medical progress being made and that will be made through stem cell research, and after considering the overwhelming ethical concerns about human embryo cloning experimentation, I conclude that a comprehensive ban on all human cloning is the right policy at this time. I intend to support legislation consistent with this policy, and I will encourage my colleagues to do likewise.

As we move forward, one must understand the fundamental fact that I hope plays out over the next several days and weeks in the discussion. It is important; that is, embryonic stem cell research and human embryo cloning research are not the same thing. Human embryo research cloning—called therapeutic or research embryo cloning—is an experimental technique often confused with but distinct from stem cell research. The promise of stem cell research, for Parkinson's disease, Alzheimer's disease, diabetes, spinal cord injuries, autoimmune disorders, cardiovascular disease—the promise of stem cell research and the science can and will progress with a ban on human cloning embryo experimentation.

Most serious observers—I don't want do say all—agree that human reproductive cloning should be banned, must be banned. Indeed the legislation that will come to this floor will ban reproductive cloning. It is dangerous and it is unethical.

The question this body will be debating is whether or not this ban on human reproductive cloning should extend to all human embryo cloning. The issue is not cloning of DNA, that is going to continue no matter what; not cloning of molecules, that is going to continue; not cloning of cells other than cells that become or are an embryo, that is going to continue. That is not yet fully understood and, in truth, we have not debated the legislation on this floor. But that will become apparent.

The House of Representatives has already overwhelmingly passed strong bipartisan legislation comprehensively banning human embryo research cloning experimentation and reproductive cloning. Now is the time for the Senate to do so.

Those who favor human research cloning experiments often point to its potential to develop tissues that will not be rejected. In fact, on the next chart—which I will not deal with today, but will come back to—are the arguments, the overall claims that human research cloning, or human cloning research is necessary to prevent immune rejection and is necessary for other reasons.

As a heart transplant surgeon, one who spent many years of my life transplanting hearts, this immune phenomenon is something I will come back to the floor and talk about because it is very important for us to address. Advocates for human embryo research cloning and so-called therapeutic embryonic cloning experiments say it will increase the number of embryonic stem cells. We will talk about that. They say it will further basic biological knowledge. Again, we will come back and talk about that as the debate proceeds.

There are facts that will need to be presented. But moving away from the scientific standpoint, if you look at the overall ethical and moral concern, it is this: Regardless of our religious background, most of us—maybe I should say many, but I believe most of us—are extremely uncomfortable today with the idea of creating cloned human embryos, doing an experiment on them, and destroying the human embryo. That is the state of the science. That is the state of the art.

If one supports human research or therapeutic cloning, given where we are today—our understanding of science—you are in support of purposefully creating an embryo, of removing

the cells, and thereby destroying that embryo.

The other concerns which people will talk about—although I think this is the concern that most people will start with—will be concerns about women's health. Human cloning clearly will create a market for women's eggs. That is going to create powerful incentives for women to undergo an intense regimen of superovulation drugs and surgery, with potentially devastating side effects.

As a physician and a policymaker who struggles, especially since I have come to Washington, with this inherent tension between scientific progress and ethical concerns, I think there are two fundamental questions that this body needs to answer, and the American people need to answer: No. 1, does the scientific potential of human embryo cloning experimentation justify this purposeful creation of human embryos which must, by definition, be destroyed in the experiments? The second question is: Does the promise of human embryonic stem cell research—and, again, this is separate from cloning—in any way depend on the experimental research cloning, the human cloning research technique or tool? To both of those questions I answer no.

At this point in the evolution of this new science, I believe there is no justification for the purposeful creation and destruction of human embryos in order to experiment with them, especially when the promise and success of stem cell research does not—does not—depend on the experimental research cloning technique. As my colleagues know, I am a strong supporter of stem cell—including embryonic stem cells—research, as long as that stem cell research is conducted within an ethical and moral framework.

Last August, President Bush outlined a scientific and ethically balanced policy that allows Federal funding, through the National Institutes of Health, for embryonic stem cell research, using nearly 80 stem cell lines. This has, indeed, opened the door to a significant expansion of embryonic stem cell research within this ethical and moral framework.

A lot of people do not realize today that there are no restrictions—whether there should be or should not be is not the subject of the legislation that will come to the floor—but it is important to realize there are no restrictions on private research using embryonic stem cells from embryos left over after in vitro fertilization procedures. Thus, when you come to that argument of just having a technique which produces more embryos, I would argue that there is simply no compelling need for any other source of embryonic stem cells today.

The state of the science and the state of the research we will be addressing again on the floor as we go forward. But given the serious ethical concerns on human embryonic cloning research, given the fact that there is a lack of significant research in animal models—and again most people do not realize that we are talking about human cloning experimentation creating human embryos. This research has not even been conducted in animal models at this juncture. Thus, I find no compelling justification for allowing human cloning, reproductive or research, today.

It is important also—and I will very quickly go through this—to be clear that we are talking about a ban on reproductive cloning along with a ban on what is called research or therapeutic cloning, but it is all human embryo cloning. But the bill allows other types of cloning research to continue—many people do not realize that—whether it is cloning to produce animals, cloning to produce plants, cloning any cell other than a human embryo, cloning of DNA and RNA, proteins or any other molecule. In fact, I will not go through the entire list now.

The point is, the cloning science continues. The ban is on the cloning of the human embryo: the purposeful creation of an embryo for human reproduction or for experimentation and its ultimate destruction, which is what we are banning today.

I would indeed argue that any potential benefit of cloning should be carried out—should be demonstrated in animal models before going to the human model.

I wanted to make the statement today based on my assessment of where we are. There will be plenty of time to debate this later. With that I will close.

I want to say, once again, I will support legislation to ban all forms of human embryo cloning, reproductive, research and therapeutic, when the issue comes before the Senate. I, indeed, will urge my colleagues to do likewise.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

FOREST MANAGEMENT

Mr. WYDEN. Mr. President, 6 years ago last month I gave my first speech in the Senate Chamber. It dealt with an especially important forestry issue. I continue to have significant interests in these matters as chairman of the Subcommittee on Forests and Public Land Management.

In particular, as chairman of this key subcommittee, I am committed to ending the tradition of suspicion and disagreement that has characterized so much of forest management over the decades. I am pleased to be able to announce this morning a development that takes a significant step in that direction.

In March of 1996, what brought me to this floor was my opposition to the so-called salvage rider, an approach that allowed timber sales to jeopardize the health of the forests in my home State of Oregon and elsewhere. I believed then, as I do now, that salvage sales that eliminate public input, prohibit legal appeal, and limit environmental analysis, are anathema to responsible and effective forest management. Now, 6 years later, I rise in this Senate to announce the cancellation of a particularly important salvage rider timber sale and to emphasize that, in my view, salvage riders are no way to do business in the natural resources field.

I am pleased to be able to announce this morning the cancellation of the Eagle Creek timber sale in my home State of Oregon. From its inception, I believed the Eagle Creek salvage sale was not subject to adequate review and that the planned logging would result in excessive environmental damage. For more than 3 years, I have worked to prevent that damage. In July of 2000, I called on the Department of Agriculture to convene an independent review team to analyze the threat. The team found that, indeed, the sale did pose a greater risk than anticipated to the well-being of the Eagle Creek forest.

Today, I offer my thanks to Agriculture Secretary, Ann Veneman, who followed through on her commitment to review the team's findings, for choosing to implement them, and for effectively stopping the timber sale that would have done significant environmental damage.

The Eagle Creek sale is an example of a sale that should never have moved forward in the first place. At the core, section 318 salvage sales are inherently flawed because they take the American people, the public that we represent, out of the process of managing public land. As I thank the Secretary of Agriculture for stopping this flawed sale this morning, I call on the administration to oppose further salvage riders. Those who would follow the failed Eagle Creek effort are no more likely to respect the health of the Nation's forests or the wishes and needs of the Nation's forest communities and stakeholders.

When the Government pursues natural resources issues with no opportunity for public comment, discussion, or appeal, the only result is distrust and dissention. As chairman of the Subcommittee on Forests and Public Lands Management, on my watch I am going to do everything to work with my colleagues on a bipartisan basis to avoid that kind of approach.

I am especially pleased the county payments laws that I authored with our colleague from Idaho, Senator LARRY CRAIG, are an example of how the logjam over forest policy can be broken. That is an approach that provides for the ecological health of forests and also helps to ensure the economic survival for scores of rural communities. Our county payments legislation helps widen the way for a real discussion of forest management policy and an open discussion that must continue.

I come to the floor this morning to reaffirm my commitment to new and

inclusive approaches to addressing the issues of forest management.

The administration has now made the right decision on Eagle Creek. It is time to halt the destructive practice of salvage sales around this country.

I look forward to working on a bipartisan basis with our colleagues and with the Secretary of Agriculture to promote a balanced forest policy that protects the remaining old growth in our national forests.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mrs. CLINTON). Without objection, it is so ordered.

EXTENSION OF MORNING BUSINESS

Mr. REID. Madam President, I advise Members that we are now working on a unanimous consent agreement to have a vote at probably about a quarter to 3 today. We should have something on that as soon as the Senator from California completes her speech. I ask unanimous consent that morning business be extended until we recess today at 12:30.

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

The Senator from California.

Mrs. FEINSTEIN. Madam President, I ask unanimous consent to speak in morning business for the next half hour.

The PRESIDING OFFICER. The Senator is recognized.

PEACE IN THE MIDDLE EAST

Mrs. FEINSTEIN. Madam President, it has become very clear to me and to others that the linchpin of stabilizing the Middle East and also to developing an allied coalition of Arab nations in the war on terrorism is the resolution of the Israeli-Palestinian conflict. Unfortunately, in the past 2 weeks, while Congress has been on recess, we have seen an escalation of violence. I strongly believe that Yasser Arafat must shut down the suicide bombers or there will be no opportunity for peace in the Middle East.

The Crown Prince of Saudi Arabia expressed a vision for a peace plan. Secretary Powell is in the area to see if he can capitalize on this vision and restore peace and stability, at least to get a cease-fire. His job is, indeed, a difficult one.

The suicide bombings are a potent weapon and they have been precisely calculated to destroy any chance for peace. Again, why? If these suicide bombers cannot be stopped, the situation can only deteriorate and the result will only be full scale military conflagration.

Israel cannot be expected to place a limit on her own self-defense or end her effort to capture terrorists so long as fanatics on the Palestinian side continue to plot and carry out these attacks.

Indeed, some 30 years ago, I recall hearing former Israeli Prime Minister Golda Meir say:

> We are not going to die so the world will think well of us.

An overwhelming majority of the Israeli people still feel the same and believe as I do that Israel has a legitimate right to self-defense.

Forces under the control of Yasser Arafat have been directly involved in perpetrating the recent wave of deadly terrorist attacks against Israeli civilians. Many of these attacks have been carried out by Arafat-affiliated groups such as the Al Aqsa Brigade, recently designated by the State Department as a foreign terrorist organization, and the Tanzim. These are parts of his own military apparatus.

During the week of Passover, 46 Israelis were killed and more than 120 wounded. In March alone, 125 Israelis were killed in the attacks which culminated in the bombing of the Passover ceremony in Netanya.

According to documents recently seized by the Israeli military from Palestinian Authority headquarters, one of Arafat's top advisers who works out of his office is directly involved in financing the illegal weapons purchases and the terror activities of the Al Aqsa Brigade. This same Palestinian Authority was directly involved in efforts to illegally smuggle in more than 50 tons of arms from Iran a few months ago.

Arafat resumed using terror as a tactic after he walked away from Israel's historic peace concessions at Camp David in 2000. The offer placed on the table at Camp David may not have been perfect, although I happen to believe it was excellent, giving the Palestinians 96 percent of what they wanted. They have not put an offer on the table. Rather, they have opted for violence.

Since the fall of 2000, Arafat and his forces have engaged in hundreds of acts of terror against Israel, principally targeted at civilians. Arafat and other Palestinian officials have been directly involved in inciting violence against Israel. Arafat and other Palestinian officials have been directly involved in failing to thwart terrorist operations because they know how powerful those operations are.

Arafat and other Palestinian Authority officials have been directly involved in releasing terrorist suspects rather than arresting them. Arafat and other Palestinian Authority officials have been directly involved in failing to confiscate the weapons of terrorist suspects.

All of these actions are required under the terms of peace agreements he signed and to which he claims to be still committed. So why is all of this happening? I believe there is a hidden agenda, and that hidden agenda is to drive out the Jewish people and create a Palestinian state, which includes Israel. This has been the Palestinians' historic quest. Many of us hoped that through the Oslo process this quest could have been changed. But I am increasingly beginning to believe it has not been changed.

It may be unreasonable to expect that Arafat will be 100 percent successful in bringing Hamas and the Islamic Jihad totally under his control. But he can control Fatah and the Al Aqsa brigades and the Tanzim. So far, it is impossible to make the argument that he has even tried. We must remember that Yasser Arafat has rejected all Israeli peace plans, and he rejected General Zinni's recent cease-fire plan, which Israel accepted.

General Zinni went to the Palestinians and said: What do you need? He then went to the Israelis and said: What do you need? He then put them together and presented each with a cease-fire plan. The Israelis accepted it; the Palestinians did not. So one must believe the Palestinians could stop this violence if they wanted.

Israeli soldiers are now going door to door. If they retreat, I believe it will be back to the suicide bombing as usual. In the past 2 weeks, there have been no suicide bombings, since the last bombing on March 31 at the Haifa restaurant which killed 14 people. The Israeli Defense Forces, IDF, have arrested roughly 1,500 people and placed 500 on the wanted list. The Israeli Defense Forces have captured more than 2,000 weapons of various types, including thousands of guns and ammunition, 44 combat vests and suicide belts, more than 60 pounds of high explosives, and nearly 50 rocket-propelled grenades and launchers. They have captured night vision equipment and sniper rifles. The IDF has also discovered 11 weapons and explosives laboratories.

In the final analysis, if there is to be a peaceful resolution of the crisis, and if there is to be a Palestinian state alongside Israel, Mr. Arafat must make every effort to take the measures necessary to bring the suicide bombing and this kind of violence to an end. That is the responsibility he bears as a leader if he wants to see his people truly live in peace and freedom.

If Secretary Powell is unable to make concrete progress in ending the violence and moving the peace process forward, I intend to move forward shortly on an updated version of the Middle East peace compliance legislation that I introduced with Senator MCCONNELL last fall.

The stakes are enormous. As an editorial last Thursday in the Washington Post—and I find myself strongly agreeing—stated:

> It should not be hard to agree that a person who detonates himself in a pizza parlor or a discotheque filled with children, spraying scrap metal and nails in an effort to kill and maim as many of them as possible, has

done something evil that can only discredit and damage whatever cause he hopes to advance. That Muslim governments cannot agree on this is shameful evidence of their own moral and political corruption.

And,

The Palestinian national cause will never recover—nor should it—until its leadership is willing to break definitively with the bombers. And Muslim states that support such sickening carnage will risk not just stigma, but their own eventual self destruction.

So either terror ends or full-scale war begins. This is the way I see it.

Hopefully, the world will respond. Despite all that has happened, the United States can and should encourage Israel to sit down at the negotiating table for one final try. We should be responsible to get the Israelis to that table. But if the United States is to do so, the Arab world must also rise to the occasion and exercise this same control over Arafat and the Palestinian terrorists. That should be the responsibility of the Arab world.

I must say I was struck by the unhelpful nature of Ambassador Bandar bin Sultan's recent op-ed piece in the Washington Post. It seems to me if there is ever a time for responsible Arab governments to shut down suicide bombing as an acceptable tactic for anything and push Yasser Arafat into a cease-fire, real negotiations, and a peace plan, that time is now. Both the Saudis and the Egyptians are well known for seeking and destroying terrorists or others who threaten them. But they fail to allow Israel the right to do the same or to destroy the infrastructure that organizes and arms the suicide bomber and recompenses the bomber's family. Suddenly, those who kill and maim Israeli citizens are heroes, as long as it is only Israelis they kill.

Some believe that the Saudis want to have it both ways—support Americans in our war against terror, and support Yasser Arafat as he wages terror. Ambassador Bandar bin Sultan gives credibility to this argument. Any premature withdrawal of Israeli troops before they are able to seek out and destroy the members of the terrorist network must be replaced by a serious commitment of the United States and all moderate Arab States to stop the terrorist bombing. If it is not, then this country's war against terror will be mortally wounded by hypocrisy.

I suggest that Secretary Colin Powell pick up the Saudi peace plan and place it squarely on the table of world opinion, with the following caveats:

1. Withdrawal of Israel to the 1967 borders and agreement to the creation of a Palestinian State, to be conditioned by: A, defensible borders; and, B, a division of Jerusalem along the lines of that proposed by President Clinton at Camp David.

2. A 5-year phaseout of Israeli settlements in the West Bank and the Gaza Strip. This is a difficult pill to swallow, but it is also one that has to be done if there is going to be true peace and the ability of an Israeli State to stand side by side with the Palestinian State.

3. No physical Palestinian right of return but just compensation as provided for in United Nations Resolution 194.

4. All suicide bombings stop or the agreement is invalidated.

5. A peacekeeping and monitoring of the agreement by the United Nations and/or the United States over the next 5-year period.

If it is true that all Palestinians want is their own state and government, then they shall have it. If it is also true that what they really want is the destruction of the State of Israel, then this will become crystal clear to the world. Israel has a right to live in peace and security, within internationally recognized borders, and only Arab States committed to peace can bring this to a peaceful end.

The ongoing wave of terror threatens the survival of Israel as a free democratic and civilized society, and it risks engulfing the entire Middle East in chaos and war.

Israel must fight against this terror, just as we do, just as surely as the United States must fight and destroy al-Qaida and the other terrorist groups with global reach. And I firmly believe the United States should stand by Israel's side in the quest for peace and security.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

TERRORISM INSURANCE

Mr. NELSON of Florida. Madam President, I wish to speak about truth in politics. Some people would say that is an oxymoron, but it is very much needed in this town. Truth in this town often gets mixed up with the excessive political partisanship that starts to raise its head when the hot contest on an issue arises, and one such issue arose yesterday. The President took a swipe at the majority leader of the Senate over the fact that the majority leader was not bringing up legislation on terrorism insurance when, in fact, if my memory serves me correctly, in the closing hours before the Christmas recess, it was the majority leader who brought up the terrorism insurance bill, and it was objected to by the minority leadership, specifically the senior Senator from Kentucky.

Then yesterday, the Senator from Nevada offered a unanimous consent request to bring up the terrorism insurance bill, and it was objected to by the minority leadership of the Senate.

I wish we would get our facts correct about who is doing what to whom and who is trying to bring legislation out to the floor of the Senate. The fact is that the majority leader, as a number of Senators, thinks there is a legitimate problem as a result of September 11 with regard to being able to insure high-value structures in uncertain times of terrorism. Therefore, to keep the engines of commerce properly oiled and lubricated, the commodity that is often misunderstood, known as insurance, needs to be provided.

If we are successful in getting the parties to come together and the legislative branch and the executive branch of Government to come together on a bill—this particular legislation that is being talked about has a gross omission; and that is, the consumer needs to be protected from the rates being jacked up so high using terrorism as an excuse. In fact, that is what we are already beginning to see. We are seeing the rates of a number of liability, property, and casualty policies going through the roof as a result of the uncertainty of the climate set about by terrorism.

There is an easy way to handle that, and if this body does get together on a terrorism insurance bill, then clearly it ought to have the protection that, first, the premiums collected for terrorism insurance not be mixed with the premiums collected for liability, fire, theft, slip and fall, and other activities. Why? If an insurance company needs to charge an additional amount for terrorism, and there is no experience or data save for the September 11 experience, we need to know how much is being charged so that the insurance commissioners of the 50 States will be able to build some data and see clearly whether or not the amount of a premium being charged is, in fact, actuarially sound to support the threat of future insurance losses from terrorism.

The commissioners need data and they need experience and the only way, from an accounting standpoint, they can accurately measure that is the premiums for terrorism insurance are kept separate from all other premiums for the normal property and casualty insurance cost.

A second provision that is absolutely essential for the protection of the consumer is that there be a cap on the amount the premium can be raised. Instead of these gargantuan rate hikes that are now occurring—some double and triple the amount that businesses have paid in the past—there could be a much more modest rate hike. If that is not enough or if that is too much on the basis of the experience—in other words, the payout for terrorism losses in the future—the insurance commissioners of the 50 States will be able to have a record they can then figure out whether that is too much or too little.

Instead of taking advantage of the trauma of the climate of September 11, we ought to put a cap in any legislation we pass on the amount the rates can be raised by insurance companies.

Mind you, even though we think this is applicable just to large buildings, football stadiums, or public places that might be on a target list of terrorists, just wait. We are going to see in neighborhoods that happen to be near a nuclear plant the rates for homeowner insurance policies and automobile insurance policies jacked up; thus, all the

more reason why we need to separate the premium that applies just to the terrorism risk, as well as cap it for the initial rate increase to pay for the terrorism insurance.

There is a third protection of the consumer that must be included in any legislation the Congress passes, and that is the prevention of redlining or, in other words, the prevention of saying: I am going to give you terrorism insurance, but I am not going to give you terrorism insurance. In other words, there has to be a mandatory obligation that all policies be able to have the terrorism coverage.

Those three particular points of protection of the consumer must be in legislation that comes out of the Senate and was suggested by the White House yesterday but with no details: Point No. 1, separate the funds from an accounting standpoint so we know how much is going in to the insurance company for the terrorism risk; No. 2, cap the amount initially that can be raised until some experience can be built up and data is available to see if the rate being charged for the terrorism risk is actuarially sound; and, No. 3, have a requirement that there be the mandatory coverage of the terrorism risk so that there cannot be cherry-picking, saying: We will cover you, but we will not cover your policy.

Then the public of America would be well served.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Madam President, I ask unanimous consent that I be permitted to proceed for 5 minutes.

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

Ms. COLLINS. I thank the Chair.

(The remarks of Ms. COLLINS pertaining to the introduction of S. 2077 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:36 p.m., recessed until 2:15 p.m., and reassembled when called to order by the Presiding Officer (Mr. DURBIN).

Mr. REID. 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. BUNNING. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

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

Mr. BUNNING. Mr. President, are we in morning business?

The PRESIDING OFFICER. Yes, we are.

U.S. ENERGY POLICY

Mr. BUNNING. Mr. President, I rise today to talk about the current state of energy in our country.

We desperately need an energy policy that will address the future of our energy use. Now is the time for Congress to get serious about passing a comprehensive energy bill.

I believe that in order to make progress on this energy bill we need to balance conservation and production.

Many of us in the Senate understand that a balanced, sensible energy policy must boost production of domestic energy sources as well as promote conservation. The energy bill before us takes good steps toward striking this balance.

I look forward to the tax ideas coming from the Finance Committee that will further promote conservation and the use of alternative fuels.

However, I still believe that this bill remains too weak on production. More must be done to increase our domestic production if the Senate is going to pass serious energy legislation. Increasing our production of energy is absolutely critical in reducing our dependence on foreign oil.

Right now we depend upon foreign nations and the Middle East for nearly 60 percent of our country's oil supply. As most of us know, gasoline prices have been increasing for the past several weeks. This causes me serious concern especially since the upcoming summer months are when so many families take to the road for their annual vacation.

There are many reasons that gasoline prices are rising. One reason is that OPEC countries have cut their oil production since the end of 2000 by a total of 5 million barrels of oil per day. Another is the increasing volatility in the Middle East.

Gasoline prices have increased more than 25 cents in just the last few weeks. Higher gas prices will place a strain on the American families' budget.

They raise the cost of goods and services, and place an even greater burden on our economy just as it is showing signs of life.

The need to increase our own production of energy is especially true after Saddam Hussein's announcement yesterday that Iraq will cut off oil exports for the next month to protest Israel's actions on the West Bank. He is also calling for an OPEC embargo on all oil sales to America.

Before this announcement, the United States indirectly imported nearly 780,000 barrels of oil a day from Iraq. Saddam's threat pushed the price of oil and gas even higher. I think we need to ask ourselves whether we want to continue our dependence on other countries led by people as dangerous and unpredictable as Saddam Hussein.

Our national security has never been more important, and we must strengthen our energy independence to protect ourselves from madmen like Hussein and the politics of the Middle East.

We are at war, and we continue to face economic uncertainty. Energy is a key factor in both of these struggles, and this means that the Senate absolutely must take a cold, hard look at ANWR.

The issue is too important to play games with. It is too important for politics. Our Nation and our security are at risk.

The rules have changed. We need to stop playing around on this issue and to have a straight up or down vote on ANWR: No bluffs, no posturing, whoever has the most votes wins.

ANWR is the most promising domestic source of energy that we have. I believe it is indispensable to helping reduce our dependence on foreign oil.

Of course there are some in the Senate who are desperate to stop us from opening up ANWR. However, with more than 10 billion barrels of oil recoverable from ANWR, I think we all need to take a clear-headed look at it.

ANWR has the potential to produce over 1 million barrels a day. That is enough oil to replace the volume we currently import from Saudi Arabia or Iraq for more than 25 years. The oil that could be recovered from ANWR could fuel Kentucky's oil needs for the next 80 years.

Drilling in ANWR provisions in the energy bill would make a huge difference for our domestic consumption and would amount to an essential step toward ensuring our national security. We have no choice. We must lessen our reliance on Saddam Hussein and others in the Middle East for our oil by exploring ANWR.

Today the United States produces less than we did in World War II. In 1970, our oil imports constituted only 17 percent of our domestic consumption. That is three-and-a-half times less than what we import today. This dangerous trend must be reversed.

Furthermore, recent advances in technology will enable us to extract oil in ANWR in an environmentally sensitive way.

America's environmental safeguards are the toughest in the world. This means that the drilling operations will be conducted under the most comprehensive environmental regulations.

We all want to protect our environment. If we do not do a better job developing domestic energy, we will continue to rely on foreign oil, oil from other nations. These nations have weaker environmental rules than we do. Under these weaker safeguards, the damage to the environment will be even greater than if we use ANWR.

I also think that our domestic production should be increased through the use of clean coal technology. I am proud to come from a coal state. The energy bill provides a good start at increasing research and development and encouraging the use of clean coal technology.

The proposed tax package will also further increase incentives for the use of clean coal technology. Clean coal is

important to increasing our domestic energy production in an environmentally sensitive way. We have over 275 billion tons of recoverable coal reserves. This is nearly 30 percent of the world's total coal supply. That is enough coal to supply us with energy for another 270 years.

Because of research advances, we now have the know-how to better balance conservation with the need for increased production. Let's use this ability to come up with a good piece of energy legislation.

Yesterday's announcement by Saddam Hussein should remind everyone how vulnerable our economy and national security are to arbitrary decisions made by dangerous foreign dictators.

For over two decades, we've hemmed and hawed about the need for America to follow a sensible, long-term energy strategy. If the threat of Saddam Hussein putting a gun to our head—again—does not help us pass a bill, I do not know what will.

I hope we are on our way to producing a balanced comprehensive energy bill that increases production and conservation and makes a difference for our national security. I hope that we can move quickly to pass an energy bill that will make our economy and national security stronger. The time is now.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, are we on the energy bill at this time?

The PRESIDING OFFICER. We are not.

Mr. REID. Mr. President, I ask for the regular order.

NATIONAL LABORATORIES PARTNERSHIP IMPROVEMENT ACT OF 2001

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of S. 517, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 517) to authorize funding the Department of Energy to enhance its mission areas through technology transfer and partnerships for fiscal years 2002 through 2006, and for other purposes.

Pending:

Daschle/Bingaman further modified amendment No. 2917, in the nature of a substitute.

Feinstein modified amendment No. 2989 (to amendment No. 2917), to provide regulatory oversight over energy trading markets and metals trading markets.

Kerry/McCain amendment No. 2999 (to amendment No. 2917), to provide for increased average fuel economy standards for passenger automobiles and light trucks.

Dayton/Grassley amendment No. 3008 (to amendment No. 2917), to require that Federal agencies use ethanol-blended gasoline and biodiesel-blended diesel fuel in areas in which ethanol-blended gasoline and biodiesel-blended diesel fuel are available.

Lott amendment No. 3028 (to amendment No. 2917), to provide for the fair treatment of Presidential judicial nominees.

Landrieu/Kyl amendment No. 3050 (to amendment No. 2917), to increase the transfer capability of electric energy transmission systems through participant-funded investment.

Graham amendment No. 3070 (to amendment No. 2917), to clarify the provisions relating to the Renewable Portfolio Standard.

Reid amendment No. 3081 (to amendment No. 2989), in the nature of a substitute.

AMENDMENT NO. 3081

Mr. REID. Mr. President, I understand that under the regular order we would be on the Reid and Feinstein amendments.

The PRESIDING OFFICER. The Senator is correct.

Mr. REID. Mr. President, I have spoken to the senior Senator from California. She is going to move to table my amendment as soon as she completes her remarks. I will, therefore, say just a few things.

I, first of all, commend the Senator from California for her amendment and for her work on this extremely difficult issue dealing with derivatives regulation.

To put this in proper perspective, I think we should look at the predicament in which Senator FEINSTEIN now finds herself. She represents 35 million people, the largest State in the United States. This State's gross domestic product is larger than most nations. She knows specifically, but I think California has the sixth or seventh largest gross national product in the world.

Last year's energy crisis threatened California's prosperity and brought home to all of us that we are in uncharted territory with regard to energy deregulation. The State of Nevada actually passed deregulation legislation. I spoke to the legislature a year ago. Because of my suggestions and others, they rescinded deregulation. But even by that time certain things had been put in place. Nevada suffered, along with California, with this energy crisis.

Enron was the supposed leader in energy trading and markets. It makes me wonder how can we have a company such as Enron in this country—a publicly owned company—that changes in 1 year from a high-flying, worldwide, mega company into a bankrupt loser. In the process, hundreds, if not thousands, of people's lives were ruined. We have many congressional committees now looking at what happened. A prosecutor is also looking into criminal activities that probably took place.

I think we all owe Senator FEINSTEIN a debt of gratitude for her interest in this issue and for the work in process to make changes to the Commodity Exchange Act that will ensure trading and energy derivatives is done in the open with transparency in a way that inspires public confidence in the market.

The amendment I have offered, and which she is going to move to table, would restore metal derivatives trading to exempt commodity status. Senator FEINSTEIN's amendment inadvertently included metals derivatives with the derivatives that are the intended target of her amendment. Like other metals, metals derivatives markets help companies manage the risk of sudden and large price changes.

In recent years, derivatives and other so-called ''hedging transactions'' have helped the mining industry—especially in the State of Nevada—cope with the steadily declining gold price by selling mining production forward. The last couple of years illustrate the function and the value in the marketplace of such transactions.

Some companies decided not to hedge, betting that the gold price would rise and that hedging contracts would lock them into below-market prices. Most of these companies were hurt significantly because the gold price stayed relatively low.

In contrast, other companies hedged some or most of their production. These companies have survived, and survived well, and some have even thrived. By choosing to manage their risk, they accepted the risk that the gold price could rise, but they stabilized company performance, continued to provide jobs, and continued to contribute to the communities in Nevada where they are so important.

Unlike energy derivatives, which raise questions because of the recent energy crisis, metal derivatives have been traded over the counter for many years. The 2,000 amendments to the Commodity Exchange Act didn't change this; they only clarified and confirmed the legality of these markets. Lumping metal derivatives together with energy derivatives would impose regulatory burdens that never existed, even before the 2,000 amendments, without any justification.

The amendment I have offered would not allow metals derivatives markets and participants to trade derivatives without accountability and transparency.

I hope, first of all, that my amendment will be accepted. If there is a motion to table, which I understand my friend is going to offer, I hope it will be defeated.

The metal derivatives market has been going on for many years. I repeat that unlike energy derivatives, which raise questions because of the recent energy crisis, metal derivatives have been traded over the counter for many years with absolutely no problem. My amendment is necessary to restore metal derivatives trading to exempt status, which is critical to the health of the mining industry.

Because of the low price of gold, the mining industry has really struggled. We have seen various articles, which I know the Presiding Officer is interested in, which have indicated there is agreement that there needs to be a change in the 1872 mining law, which has absolutely nothing to do with what I am talking about. But the mining industry has agreed that we need to go forward with that. At a National Mining Association meeting, Jack Gerard

stated in the papers over the weekend that he agrees there should be changes. That is something which we have acknowledged and recommended and have worked on for a number of years. The Presiding Officer worked with us on this.

I hope with the many legislative things we have to do that we can move forward on this in a way that would bring about some stability to the mining industry. I look forward to working with not only the Presiding Officer but also with the manager of this bill, Senator BINGAMAN.

AMENDMENT NO. 3081, AS MODIFIED

Mr. REID. Mr. President, I send a modification to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 3081 to amendment No. 2989, as modified.

Mr. BINGAMAN. 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 (No. 3081), As Modified, is as follows:

At the end of the amendment add the following:

DIVISION ____—MISCELLANEOUS

TITLE I—ENERGY DERIVATIVES

SEC. ____1. JURISDICTION OF THE COMMODITY FUTURES TRADING COMMISSION OVER ENERGY TRADING MARKETS.

(a) FERC LIAISON.—Section 2(a)(8) of the Commodity Exchange Act (7 U.S.C. 2(a)(8)) is amended by adding at the end the following:

''(C) FERC LIAISON.—The Commission shall, in cooperation with the Federal Energy Regulatory Commission, maintain a liaison between the Commission and the Federal Energy Regulatory Commission.''.

(b) EXEMPT TRANSACTIONS.—Section 2 of the Commodity Exchange Act (7 U.S.C. 2) is amended—

(1) in subsection (h), by adding at the end the following:

''(7) APPLICABILITY.—This subsection does not apply to an agreement, contract, or transaction in an exempt energy commodity described in section 2(j)(1).''; and

(2) by adding at the end the following:

''(j) EXEMPT TRANSACTIONS.—

''(1) TRANSACTIONS IN EXEMPT ENERGY COMMODITIES.—An agreement, contract, or transaction (including a transaction described in section 2(g)) in an exempt energy commodity shall be subject to—

''(A) sections 4b, 4c(b), 4o, and 5b;

''(B) subsections (c) and (d) of section 6 and sections 6c, 6d, and 8a, to the extent that those provisions—

''(i) provide for the enforcement of the requirements specified in this subsection; and

''(ii) prohibit the manipulation of the market price of any commodity in interstate commerce or for future delivery on or subject to the rules of any contract market;

''(C) sections 6c, 6d, 8a, and 9(a)(2), to the extent that those provisions prohibit the manipulation of the market price of any commodity in interstate commerce or for future delivery on or subject to the rules of any contract market;

''(D) section 12(e)(2); and

''(E) section 22(a)(4).

''(2) BILATERAL DEALER MARKETS.—

''(A) IN GENERAL.—Except as provided in paragraph (6), a person or group of persons that constitutes, maintains, administers, or provides a physical or electronic facility or system in which a person or group of persons has the ability to offer, execute, trade, or confirm the execution of an agreement, contract, or transaction (including a transaction described in section 2(g)) (other than an agreement, contract, or transaction in an excluded commodity), by making or accepting the bids and offers of 1 or more participants on the facility or system (including facilities or systems described in clauses (i) and (iii) of section 1a(33)(B)), may offer or may allow participants in the facility or system to enter into, enter into, or confirm the execution of any agreement, contract, or transaction under paragraph (1) (other than an agreement, contract, or transaction in an excluded commodity) only if the person or group of persons meets the requirement of subparagraph (B).

''(B) REQUIREMENT.—The requirement of this subparagraph is that a person or group of persons described in subparagraph (A) shall—

''(i) provide notice to the Commission in such form as the Commission may specify by rule or regulation;

''(ii) file with the Commission any reports (including large trader position reports) that the Commission requires by rule or regulation;

''(iii) maintain sufficient capital, commensurate with the risk associated with the transaction, as determined by the Commission;

''(iv)(I) consistent with section 4i, maintain books and records relating to each transaction in such form as the Commission may specify for a period of 5 years after the date of the transaction; and

''(II) make those books and records available to representatives of the Commission and the Department of Justice for inspection for a period of 5 years after the date of each transaction; and

''(iv) make available to the public on a daily basis information on volume, settlement price, open interest, opening and closing ranges, and any other information that the Commission determines to be appropriate for public disclosure, except that the Commission may not—

''(I) require the real time publication of proprietary information; or

''(II) prohibit the commercial sale of real time proprietary information.

''(3) REPORTING REQUIREMENTS.—On request of the Commission, an eligible contract participant that trades on a facility or system described in paragraph (2)(A) shall provide to the Commission, within the time period specified in the request and in such form and manner as the Commission may specify, any information relating to the transactions of the eligible contract participant on the facility or system within 5 years after the date of any transaction that the Commission determines to be appropriate.

''(4) TRANSACTIONS EXEMPTED BY COMMISSION ACTION.—Any agreement, contract, or transaction described in paragraph (1) (other than an agreement, contract, or transaction in an excluded commodity) that would otherwise be exempted by the Commission under section 4(c) shall be subject to—

''(A) sections 4b, 4c(b), 4o, and 5b; and

''(B) subsections (c) and (d) of section 6 and sections 6c, 6d, 8a, and 9(a)(2), to the extent that those provisions prohibit the manipulation of the market price of any commodity in interstate commerce or for future delivery on or subject to the rules of any contract market.

''(5) NO EFFECT ON OTHER FERC AUTHORITY.—This subsection does not affect the authority of the Federal Energy Regulatory Commission to regulate transactions under the Federal Power Act (16 U.S.C. 791a et seq.) or the Natural Gas Act (15 U.S.C 717 et seq.).

''(6) APPLICABILITY.—This subsection does not apply to—

''(A) a designated contract market regulated under section 5; or

''(B) a registered derivatives transaction execution facility regulated under section 5a.''.

(c) CONTRACTS DESIGNED TO DEFRAUD OR MISLEAD.—Section 4b of the Commodity Exchange Act (7 U.S.C. 6b) is amended by striking subsection (a) and inserting the following:

''(a) PROHIBITION.—It shall be unlawful for any member of a registered entity, or for any correspondent, agent, or employee of any member, in or in connection with any order to make, or the making of, any contract of sale of any commodity in interstate commerce, made, or to be made on or subject to the rules of any registered entity, or for any person, in or in connection with any order to make, or the making of, any agreement, transaction, or contract in a commodity subject to this Act—

''(1) to cheat or defraud or attempt to cheat or defraud any person;

''(2) willfully to make or cause to be made to any person any false report or statement, or willfully to enter or cause to be entered any false record;

''(3) willfully to deceive or attempt to deceive any person by any means; or

''(4) to bucket the order, or to fill the order by offset against the order of any person, or willfully, knowingly, and without the prior consent of any person to become the buyer in respect to any selling order of any person, or to become the seller in respect to any buying order of any person.''

(d) CONFORMING AMENDMENTS.—The Commodity Exchange Act is amended—

(1) in section 2 (7 U.S.C. 2)—

(A) in subsection (h)—

(i) in paragraph (1), by striking ''paragraph (2)'' and inserting ''paragraphs (2) and (7)''; and

(ii) in paragraph (3), by striking ''paragraph (4)'' and inserting ''paragraphs (4) and (7)''; and

(B) in subsection (i)(1)(A), by striking ''section 2(h) or 4(c)'' and inserting ''subsection (h) or (j) or section 4(c)'';

(2) in section 4i (7 U.S.C. 6i)—

(A) by striking ''any contract market or'' and inserting ''any contract market,''; and

(B) by inserting '', or pursuant to an exemption under section 4(c)'' after ''transaction execution facility'';

(3) in section 5a(g)(1) (7 U.S.C. 7a(g)(1)), by striking ''section 2(h)'' and inserting ''subsection (h) or (j) of section 2'';

(4) in section 5b (7 U.S.C. 7a–1)—

(A) in subsection (a)(1), by striking ''2(h) or'' and inserting ''2(h), 2(j), or''; and

(B) in subsection (b), by striking ''2(h) or'' and inserting ''2(h), 2(j), or''; and

(5) in section 12(e)(2)(B) (7 U.S.C. 16(e)(2)(B)), by striking ''section 2(h) or 4(c)'' and inserting ''subsection (h) or (j) of section 2 or section 4(c)''.

SEC. ____2. RECRUITMENT AND RETENTION OF QUALIFIED PERSONNEL AT THE COMMODITY FUTURES TRADING COMMISSION.

(a) IN GENERAL.—Section 2(a)(6) of the Commodity Exchange Act (7 U.S.C. 2(a)(6)) is amended by adding at the end the following:

''(G) PERSONNEL MATTERS.—

''(i) IN GENERAL.—The Chairman may appoint and fix the compensation of any officers, attorneys, economists, examiners, and other employees that are necessary in the execution of the duties of the Commission.

''(ii) COMPENSATION.—

''(I) IN GENERAL.—Rates of basic pay for all employees of the Commission may be set and adjusted by the Chairman without regard to the provisions of chapter 51 or subchapter III of chapter 53 of title 5, United States Code.

''(II) ADDITIONAL COMPENSATION.—The Chairman may provide additional compensation and benefits to employees of the Chairman if the same type and amount of compensation or benefits are provided, or are authorized to be provided, by any other Federal agency specified in section 1206 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 1833b).

''(III) COMPARABILITY.—In setting and adjusting the total amount of compensation and benefits for employees under this subparagraph, the Chairman shall consult with, and seek to maintain comparability with, any other Federal agency specified in section 1206 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 1833b).''.

(b) CONFORMING AMENDMENTS.—

(1) Section 3132(a)(1) of title 5, United States Code, is amended—

(A) in subparagraph (C), by striking ''or'';

(B) in subparagraph (D), by adding ''or'' at the end; and

(C) by adding at the end the following:

''(E) the Commodity Futures Trading Commission.''.

(2) Section 5316 of title 5, United States Code, is amended—

(A) by striking ''General Counsel, Commodity Futures Trading Commission.''; and

(B) by striking ''Executive Director, Commodity Futures Trading Commission.''.

(3) Section 5373(a) of title 5, United States Code, is amended—

(A) in paragraph (2), by striking ''or'' at the end;

(B) by redesignating paragraph (3) as paragraph (4); and

(C) by inserting after paragraph (2) the following:

''(3) section 2(a)(6)(G) of the Commodity Exchange Act.''.

(4) Section 1206 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 1833b) is amended by inserting ''the Commodity Futures Trading Commission,'' after ''the Farm Credit Administration, ''.

SEC. ___3. JURISDICTION OF THE FEDERAL ENERGY REGULATORY COMMISSION OVER ENERGY TRADING MARKETS.

Section 402 of the Department of Energy Organization Act (42 U.S.C. 7172) is amended by adding at the end the following:

''(i) JURISDICTION OVER DERIVATIVES TRANSACTIONS.—

''(1) IN GENERAL.—To the extent that the Commission determines that any contract that comes before the Commission is not under the jurisdiction of the Commission, the Commission shall refer the contract to the appropriate Federal agency.

''(2) MEETINGS.—A designee of the Commission shall meet quarterly with a designee of the Commodity Futures Trading Commission, the Securities Exchange Commission, the Federal Trade Commission, and the Federal Reserve Board to discuss—

''(A) conditions and events in energy trading markets; and

''(B) any changes in Federal law (including regulations) that may be appropriate to regulate energy trading markets.

''(3) LIAISON.—The Commission shall, in cooperation with the Commodity Futures Trading Commission, maintain a liaison between the Commission and the Commodity Futures Trading Commission.''.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Mr. President, I very much appreciate what the distinguished Senator from Nevada has done, which is essentially to eliminate metals from the derivatives amendment that is now pending. It is a second-degree amendment. It would continue the exemption for metals.

I want to go into three cases and why I believe metals should be included.

The first is the case called Sumitoma. It goes back to 1996. After nearly a year of complaints by market participants and regulated markets, Sumitoma copper trading irregularities ended up with the company losing a reported $4 billion and their main copper trader pleading guilty to the Japanese equivalent of market manipulation. The company is paying record fines to the United States and British regulatory authorities.

Sumitoma manipulation efforts occurred in the over-the-counter and cash markets. Although observed by market participants and markets, the Commodity Futures Trading Commission—the CFTC—was nearly powerless to do anything about it without the consent of the British regulator.

In the 30 days following the May 17, 1996, collapse, the market dropped by nearly 60 cents per pound—from $1.30 to 70 cents by the middle of June.

In just the 8 months prior to the collapse, U.S. consumers were overcharged by nearly $2.5 billion in copper purchases because of the Sumitoma trader's manipulation.

Once again, had the CFTC had the authority—just modest authority—in our amendment, this fraud could have been detected and dealt with much earlier and without such a devastating economic impact.

We are simply including the antifraud and antimanipulation provision of the CFTC, and applying it also to metals as well as energy.

Let me cite a second one having to do with the Metalgeselschaft collapse in 1993. This company was known as MG. It was once a preeminent metals and energy trader. It collapsed in late 1993, losing billions of dollars, costing thousands of employees their jobs, and endangering the energy marketplace. After the collapse, analysis showed that MG's derivative positions, over the counter, in combination with the faulty strategy, contributed to the collapse. If the Commodity Futures Trading Commission, the CFTC, had at that time the authority contained in our amendment to monitor large trader positions and ensure adequate net capital, the debacle could likely have been avoided. It certainly would have been detected far before the collapse occurred. That is point 2. These are actual cases that have taken place.

Point 3: The Hunt brothers and the silver bubble. In 1979, the sons of patriarch H.L. Hunt, Nelson Bunker and William Herbert, together with some wealthy Arabs, formed a silver pool. In a short period of time they had amassed more than 200 million ounces of silver, equivalent to half of the world's deliverable supply. When the Hunts began accumulating silver back in 1973, the price was in the $1.95 an ounce range. Early in 1979, the price was about $5. In late 1979, early 1980, the price was $50, peaking at $54.

Once the silver market was cornered, outsiders joined the chase. But a combination of changed trading rules on the New York Metals Market, COMEX, and the intervention of the Federal Reserve put an end to the game. The price began to slide. It culminated in a 50-percent 1-day decline on March 27, 1980, as the price plummeted from $21.62 to $10.80.

The collapse of the silver market meant countless losses for speculators. The Hunt brothers declared bankruptcy. By 1987, their liabilities had grown to nearly $2.5 billion against assets of $1.5 billion. And in August of 1988, the Hunts were convicted of conspiring to manipulate the market.

This is the point. These things have happened. These are three big metals cases. What we say is, put them within the Commodity Futures Trading Commission antifraud and antimanipulation commission. Why give online trading platforms exemptions from transparency? Why allow a commodity that isn't being delivered from me to you but traded back and forth to have no transparency of any of these trades so that no one can find an audit trail, no one can find the records, and no one can ever know what really happened?

At the end of my remarks, I will move to table the Reid amendment.

I will briefly talk about the energy derivatives amendment cosponsored by Senators FITZGERALD, CANTWELL, WYDEN, CORZINE, LEAHY, and BOXER, and the Presiding Officer. I am very grateful for your support.

Our amendment is currently supported by the National Rural Electric Cooperative Association, the Derivatives Study Center, the Sierra Club, the American Power Association, the American Public Gas Association, the Texas Independent Petroleum Royalty Owners Association, the Mid-American Energy Holdings Company, the New York Mercantile Exchange, the California Municipal Utilities Association, the United States Public Interest Research Group, the Consumers Union, the Consumers Federation of America, the Apache Corporation, Calpine, Southern California Edison, Pacific Gas and Electric, the Silver Users Association—interestingly enough, they are concerned; they want metals in this amendment—the Commodity Futures Trading Commission's Commissioner Tom Erickson, and all four Commissioners of the Federal Energy Regulatory Commission, including its Chairman, Pat Wood.

Because of this support, the amendment has been filibustered by certain Senators who don't want to see it come to a vote. The amendment has now been on the floor for more than a month. The leadership was forced to file cloture last night to try to bring this to a conclusion.

Some of the opponents continue to argue that this amendment is too complicated for them to understand. I once again explain very simply what our amendment does. The amendment provides antifraud and antimanipulation authority to the Commodity Futures Trading Commission for all energy trades and metals where there is no physical delivery.

If I buy energy from you, Mr. President, and you deliver that energy directly to me, the Federal Energy Regulatory Commission has oversight—antifraud, antimanipulation oversight—and you must keep records; I must keep records.

But if there is no delivery—if I buy an energy swap, for instance, to lock in a set price and protect myself from risk—the CFTC does not have oversight, if I use an electronic trading exchange. That is the rub. The electronic trading exchange is exempted. If we go through the Chicago Mercantile, we are not exempted. If we go through New York, we are not exempted. But an online trading platform has no transparency for a derivative not delivered.

In fact, the CFTC may not even be able to investigate fraud or manipulation if the exchange was operated, like Enron Online, where Enron was both a buyer and a seller. This is what is known as a bilateral dealer market. If Enron Online or another company operating a bilateral dealer market wanted to manipulate prices and/or corner the market, regulators might very well be helpless to investigate.

Since more than 90 percent of energy trades do not involve delivery, and since other electronic exchanges are now emulating the Enron model, there is a huge loophole here. I will predict that some of these go down just as Enron did.

Our amendment closes that Enron loophole and makes sure the CFTC has full antifraud, antimanipulation authority over all energy trades where there is no delivery.

The amendment also subjects all dealer markets selling energy and metals derivatives online, including Enron Online, Dynegy Direct, Aquila, to similar requirements as other nonelectronic exchanges. This means these exchanges would have to file with the CFTC, provide some price transparency and price disclosure, and maintain capital commensurate with risk—all the things that Enron Online did not do and did not have to do because of the 2000 Commodity Futures Modernization Act which provided Enron this loophole. How convenient.

Someone buys energy not on an exchange; let's say they pick up the phone and buy an energy derivative, but there is no delivery. The transaction is subject only to antifraud and antimanipulation authority. So if you are trading energy derivatives on an electronic trading platform, that exchange is regulated just as other exchanges.

If you are not using an exchange, the CFTC can investigate allegations of fraud and manipulation. I don't think this is confusing at all. Either we are going to require energy trades to be transparent or we are going to continue to support loopholes, allowing some energy trading to be done in the dark of night.

I want to point out that on this simple proposal, just to close loopholes in the energy and metals markets, we have now spent 3½ hours more of debate than this body spent considering the entire Commodity Futures Modernization Act of 2000—that's right, 3½ hours more debate than was spent on the entire Commodity Futures Modernization Act.

The Senate did not spend 1 minute debating the Commodity Futures Modernization Act—one of the most sweeping regulatory revisions in several decades. And the loophole for Enron just went through. Yes, the Senate Agriculture Committee held hearings and completed a markup of the Senate version of the CFMA on June 29, 2000; but that is where the process stopped in the Senate.

At the last minute, Enron lobbied the House for an exemption for energy and metals trading. This is what appeared in the appropriations bill for the Department of Labor and Health and Human Services at the very end of the 106th Congress. And this was inconsistent with what the Senate Agriculture Committee marked up in regard to energy and metal.

The amendment we are debating is consistent with the bill that Senator LUGAR and the Agriculture Committee, which he chaired, marked up. What the Agriculture Committee passed was consistent with the recommendations spelled out in the November 1999 President's working group, signed by Fed Chairman Alan Greenspan, Treasury Secretary Larry Summers, SEC Chairman Art Leavitt, and CFTC Chairman William Rainer. That report asserted that there should be two categories of derivatives—financial derivatives and everything else. There was no reason that metal or energy or any other tangible, finite commodity should be entitled to its own category.

So what we are doing in our amendment is entirely consistent with that report. In regard to the electronic trading platforms, we simply return things to the way they were before the President's working group affirmed that we were doing it right. By that standard, this amendment has been subjected to intense scrutiny and infinitely more debate than the comprehensive regulatory legislation adopted in 2000.

Before the recess, at the end of the last floor debate, my colleague from Idaho asked—I think facetiously—why we did not simply try to provide antifraud and antimanipulation authority for all transactions, not just energy and metals. Let me point out that our bill affects about 2 percent of the derivative market that deals with energy and metals. We actually don't know if it is 1 percent or 3 percent because as a result of the Enron exemption, there is not enough transparency to know.

Our amendment does not affect financial instruments at all. We have cleared that up. Financial derivatives already have a statutory exclusion under the Commodities Exchange Act. Our amendment only deals with derivative transactions that involve energy or metal, the two commodities exempted by the 2000 CFMA.

This lack of transparency had important ramifications for the energy crisis experienced in California and the West, which ended only about 10 months ago. This is what got me interested in this matter. As a result, we still don't know why gas prices at the California border remained significantly higher than neighboring States for more than 5 months. Why don't we know? There is no transparency; there is no audit trail; there are no records. It is impossible to prove what kind of trading back and forth was done, frankly, to increase the price of gas.

Some have asserted that the CFTC already has antifraud authority for over-the-counter trades. If this authority is already there, then our amendment reaffirms that the authority is there. But this is not as easy to determine as one might think.

Let me read two short paragraphs that show you what I mean. This is from the International Swaps and Derivatives Association:

> Transactions involving exempt commodities, including commodities such as energy products, chemicals, and metals, are similarly excluded from the Commodity Exchange Act and remain subject to the CFTC's antifraud and antimanipulation authority.

Then they put out another publication, which is the March 11 opposition letter to our amendment, and they say exactly the opposite. They say:

> The amendment extends the application of the CFTC's antifraud and antimanipulation provisions to transactions in exempt commodities. The amendment would revise the Commodity Exchange Act, section 2(g), to provide that otherwise exempt transactions in exempt commodities would be subject to antifraud and antimanipulation provisions of the Commodity Exchange Act.

So maybe the authority is there and maybe it is not. If our amendment passes, we know for sure that it is. We take the vagary out of it, we take the game playing out of it, and the same party cannot say different things at different times. That is really why this amendment is necessary.

So that means if someone is cornering the market in energy or metals—or maybe in natural gas, as many suspect Enron did—the CFTC will have the necessary tools to investigate. And 99 times out of 100, the CFTC will find that there is nothing improper. But isn't it good to know that regulators can provide assurance that markets are functioning properly? Isn't that what gives people confidence to invest, that they know there is regulation and that these markets are performing efficiently and with transparency?

I want to make one final point about Enron. As I said before, Enron Online operated completely outside of the CFTC's antifraud and antimanipulation authority because it was operating an online trading forum to conduct trades bilaterally, one to one, where it was both a buyer and a seller. In other words, Enron was buying energy and selling energy, and only Enron knew the price. Enron could have been buying at one price and selling at a much higher price. Because there was no transparency and no oversight authority, we may never know.

Other companies now have stepped up to fill Enron's market void. Some of these energy trading platforms are operating the same way Enron Online did.

Do any of my colleagues truly believe that we should be limiting transparency and regulatory authority in light of all we have just learned about the energy markets and Enron? I think not. So this amendment is really on the side of the angels. It gives certainty, it provides for antifraud, antimanipulation oversight; it says the CFTC must set some capitalization standards based on risk, and it provides that all trades are transparent, records are kept, and audit trails are available.

I know why the banks oppose this. Because they want to do the same thing Enron has done. The banks have set up their own online trading platform which, again, would trade in darkness, which, again, for nondelivered derivatives would have no transparency, have no record, have no capital requirements, and no antifraud and antimanipulation oversight. I believe there are more Enrons coming down. I believe there are going to be more just on this very point.

What I am saying to the Senate is the Senate has to protect the people. The Senate has to provide for regulation. Why should there be regulation of the Nasdaq? Why should there be regulation on the Chicago Mercantile and no regulation online? It is a huge loophole, and we ought to plug it.

Mr. President, I move to table——

Mr. REID. Will the Senator withhold?

Mrs. FEINSTEIN. I will.

Mr. REID. I appreciate the Senator withholding. I ask that the Senator listen to the unanimous consent request I am going to propound and see if she will agree with it. I think it will be in keeping with what she wants.

Mr. President, I ask unanimous consent that the time until 3:45 p.m. today be for debate prior to vote in relation to the Reid second-degree amendment No. 3081, with the time equally divided and controlled between Senators REID and FEINSTEIN, or their designees; that no other amendment be in order prior to a vote in relation to the Reid amendment.

The Senator could move to table now as she indicated she would, and the vote will occur at 3:45 p.m.

Mrs. FEINSTEIN. I have no problem. I agree.

The PRESIDING OFFICER (Mr. CARPER). Without objection, it is so ordered.

Mrs. FEINSTEIN. Mr. President, I move to table the Reid amendment.

Mr. REID. I ask for the yeas and nays.

The PRESIDING OFFICER. The motion to table is not in order until the expiration of the controlled time.

Mr. REID. Mr. President, I ask unanimous consent that the Senator from California be allowed to offer her motion to table at this time. That way she will not have to stay around if she does not want to. The vote will occur on the motion to table at 3:45 p.m.

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

The Senator from Illinois.

Mr. DURBIN. Mr. President, I rise in support of Senator FEINSTEIN'S motion to table the Reid amendment. Let me say at the outset, when she came to me with this concept, it struck me as not only fair but good policy. How did we get into this mess with the seventh largest corporation in the United States going bankrupt and dragging down with it thousands of innocent investors, pensioners at Enron, not to mention the employees who lost jobs, or the employees that other companies, like Andersen which is based in Chicago, who stand to lose their jobs.

It all came about because the folks in Houston who worked for Enron Corporation tried to take as many business activities as possible off the books. They did not want the world to see what was going on behind the corporate boardroom doors at Enron. The greatest fear they had was daylight, the possibility that people would know what they were doing. So they created these elaborate pyramid schemes. They created a multitude of corporations. They hid debt. They managed to, in many ways, deceive some well-meaning people into believing they were a prosperous and profitable corporation. One of the instruments and weapons they used in this battle was this whole notion of trading in energy futures, energy derivatives without Government oversight.

I live in the State of Illinois. We are proud of the fact we have many markets in the State of Illinois which average people and businesses use to trade futures, derivatives, and options that give them protection in their business day world. But every step of the way in that process the Government keeps an eye on them, just as it does the stock exchange in New York and in other places around the United States. Why? So the average person who picks up that financial page in the paper every morning and looks at it knows it is on the square, the trade actually took place, the prices are actually moving in these commodities.

What we saw with Enron is that they raced away from those markets where the Government was looking over the shoulders of the traders into this netherworld, if you will, of trading without regulation and without oversight. That is exactly where they wanted to play. They wanted to get out from the public eye. They did not want people to see what they were doing. They wanted to manage their own affairs without scrutiny, without oversight, without the restrictions of regulations and laws.

The Senator from California has a very simple proposition: If we want to restore the integrity of many corporate activities, we should establish standards for oversight and regulation. We now know better when it comes to Enron. Had there been appropriate oversight and regulation at Enron, we might have avoided the disaster that occurred in that company.

As she offers this amendment, there are special interest groups that oppose her. There are those trading without Government oversight who do not want the Government involved. So they are going to oppose her. The smoothies out there, the future Enrons, that want to use the current system to avoid regulation are opposed to the amendment of the Senator from California as well. They want to have this mechanism available to them.

That, frankly, is the reason why the Senate should take this amendment very seriously and why we should join the Senator from California in tabling the amendment of the Senator from Nevada. There is no reason why we should exempt metals. Why in the world would we say when it comes to energy we want honest, open, transparent trading, but when it comes to metals and their derivatives, we do not? We heard the litany that was read by the Senator from California when companies came in and tried to take control of markets. For the average person going to work every day, you wonder: What difference does it make? It does make a difference. It makes a difference in the commodities they purchase. If there is some illegal activity, if there is some inflation of price, it is going to be felt by consumers and businesses across America and around the world.

When Senator FEINSTEIN comes to us and says, Table the amendment of the Senator from Nevada, Mr. REID, I think she is moving in the right direction. We need more transparency and more oversight.

If you buy the premise of Senator REID that metals should be exempt or you buy the premise of those who oppose Senator FEINSTEIN'S amendment, which I am cosponsoring, who say we should not have this Government oversight, how do you rationalize the millions of dollars we spend every year as taxpayers for watchdogs and policemen to keep an eye on so many other industries where there is trading? Listen, one is right and one is wrong.

If we believe there should not be Government oversight, let the Wild West prevail—there may be some who take that point of view. I am not one of them. It is tough for me as an individual; it is tough for many small businesses to judge whether there is an

honest transaction taking place and that is why the Government steps in. They want to make sure that when there is a transaction reported, it actually took place, that there was not self-dealing, there was not the kind of chicanery as we saw in Houston with Enron. That is why we have these regulatory agencies.

The Senator from California is correct; we should apply that to energy and metal derivatives. There is no reason to make exceptions. I can tell you what is going on—and I know the Senator is aware of this. What she is fighting is growing in size and volume across the world. These unregulated online markets are starting to appear everywhere, and woe be to the consumer or those involved who go into them believing the Government is watching what is going on. In many instances, there is no oversight; there is no review; there is no accountability.

I stand not only as a cosponsor of the amendment of the Senator from California but in strong support of the Senator from California.

I close by saying I sincerely hope we adopt this amendment. This started off as a debate on an energy bill. It certainly is a timely debate, but as I have listened to this debate transpire, as I have watched special interest groups come in and destroy every meaningful and credible part of this bill, I am beginning to believe this is the most anemic energy bill ever considered by Congress.

Consider for a minute that we are about to embark on a debate as to whether or not to drill for oil in the Arctic National Wildlife Refuge. This wildlife refuge was not created by any liberal President; it was created by President Dwight Eisenhower in 1960. He said: There is a piece of Alaska we ought to protect. It is a frontier we ought to preserve because we may never get that chance again, and when it comes to the wildlife, when it comes to the resources there, we ought to make certain that America takes a stand and says we are going to leave this for future generations in perpetuity. This is our legacy to our children.

President Eisenhower was right. What President Eisenhower did not anticipate was that the oil companies would come into this region, discover what they consider to be substantial reserves, put their money interests behind those reserves, and then come to Congress and start twisting arms in every direction in order to try to beg us to allow them to come and drill for oil in a wildlife refuge.

How much oil is involved? First, even the rosiest scenario suggests we will not see the first barrel of oil from ANWR for 5 years. The one more realistic scenario says 10 years. As we consider all the problems in the Middle East facing us today, ANWR is certainly not the answer. Not for 5 years at least, or 10, will we see the first barrel of oil coming out of this wildlife refuge.

How much oil is involved? They talk in terms of millions and billions. But put it in this perspective: Over a 10-year period of time, if we draw from ANWR, the oil that the U.S. Geological Survey says is there will account for a 6-month supply of oil for the United States in that 10-year period. Put it in this perspective as well: By the year 2020, if ANWR were in full production, ANWR would reduce our importation of foreign oil from 62 percent of our national need to 60 percent, a 2-percent reduction.

Some have said it takes a great deal of political courage to stand up for drilling in the Arctic National Wildlife Refuge on behalf of the oil companies that own those rights for minerals to be derived. I am not sure it takes a great deal of courage. Does it take a great deal of courage for us to spoil the frontier of a wildlife refuge, to endanger species that currently live there and may never be replicated? That does not take a great deal of courage.

The courage is in standing up and protecting them. The courage is in saying if you want to do something about energy security and independence, if you want to try to break the chains between the Mideast and the United States so we can make our own decisions and not have to wait for a nod of approval from Saudi Arabia and the gulf states, the courage is in saying to the American people we have to change the way we do business and live in America.

We had a chance to do that several weeks ago. What we were going to do—here is a radical suggestion—we were going to say to the big three automakers, they have to make their cars and trucks more fuel efficient. Oh, no, the Senate said, by almost a margin of two-to-one, we could not do anything that radical. We could not do anything that demands that kind of sacrifice, no way.

We are going to show courage by drilling in a wildlife refuge. The Porcupine caribou do not vote in the Senate. They do not elect anybody. Run them off. We have lost 30 percent of them in the last 10 years, so if they disappear, we will show our kids pictures and videos. But to ask the Big Three to come up with more fuel-efficient cars and trucks, oh, no, no way.

The special interests swamped those of us who believe fuel efficiency should be part of our debate on our energy security. We did not have a chance in the Senate. The special interests won, and won big. We did not have the courage to say to the Big Three or to consumers across America, we have to do business differently. We have not improved the fuel efficiency of vehicles in America since 1985—17 years of neglect.

So they talk about the Middle East and the challenge we face and how we have to show courage and determination as Americans. Let us start it by showing some honesty in our energy policy. We need more fuel efficiency, and we need more renewable fuels. For goodness' sake, I think 3 or 4 percent of all the electricity generated in America comes from renewable fuels. When Senator JEFFORDS of Vermont wanted to raise this to 20 percent over a 20-year period of time, I was ready to support him and was a cosponsor, but he did not have a chance. We lost.

But we will show courage by drilling in the Arctic National Wildlife Refuge and we will show courage in standing behind the special interest groups that want to stop Senator FEINSTEIN from bringing transparency and regulation to the trading in energy derivatives.

I am afraid this energy bill is going in the wrong direction if we do not include in it fuel efficiency, fuel economy, conservation, renewable fuels, and a sensible pricing of energy. Look at what happened in the State of California. I cannot imagine what life is like for the Senator, going home every weekend to see families and businesses trying to cope with something totally beyond their control. They responded heroically showing that they could, if challenged, dramatically conserve energy in the State of California. The Senator must have felt like the most helpless victim in America because these energy companies were running circles around her.

When the Senator says they ought to be held accountable, these energy companies and energy derivative markets ought to have government regulation, they are the first ones to scream bloody murder. They cannot stand that notion. The Senator is right. She ought to proceed on that, and I am happy to support her in that effort.

Mrs. FEINSTEIN. Will the Senator yield?

Mr. DURBIN. I am happy to yield.

Mrs. FEINSTEIN. I mentioned in my remarks what really kind of clued me on to this was the price of natural gas. Right after CFMA passed, we noticed the price of gas at the southern California border was $50 a decatherm—a decatherm is about enough for 900 homes—whereas in San Juan, NM, it was $8, and the transportation cost was $1. Nobody knew why it had spiked that way.

So I picked up the phone. I called what is called ISO, the independent system operator, and said: Why is gas spiking this way? They did not know.

Now I do not know whether Enron was doing this or not, but as soon as Enron went belly up, the next day the price of gas dropped dramatically. So it has to have been the trading that was being done that did not have a delivery directly related to it.

Now people say the SEC will step in and look at this. The fact is there are no records for the SEC to look at now because there is no audit trail. There are no records kept of these trades. Somehow it is very difficult to get that across to our Members. It would get across if they were trading on the Chicago Mercantile.

Mr. DURBIN. That is right, it would be transparent.

I am holding in my hand the energy bill we are debating. On at least four separate occasions now, we have had the chance to do something sensible for energy security and energy independence—to lessen our dependence on Mideastern oil. We had a chance to do it with the fuel efficiency of the trucks and cars that we want to drive in America for years to come, and we failed. The special interests won. We could have done it by improving and increasing the renewable fuels used across America that are environmentally friendly, which give us a chance toward independence. The special interests opposed us. We lost.

Now we see the battle that is being joined: Whether or not we are going to have full disclosure of these energy trades, whether we are going to have the kind of openness that Americans want. And the special interests oppose it.

I stand in complete support of the efforts of the Senator from California, and I thank her for her leadership.

I yield the floor.

The PRESIDING OFFICER. The assistant majority leader.

Mr. REID. Mr. President, my friend from Illinois and my friend from California are right in most everything they have said about the need for a good energy policy. I agree with the Senator from Illinois. I think it is too bad we did not pass fuel efficiency standards. The Presiding Officer, I hope, is going to try to rectify that and offer something in the near future to set some fuel efficiency standards.

The Senator from Illinois is right when he speaks about the need to not drill in ANWR, but my friend from Illinois and my friend from California are wrong about transactions involving metal derivatives because they lack necessary information. The Commodity Exchange Act already requires record keeping for transactions in metal derivatives markets.

The Feinstein amendment includes metal derivatives, citing fraud in the metals market in the past decade. In fact, my friend from California uses two specific examples of high-profile cases. She talked about the Hunt brothers in silver and Sumitomo in copper. Neither of these fraud cases would be addressed with the Feinstein amendment. It has nothing to do with the Feinstein amendment. The Feinstein amendment could already be in effect, and the Hunt problem would still be there, and that related to copper would still be there. Why do I say that?

The attempt by the Hunt brothers in 1979 to corner the silver market involved manipulation of the physical silver market. They bought all the silver they could, which reminds me of a Nevada resident by the name of Forest Mars, of the Mars empire. He owned it. He was a great man. He died in the last couple of years. He was a wonderful man. He lived above his candy store in Las Vegas. This billionaire had a little apartment above his candy store.

When the Hunt brothers tried to corner the silver market, he said they should have talked to him first. You cannot have a monopoly. He tried on two separate occasions. You cannot do it. Keep in mind, Mars was one of the richest men in the world. His family is still rich, with Uncle Ben's Rice and most of the candy in the world. He was very rich. He thought in his younger days they would buy all the pepper. He wanted to control pepper. He spent some time going out and buying all the black pepper he could find. He controlled black pepper in the world. But he said: In the end, I could not control the black pepper market, because people who had white pepper dyed their pepper black, and I no longer had control of the market.

The Hunt brothers tried to corner the silver market and went out and bought all the silver. Her amendment would have nothing to do with that. The Hunt silver trading scandal involved trading on regulated exchanges, not in the over-the-counter derivatives market. The trading abuses involved the physical accumulation of more than 200 million ounces of silver. It did not involve over-the-counter derivatives in any way.

The Sumitomo situation involved the manipulation of the copper market by a Japanese company operating through a rogue trader acting in London and Tokyo.

The abuses occurred on a fully regulated exchange, not in the over-the-counter derivatives market. It involved manipulation of the price of copper on the London Metal Exchange, which is fully regulated by the United Kingdom's Financial Services Authority. Further, the manipulation took place overseas, not in the U.S. markets.

I urge my colleagues to not support the motion to table that strikes metal derivatives from the Feinstein amendment. Derivatives are essential to the health of the metals market, and today they are regulated, controlled. Recordkeeping is now in place. Fraud in the metals market did not involve over-the-counter derivatives.

With all due respect to my friend from California, using the Hunt brothers example and the Sumitomo example, they simply do not apply. I believe wherever that information came from, it was misguided and simply wrong. I suggest we would be better off going forward with her legislation, which I have indicated on a number of occasions I support. But I am saying that having the metals industry involved in this does not do anything except make the mining industry in America weaker than it is.

Mining as an industry exports gold. It is one of the few places we have a favorable balance of trade. We should be happy about that.

The motion to table is ill advised, based on wrong facts. It is not in keeping with what I think is the direction of the underlying Feinstein amendment. I ask for the yeas and nays on the motion of the Senate to table.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mrs. FEINSTEIN. Mr. President, I take a moment to respond to the statement of the Senator from Nevada.

The point I was trying to make, to the Senator from Nevada, is that manipulation does occur in metals. Clearly, it did. Obviously, there was no online trading at that time. Everybody knows that. The fact is, these remain three major cases of market manipulation. It doesn't only happen in energy; it can happen in metals as well.

The key point is, if the Reid amendment is successful, metals will be the only exemption. Why should metals be the only exemption? I don't think they should. We know you are covered if you deliver the commodity directly to another individual. We know FERC covers that. We know you are not covered if you are swapping or trading against risk. We also know there is great uncertainty as to whether, with energy, there is coverage.

I purposely read the letters from the Swaps and Derivatives Association because they say two different things. In one statement they say these areas do remain within the CFTC jurisdiction; they turn around in a March 11 opposition letter and say exactly the opposite.

The time has come to have certainty, to see that energy and metals are covered. Let me say once again, who can object to there being antifraud and antimanipulation oversight? No one. Who can object to saying you have to keep records of trades, online trades, even if you are not directly delivering the product, if you are swapping to hedge against risk, for example? Why shouldn't you keep a record and have an audit trail on what you are doing so that people know? Why shouldn't there be some provision for capitalization of these trades based on risk, and the CFTC would decide a level of risk and the level of capitalization?

This past week, I was just reading another article of a company that would go down because it was swapping. There was no capitalization, Peter came home to pay Paul, and there was nothing there. So the company is going to go bankrupt. It was another major company.

It seems to me, rather than create uncertainty, our amendment creates certainty. It says to the world, to everybody, energy and metals are not the only two that enjoy an exemption. Energy and metals, for derivative online trading, are covered by the CFTC. It is a small amendment. I have been so surprised at the amount of opposition. It convinces me more that something must be going on. There has to be a reason that people want to do this trading in the darkness. There has to be a reason that they do not want to keep records. There has to be a reason they do not want to subject themselves to any kind of capitalization requirement.

That was the situation with Enron. Enron went bankrupt. Enron lobbied for this amendment. Enron lobbied the House to be excluded, to have metals and energy excluded from the bill passed in 2000. Immediately after the bill passed in 2000, gas began to spike in California. That says volumes to me.

Once again, I think we are on the side of the angels, to let consumers see what is going on. If the consumers buy through the Chicago Mercantile, there is a record. If the consumers buy through the New York Mercantile, there is a record. With any other kind of transaction, there is a record. Why should this huge, burgeoning new area of online trading have an exception and not keep these records?

Again, let me be specific. If the product is delivered, if I buy gas from you, and you deliver that natural gas to me, we are covered by the Federal Energy Regulatory Commission. If we are trading or swapping and there is no delivery, there is no record kept.

Why does FERC support this amendment? Why do all of the FERC Commissioners support this amendment, including the Chairman? They know this is a loophole. They know it should see the light of day.

I control time until 3:45, if I understood correctly.

The PRESIDING OFFICER. The time is equally divided.

Mr. REID. I am happy to yield.

The PRESIDING OFFICER. The Senator from Nevada controls 14½ minutes.

Mr. REID. The Senator is welcome to take some of my time.

Mrs. FEINSTEIN. I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada has yielded?

Mr. REID. Mr. President, it is my understanding the Senator from Louisiana wishes to speak on another amendment she hopes to offer subsequently. I think that would be appropriate. I see no one here wishing to speak. How much time does the Senator need?

Ms. LANDRIEU. I need about 15 minutes, if I could?

Mr. REID. We are going to vote at quarter till, but how about 10 minutes?

Ms. LANDRIEU. Ten minutes is fine.

The PRESIDING OFFICER. The Senator is recognized for 10 minutes.

Ms. LANDRIEU. I thank the Senator from Nevada, and I thank the Senator from California for allowing me to interject a few thoughts on a related subject but not the same as the pending amendment.

The subject is about energy independence. Let me put up my first chart to talk about this issue.

Before I begin with that, let me say this: There are a lot of issues such as the issue Senator FEINSTEIN has raised, and other issues, that I suggest are maybe not the exact heart of our problem when it comes to energy security or energy dependence. The heart of our problem is simply that we consume much more than we produce. When you consume more than you produce, and when you do not have an electric grid in this system that can move power from the places where it is produced to the places, such as California and Florida, that consume a lot—and also California does produce a great deal—you have blackouts.

You have power shortages. You have price hikes. It is the natural end result of demand outstripping supply. It works that way every time. There is no surprise about it. It works that way today. It worked that way yesterday. It will work that way tomorrow.

The core of this debate is energy security. We cannot have energy security in this Nation unless we have energy independence. I know people hear this and they say: Senator, it is not possible. We could never be energy independent.

I want to say: Yes, we can. Maybe not tomorrow. Maybe not in 5 years. But if we set our mind to it and make some very wise strategic decisions in this body this week and in this Congress this year, this country most certainly could be energy independent in the next decade or so. Not in my grandchild's lifetime but in my children's lifetime, and in my lifetime, we could be energy independent. But it is going to take a lot of work.

One of the things we are going to have to do is produce more oil and gas and fuel domestically. It is not just oil and gas. It is oil, gas, clean coal, hydro—and particularly new and exciting fuels such as solar and wind. We are not doing nearly enough with that. And we are not doing enough on the production side.

When we think oil, we think automobiles. We think oil, we think gasoline. While oil in the transportation sector consumes most of our oil, let me name a few other things that we need oil for to produce household items: toothpaste, footballs, ink, lifejackets, tents, sunglasses, house paints, shampoos, lipsticks—maybe we could find alternative sources, some other ways to produce these items. I am sure there are scientists and researchers doing that at this time, but we need oil in this Nation to run our automobiles the way we have the engines structured right now, as well as to produce all these products which Americans use every single day.

Can we reduce our consumption? Can we conserve? Absolutely. But should we continue to import 67 percent of our oil from other places in this world? I don't think so.

Let me share with you where we are, the outstripping of production by demand. Oil consumption will continue to exceed production. This red area of this chart is our problem. It is our problem. You can see it very clearly. It is the shortfall. This is basically what we produce. This is what we consume. And this is what causes, in many instances, blackouts or shortages or high prices—this shortfall. We have to correct that. We can correct it by conserving. There are very good suggestions, mostly by Senator BINGAMAN, about how to do that. And we must increase our production.

Let me show you where our production is, currently, in the United States. Our production is currently in the Gulf of Mexico and in Texas and in Alaska. Should we drill in Alaska, and more? Absolutely. Should we drill in the Gulf of Mexico? Absolutely. Should we drill in Texas more? Absolutely. Should we drill more in California and places in other States? Absolutely.

The reason is these States consume. They need to produce. Our whole Nation consumes and we need to produce more. But we want, in America, to have a policy where we basically do not have oil wells anywhere except off the coast of Louisiana, Mississippi, and Texas. We expect this area then to supply all the needs of our Nation.

We need to have a stronger policy about drilling domestically, and to acknowledge the States that do drill and can drill in a more environmentally sensitive way, minimizing the risk to the environment, should be compensated for the impacts that are associated. It is not always negative environmental impacts; it is infrastructure impacts.

On each oil rig off the State of Louisiana, we have about 6,000 people. It is almost like a city out in the gulf.

I know a lot of people have never been to an oil rig, but I have, many times. Senator BREAUX and others have visited many times. These men and women consume water, they consume food, there are transportation requirements, and there are roads and bridges that need to help this offshore development.

One of the things we can do—and I hope we will do, Democrats and Republicans, regardless of how we may vote on many of these amendments—is to cast favorable votes when it comes to more domestic drilling. It is important for us to close the gap of conservation and drilling in places where we can. We have rich reserves in Alaska, in the Gulf, and in the central part of this Nation. It is misleading to say otherwise.

Let me also give you another reason why domestic production is so important. This is from the Sierra Club's executive director, Doug Wheeler, who said:

> The exploration and development of energy resources in the United States is governed by the world's most stringent environmental constraints, and to force development elsewhere is to accept the inevitability of less rigorous oversight.

Let me repeat this, because this is the Sierra Club.

> The exploration and development of energy resources in the United States is governed by the world's most stringent environmental constraints, and to force development elsewhere is to accept the inevitability of less rigorous oversight.

What we do by not allowing more drilling in the United States is exactly this: We force development elsewhere,

and we wreak environmental havoc. Why? Because in many parts of the world there are no democracies, and there are big oil importers, which is very problematic. In other countries, they do not have rigorous rules. There is no transparent rule of law. There are no court systems. There are no investigators to find the polluters. There are no systems of fines. They have no consequences for pollution. It happens day after day. In our country, if a company violates a local or Federal rule, they are prosecuted. They are fined. They can be put out of business for destroying the environment. Do you think that happens in some places in Africa, South America, or the Mideast? I don't think so.

Let me make a statement. People will say Senator LANDRIEU just gets on the floor and talks about big oil issues. She is a supporter of big oil.

Let me say for the record that big oil is maybe not that interested, frankly, primarily in more domestic production. Leaders of some of the environmental organizations want to push production off of our shores because they do not want production anywhere. They are absolutely totally against fossil fuels and think we can run the country and the world can run on something other than fossil fuels. I hope that happens in the future, but it is not going to happen today or tomorrow. It is in their interest to push production off the shores of the United States and use their self-interest to basically push development in places where regulations are less; where, if you do something wrong, you can't get caught, and where it is cheaper to produce.

There is sort of an unholy alliance, if you will—I say this with great respect—between the industry and the environmental movement. I understand this is an unholy alliance that sometimes pushes us to a place we don't want to go. I will tell you why we don't want to go there. Because it is dangerous.

If the headlines in the newspapers don't convince people that we are on a collision course, I don't know what is. In the paper this morning, we read about the escalation of war in the Mideast. We see our foreign policy compromised. Why? Because we can't really fight terrorism in a way that we know we should. We know that we could be effective. We have beaten every foe that has stood before us. We can certainly beat the foe of terrorism.

It would be hard. It would be expensive. But the American people are willing to give their time and their treasure to do it. But we can't because we are compromised by the fact that the countries we are trying to negotiate with are large exporters of oil.

We sent Colin Powell, our Secretary of State, over to the Mideast with one hand tied behind his back. He cannot negotiate as strongly as he might because of our dependency on oil from other places in the world.

I know my time has expired. I am going to stay on the floor after the vote and ask for some additional time.

I thank the Senator for yielding. If the clerk is ready to call the roll, I will yield the floor.

The PRESIDING OFFICER (Mr. MILLER). The question is on agreeing to the motion. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. REID. I announce that the Senator from Montana (Mr. BAUCUS) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 40, nays 59, as follows:

[Rollcall Vote No. 60 Leg.]

YEAS—40

Akaka	Dorgan	Levin
Biden	Durbin	Lieberman
Boxer	Edwards	Lugar
Breaux	Feingold	Miller
Byrd	Feinstein	Murray
Cantwell	Fitzgerald	Nelson (FL)
Carnahan	Graham	Reed
Chafee	Harkin	Sarbanes
Clinton	Hollings	Schumer
Conrad	Inouye	Stabenow
Corzine	Kennedy	Wellstone
Daschle	Kerry	Wyden
Dayton	Kohl	
Dodd	Leahy	

NAYS—59

Allard	Frist	Nelson (NE)
Allen	Gramm	Nickles
Bayh	Grassley	Reid
Bennett	Gregg	Roberts
Bingaman	Hagel	Rockefeller
Bond	Hatch	Santorum
Brownback	Helms	Sessions
Bunning	Hutchinson	Shelby
Burns	Hutchison	Smith (NH)
Campbell	Inhofe	Smith (OR)
Carper	Jeffords	Snowe
Cleland	Johnson	Specter
Cochran	Kyl	Stevens
Collins	Landrieu	Thomas
Craig	Lincoln	Thompson
Crapo	Lott	Thurmond
DeWine	McCain	Torricelli
Domenici	McConnell	Voinovich
Ensign	Mikulski	Warner
Enzi	Murkowski	

NOT VOTING—1

Baucus

The motion was rejected.

Mr. REID. I move to reconsider the vote.

Mr. MURKOWSKI. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. REID. 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.

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

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Louisiana.

Ms. LANDRIEU. I thank the Chair. Mr. President, I thought I would take this time, as we are still debating and proceeding with consideration of amendments to the energy bill, to finish the comments I started before the vote.

I hope Members on both sides can understand the importance of this debate. It always has been important. But I think there has to be some renewed urgency given what has happened over the last 2 weeks—the unfortunate escalation of violence in the Mideast, the pressure that has now come to bear on our Nation in terms of the diplomacy underway to try to find a peaceful and certain way out of the situation in the Mideast. All of this has a direct bearing on the discussion we are having in the Senate about energy and the underlying policy and our dependency on this oil that comes in large measure—not solely—from Middle Eastern countries or from foreign sources. It has a direct impact, I believe, on whether we are ultimately going to be successful in the short and long run in our negotiations for peace and in combating terrorism.

I wish to finish my remarks along those lines and to start with a chart. I know people in Louisiana understand this.

I am hoping to share this chart with the other Members in the Senate. As Americans everywhere went to the gas stations over this weekend and the last few weeks, they really began to feel this. They not only understand it but they actually feel it, and it is hurting right in their pocketbooks.

This chart shows us clearly what happens when the price of oil, which is demonstrated by this blue line, goes up and what happens to our gross domestic product, which is represented by the red line, when that price goes up. It is very easy to read this chart. It reminds me of one of the charts my colleague, Senator CONRAD, brings to explain complicated budget issues, and it really helps to clarify it. This clarifies the situation to me, and I hope to people who are seeing this chart.

When oil prices are low, then the U.S. gross domestic product is high. When the price of oil begins to rise, as it has precipitously in the last 2 weeks, the growth of the U.S. economy dives. When the economy takes a dive like this, what this means is there are more people who are out of work.

When this red line goes down, it means children do not go to college. This red line means somebody has to walk into their house and look in their kids' eyes and tell them they lost their job. This means a guy who worked his whole life—when he was 45 years old and started a business and took his life's savings and his wife's savings and said: Honey, I am going to go out and start a business—has to come back and tell her he could not make it. Not because they did not have a good product, not because he was not a hard worker, not because his spouse did not do everything she should and could do, but because we cannot get a handle on the price of gasoline and it drove him out of business. That is what this line means when the gross domestic product in our country goes down. It means pain. It means suffering.

We could stop the pain and stop the suffering if we could get an energy policy that would stabilize this price and reduce our dependency on oil that comes from outside of this Nation.

One way to do it, not the only way to do it, is to drill more in the United States of America. We have oil reserves in many of our States, if not most of our States. We have reserves onshore and offshore, and we have technologies unlike 50 years ago, 40 years ago, or 25 years ago, that we can produce and find those reserves at less financial risk and less environmental risk.

I am in the Senate because I promised the people of my State I would try to keep this red line up as high as possible, because I have a promise to send as many kids to college as I can possibly help get there and give them the skills they need to function. I have made a lot of promises to them about giving them an atmosphere where they can take their dream of starting a business and actually make it work. I have made promises to my school boards and my public officials back home to try to help improve the highway system, which is not very good in our State. I have hospitals that cannot keep their doors open, and there is a Senate that has the resources and the opportunity to pass an energy bill that could produce more but for some reason will not.

Let me show what the Sierra Club says about domestic production because I have sometimes been accused of having an anti-environmental position. I actually think this position is a pro-environmental position, it is the right environmental position, and I will say why. The director of the Sierra Club evidently agrees with that line of thinking, although I do not want to indicate he agrees with the exploration in ANWR or my amendment, but he agrees with the principle. He says exactly what I would say:

> The exploration and development of energy resources in the United States is governed by the world's most stringent environmental constraints, and to force development elsewhere is to accept the inevitability of less rigorous oversight.

I could even go further to say: To develop elsewhere is to accept the inevitability of wholesale environmental destruction, because that is what happens when you do not have good laws. That is what happens when you do not have good regulations. That is what happens when you do not have good court systems where polluters are determined not to follow the rules if they had them, or to go ahead even without the rules and proceed to extract those resources. That is what happens when you drive production off the shores of the United States of America. The environment is harmed more than if you could drill in a country that had the strongest rules, the best courts, the highest fines, and the ability to vigorously prosecute polluters.

We do not want to do that. We want to get oil from countries—and we use 18 million barrels of oil every day from places such as Saudi Arabia, Iraq; and from such stable governments in a lot of trouble now such as Colombia, Angola, Kuwait, and Yemen, just to name a few.

If we drilled more in Alaska, in Louisiana, off the coast, on the gulf coast, in other interior States, and we did it in the right ways, we could make the lines in that chart I showed earlier move in a different direction, in a direction of hope for the American people.

Let me also say we need to do it for the purposes of our economy. We also need to drill more in the United States for the purposes of our security and for the purposes of long-term domestic and international security for our Nation.

We call the underlying bill we are debating, and on which Senator BINGAMAN and Senator MURKOWSKI have worked exceedingly hard, the Energy Policy Act. It could be the energy security act, but I would really like it to be named the energy independence act because only by energy independence will America ever be secure.

Let me say that again: Only with energy independence will we ever really be secure. If we and our democratic allies—not countries that do not believe in democratic principles, not countries that do not allow women to vote, not countries that do not have high standards when it comes to child protection and the rights of children and families. I am talking about democratically elected governments. When we and our allies, such as in Europe and in other places of the world, can diversify our portfolio of energy, then we can relieve ourselves of being dependent on countries that do not share our values, that are not democratic nations, and that do not compromise.

When I see statements that are in the press—and I have been reading a lot of things about the Mideast—it is very concerning to me when I hear anyone say the people who have strapped dynamite and other explosives to themselves, who have gone into places such as hotels where people are eating a meal or into daycare centers, or in pubs where mothers might take their daughters or sons out for an afternoon cup of tea or a rest, and people refer to these individuals as freedom fighters. These are not freedom fighters. These are terrorists. That is what terrorism is. That is what the definition and embodiment of terrorism is.

It is not fighting army to army or armed person to armed person. It is an individual, desperate, strapping explosives to their body, giving up their life and harming innocent men and women and children for the purposes of terrorizing a nation and either bringing it to its knees, or bringing it to a negotiating table, or forcing it to do something that is against its will or its long-term best interests.

We are fighting terrorism here with all the strength and breath we can in our Nation. We had two of our mightiest buildings collapse. We don't call the people who got in the airplanes freedom fighters. We call them terrorists. But we can't call some of these other people exactly what we need to be calling them. Why? Because we are too dependent on oil from that region. We are debating an energy bill and we will not make the decision to produce more oil in the United States because we would rather compromise our foreign policy.

I will be for more drilling in the United States, when and wherever possible. And I don't believe we can drill everywhere. But where there are reserves, where our technology shows we can drill, the more oil we can drill here the better.

In addition, what we can do, and Senator BINGAMAN has led this fight so ably and so well, is to diversify our portfolio so we are not held hostage by oil, period. I am from an oil-producing State. But do you know what my own producers tell me? They don't want our Nation to be held hostage by fossil fuels, even though we produce a lot of oil and produce a lot of gas. Louisiana believes, as an oil- and gas-producing State, that we need to develop alternative sources. As an investor with your life savings, you don't invest it in just one company, in the event that company goes belly up and you lose everything you worked for. With investments, investors want a diverse portfolio. Why? To spread the risk. Any good investor knows that spreading risk is very important for long-term security.

Why, then, do we have an energy policy, or the lack of an energy policy, that allows all of our eggs to be in one basket. It is too much in oil, and in some ways too much in gas, and not enough in other developing technologies such as wind, solar, hydropower, and other ways of generating energy.

The most promising technology we have discussed on the floor is in the transportation sector, in hydrocells, for our automobiles. It is the transportation sector that uses most of the oil. Our industrial sector and our electric generators use a lot of gas, a lot of coal, and a lot of nuclear. The bottom line is, while we have to reduce our dependency on foreign oil, particularly from nondemocratic nations, particularly from nations that do not have stable governments, particularly from nations that do not believe in the rule of law, that do not allow women the right to vote, that do not allow children, girls in particular, to go to school, why do we compromise our foreign policy because we need that resource when we could drill more domestically? In addition, not only do we have to drill more in the United States, but we have to wean ourselves off of fossil fuels over time and try to come up with renewable resources because all of these resources are finite.

To broaden our pool, to diversify our portfolio of sources is good for the consumer and good for business because it

will keep prices very competitive. If gas is too high, people could switch to nuclear. If nuclear is too high, producers of energy could switch to hydro. If hydro is too high, they could move to coal. If coal is too high, we can move to biomass.

We need more diverse sources of fuel, homegrown, and limit our imports of fuel from nations that are not democratic nations. I am not speaking about Canada. Canada is a great ally of the United States. We import a lot of gas from Canada. Let's continue to do it. Canada is a democracy. It is our ally. We can rely on it. That is smart politics.

Relying on other countries that do not share those values, that do not have democratic values, gets us dealing with places where people tie dynamite to themselves and blow up themselves and innocent people. It confuses us whether it is a terrorist or freedom fighter. We have freedom fighters in America. Martin Luther King, Jr., was a freedom fighter. That is the kind of freedom fighter who we believe in in this Nation. Gandhi was a freedom fighter. That is the kind of freedom fighter who ultimately wins peace and security and justice and changes when things are unjust. Not suicide bombers and not terrorists. It must be rejected every day, every month, every year, every time—in the United States, in Israel, and in the Middle East.

Our energy policy puts us in a position where that gets foggy; it does not get clear. It is dangerous. It is not going to serve us well, not this week, not next week, and not in the near future. Our dependency on oil imports from places that are not democratic nations, our refusal to broaden our portfolio of sources of energy, and our inability to separate this from our negotiations is not good for America.

Let us begin by supporting Senator MURKOWSKI's amendment on ANWR. Let us go further and support drilling. Let us fight very hard with Senator BINGAMAN to try to put dollars into research and technologies for new alternatives. Let's be careful with the tax credits we give so we build a domestic industry, creating new jobs and keeping our environment clean and investing in the States and the localities so when they are impacted, we can fix them. When we lose wetlands, we can restore them. When some places are disrupted, we can do our very best to fix them and have the kind of infrastructure necessary so we can have a good, solid, and clean industry.

That is why, in conclusion, this is getting a lot of momentum. This is why the President is receiving a tremendous amount of support in some areas of his policy, and why, today, there was a great meeting and press conference of some of the major Jewish organizations throughout this Nation. B'nai B'rith, the oldest and largest Jewish organization, has finally and eloquently stated why it is so important to join this fight, along with veterans, along with our military, particularly the veterans who have been there. They have been to Europe; they have been to Korea; they have been to Vietnam. They know the price that is paid when American foreign policy is based on anything outside of our core values of freedom and democracy.

When we start fighting over oil and sacrificing the lives of our young men and women, it is just not worth the fight. Let me say again, it is not worth the fight. Other issues are worth the fight: democracy, freedom, and justice. Oil is not worth the fight, especially when we could have energy security by drilling in our own country. It is too high of a price to pay. I don't think we should pay it.

We should continue the effort to get a good, strong bill out of the Senate and get it into conference so we can have a bill that produces, that encourages more domestic drilling, expands our portfolio of energy to include other things, that invests in research and development. This country leads the world in technology. When we make up our minds to create anything, we can do it. And we hardly ever fail. I can't think of a time we failed. We most certainly would be successful in new technologies and getting us off, eventually, fossil fuels, a finite resource, and getting us to renewables, so we are truly independent and our people can have hope.

In addition, I hope we can then balance this bill in conference. I urge the President to take as balanced an approach as possible in helping shape a bill that works for our economy, that works for our foreign policy, and, most importantly, a bill that is true to values that America has stood for now for 225 years. It does not cause us to have to be hypocritical or to turn our eye or to be foggy in our outlook. We want to see clearly, to be honest with ourselves, about this issue.

It is very serious. It is a very serious issue. Now it is affecting our national security. People at home would like to see strong steps taken in that regard.

I am going to be offering an amendment for energy independence in the morning. I have a series of amendments that I will be offering over the course of this debate. I will lay that out to my colleagues for their consideration and I hope we will be strong enough to take the actions necessary to set our Nation on the course for independence.

I yield the remainder of my time.

The PRESIDING OFFICER. The Chair recognizes the Senator from Missouri.

Mrs. CARNAHAN. I ask unanimous consent to proceed as in morning business for 10 minutes.

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

(The remarks of Mrs. CARNAHAN are printed in today's RECORD under "Morning Business.")

Mrs. CARNAHAN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mrs. CARNAHAN). Without objection, it is so ordered.

Mr. MURKOWSKI. Madam President, for the last several days—since we have been following the Mideast crisis—clearly I think we are all aware that what was a tinderbox has now ignited into a firestorm.

This chart gives us an update of what happened while we were out for our Easter recess. It is a memorandum to the American people.

Let me identify the urgency because over the last few days Saddam Hussein of Iraq has imposed a 30-day oil embargo on the United States. We have seen the price of oil jump about $3 a barrel. We have seen Saddam Hussein offer to pay the families of the Palestinian suicide bombers up to $25,000. If that isn't an incentive to stimulate those who are inclined to give up their life for the cause of Saddam Hussein, I don't know what is.

Further, Iraq and Iran call on countries to use oil as a weapon against the United States and Israel. And Libya agrees.

Think of that—using oil as a weapon.

When was the last time we talked about a weapon around here? It was on September 11th when we were confronted with the first reality that an airplane would be used as a weapon. Obviously, we saw that at the Pentagon and the two towers of the World Trade Center. This goes beyond our previous comprehension of what weapons are. But Iraq and Iran are calling on countries to use oil as a weapon.

What do they mean? They mean, obviously, that with the money and the cashflow of oil, they can motivate people to give up their lives as suicide bombers if their families can generate $25,000, or thereabouts. Where does their money come from? It comes from the cashflow of oil. Make no mistake about it.

Further, a Christian Science Monitor article indicates that there is information relative to Iraq carrying out a plot to blow up a U.S. warship. That was exposed by the article. The theory was a little more significant because what they proposed to do was target a tanker, probably in the Straits of Hormuz, and then go after a U.S. warship.

We are also seeing here at home a skyrocketing increase in gasoline.

Who is responsible for that? It is our good friend, Saddam Hussein.

Iraq is the fast-growing source of U.S. oil imports—1.1 million barrels; the Persian Gulf, almost 3 million barrels; and, OPEC countries, 5.5 million barrels.

When Saddam Hussein indicates he was going to terminate production for 30 days, that means somebody else is

going to have to pick up their oil. Maybe OPEC will do it. They have indicated that Saudi Arabia has the capacity. But will they? Clearly, when 1 million barrels are taken off the world market, prices are going to increase, and shortages are going to increase. That is reality.

Make no mistake about it. Saddam Hussein is not doing any favors for the United States.

In announcing an oil embargo, he has effectively caused the spiraling in prices and an indicated shortage in production.

We have some other charts that I think show you the vulnerability of the United States. This is, again, while we were away on our Easter recess.

As the Mideast crisis worsens, the price of oil rises. This is the statement by Iraq's ruling party.

If the oil weapon is not used in the battle to defend American and Zionist [Israel] aggression, it is meaningless.

That is a statement by Iraq's ruling party.

This is the timeframe from March 25 until our return.

If the oil weapon is not used in the battle to defend our nations and safeguard our lives and dignity against American and Zionist aggression, it is meaningless.

That is a pretty strong message. They are saying: We are going to use oil as a weapon.

Make no mistake about it. What does that translate to? Our economy, and perhaps increased prices.

I do not know how many times we have to go to the well around here before we understand that some of these folks mean business. We are already well aware of bin Laden. We are well aware of the aftermath of al-Qaida.

We wish we would have taken steps to avoid those actions. But where are we today as we look at Saddam Hussein? We have every reason to believe that he is developing weapons of mass destruction. We haven't had the U.N. inspections in several years.

Are we putting off the inevitable? What is the inevitable? Is it some kind of an action that is perpetrated as a consequence of Saddam Hussein's weapons that he has developed over a period of time? What are those weapons? We don't know because we haven't had inspectors in there in over 2 years.

What we know is that we have been taking his oil. We know that we have been enforcing a no-fly zone over Iraq since 1992. We do know that we have bombed him three times this year. We do know that we put our young men and women's lives at risk as we enforce the no-fly zone. We also know as he takes our money, he develops weapons capability and weapons of mass destruction—biological weapons—aimed at our ally, Israel. We know those things.

Where is the logic? How do we close the loop? What is the message? How are we going to respond?

I do not know how many times we have to reflect on weapons. We saw an aircraft used as a weapon three times on September 11. It could have been much worse but for that heroic event in Pennsylvania.

Here is an article from Reuters of April 1.

Iraq urges use of oil as a weapon against Israel and U.S.

It states:

Use oil as a weapon in the battle with the enemy, Israel.

Iraq's ruling Baath Party said in a statement published by the Baghdad media:

If the oil weapon is not used in the battle to defend our nations and safeguard our lives and dignity against American and Zionist aggression, it is meaningless.

That is the ruling party of Iraq.

''If Arabs want to put an end to Zionism, they are able to do so in 24 hours,'' Saddam told a group of Iraq's religious dignitaries Sunday night.

Another quote:

The world understands the language of economy, so why do not Arabs use this language? He asked.

Saddam said if only two Arab states threatened to use economic measures against western countries if Israel did not withdraw from the Palestinian-ruled territory, ''you will see they (Israelis) will pull out the next day.''

Madam President, do we believe that? Saddam Hussein is one of two Arab States that has already used its economic measure against the Western countries by terminating its oil production for 30 days.

What else happened today that deserves consideration? In our own hemisphere, South America certainly, Venezuela, PDVSA, one of the largest conglomerates in the world, went on strike. What does that mean to the United States? It means that roughly 30 percent of our imports are no longer available. Saddam Hussein stopped his production, and Venezuela, PDVSA, is on strike. We don't know the ramifications of that.

The threat is clearly here. I have been coming to the Chamber for a long time talking about the blatant inconsistency of our foreign energy policy. We have other charts here. I will stay on this subject a little more because I think many Members assume this is oil that is coming in from overseas. So it is Iraqi oil. So what? We probably don't get it.

Here is a chart that shows where it goes. What we did was, we went to the importers and asked where this oil went. And we got some idea of where it is refined: Washington State, California, Texas, Oklahoma, Arkansas, Mississippi, Louisiana, Missouri, Illinois, Indiana, Ohio, Kentucky, Minnesota, New Jersey. This constitutes roughly Iraqi oil imports from January to December of the year 2001, a total of 287.3 million barrels consumed in these States. It is pretty well spread around the geography of the United States.

We have another chart that shows very vividly crude oil imports from Iraq to the United States in the year 2001—283 million barrels. This is by month. June was an all-time high. Then down in July. In September it bounced up again, in October, November, December. So here we are, clearly identifying where the oil comes from and where it goes.

We could show another chart that shows you what is happening in the United States today. That is the increase in retail gasoline prices per gallon. This is $1, $1.05, $1.15, up to $1.40. Here we are, April 1: $1.34. Make no mistake about it. These are factual realities associated with what is happening. The American public is modestly inconvenienced, but there is no consensus on what kind of relief.

I suggest there is an energy plan out there that has been proposed by some. This is kind of it. Unless the crisis is too bad, we just stick our head in the sand. Is this an energy plan? I don't think so. We have an energy bill before us. It is absolutely necessary that we proceed with this bill. As a consequence of the extended discussion about how we are going to reduce our dependence, one of the issues that comes up is obviously to produce more oil in the United States. How can we do that?

One of the more contentious amendments that will be debated on the floor is the ANWR amendment. What is so significant about ANWR? The significance is that it is the most likely area in North America for a major oil discovery. We had ANWR passed in the omnibus bill back in 1995. In December, it passed out of the Senate. It was vetoed by President Clinton. We would know today and have production from the area and we wouldn't be beholden to Saddam Hussein, who suddenly decides he is going to cut 1 million barrels of production, his production, away from the market. We anticipate that ANWR would exceed 1 million barrels a day.

We have been paying Saddam Hussein roughly $25 million a day for Iraqi oil for the last year. That is a lot of money, $25 million a day. This is the same dictator who actively fired on our pilots, who is developing weapons of mass destruction, funding terrorism against Israel, yet is our fastest growing source of imported oil.

Saddam Hussein is paying bounties of $25,000 to each suicide bomber who murders Israeli citizens. The suicide bombers terrorizing Israel are the proxy soldiers of Saddam Hussein. Think about that. They are proxy soldiers. Yet we rely on Saddam Hussein for our energy needs each day.

Every time we go to the gas pump, a portion of what we pay funds Saddam Hussein in his war on the United States and Israel; on his war, if you will, to encourage individuals to sacrifice their lives as suicide bombers and commit funds to the relatives of some $25,000.

Enough is enough. We need to end this inconsistency once and for all.

Among the considerations that come to mind to end this would be the President's certification that Iraq is complying with U.N. Security Council Resolution 687 which demands that the Iraqi weapons program be destroyed, destroyed and certified by inspectors, that we have the satisfaction of knowing that Saddam Hussein is no longer smuggling oil in circumvention of the Oil for Food Program. We have already lost lives. We lost the lives of two American Navy men when they intercepted one of Saddam Hussein's smuggling ships. In the process of boarding the ship, the ship sank and these two American sailors lost their lives. Little was said about it, but Saddam Hussein is still taking American lives.

Further, one could consider a stipulation that Saddam Hussein would not subsidize the action of the suicide bombers.

As I indicated earlier, some people don't have a second thought about where we get our oil. Some think that drilling in Alaska is too risky. That is poppycock. We have drilled in Alaska for 30 years in the Arctic and developed the largest field in North America, Prudhoe Bay. You might not like oilfields. That is your own business. But Prudhoe Bay is the best oilfield not only in the United States but in the world. It has more environmental oversight by Federal and State officials, laws, and regulations.

So it is interesting to reflect, if you don't get the oil from here, where are you going to get it? Do you want to go to Colombia where they are blowing up Colombian pipelines and kidnapping American oil workers? Some of the oilfields of Russia are an absolute disgrace from the standpoint of environmental oversight.

Nobody seems to care where it comes from. Why can't it come from an area where we have the oversight, where we have the safety, and we can do it right?

We have a situation today where Israeli and Palestinian citizens are dying in the streets. They are certainly at risk. Yet they say it is too risky to open up the Arctic. I wonder if channeling funds to Saddam Hussein to allow him to carry out his vicious campaigns is not risky. Our men and women in uniform are in harm's way today. Yet many Members in this body live in some fantasyland, a world of ivory towers, an image of pristine wilderness.

Well, I have been there, Madam President. It is a harsh reality. The aboriginal residents of the area of Kaktovic support the development. I have felt like a voice in the wilderness on this issue for some time. We have a lot of wilderness—about 56 million acres, which is the size of the State of California.

It is time for some of us to face the facts. It is time to stop contributing to Saddam Hussein's campaign of terror. How bad do things have to get before we have the fortitude to recognize that we can reduce our dependence and send Saddam Hussein a very strong signal—and the rest of the Mideast, such as Iran, Libya, and the other countries, including Saudi Arabia—a message that we mean business?

Remember what Saddam Hussein says at the end of every speech. His last words are—think about this—''death to Israel. Death to America.'' From what I have seen in Israel in the last 2 months, with all the suicide bombers, we ought to know what he means. How long does this have to go on before we come to grips with reality and make a commitment that we can open up this area safely, that it will significantly recuse our dependence on imported oil? I think that time has come, and I urge my colleagues to make commitments to America's environmental community to recognize that you are going to have to be counted here and do what is right for America, not necessarily what is right to placate some of the extreme environmental groups that have used this as a cash cow; they have milked it for all it is worth.

It is kind of interesting to hear the mischaracterizations of a recent study by the Department of the Interior, the USGS. They indicated in the first study the supposition that the entire area was at risk. What is the entire area? It is 1.5 million acres that was somehow at risk. It was the assumption that the entire area would be put up for lease. Of course, the House bill, and what is in the amendment that we intend to offer, is that the footprint will be limited to 2,000 acres. There will not be international airports, or airports of any significance. There will not be any activity during the caribou calving season when the Porcupine herd is in the area. Drilling and exploration will be limited to wintertime activities. There will be no roads built. There will just be ice roads.

This is the technology we have now. Make no mistake about it, from the standpoint of conservation, we have learned how to take care of the caribou. There are two major actions we have done to protect them. We allow no hunting. You can't run them down in a snow machine. The herd, known as the western Arctic herd, in the Prudhoe Bay area was about 3,000 in the early 1970s. It is over 26,000 today. You can't hunt in the area; you can't take those animals.

The Porcupine herd is something else. The aboriginal people depend upon them, and the herd is quite healthy. Remember where that herd goes. It crosses the Dempster Highway in Canada. That is probably where it receives the most intense pressure from human predators, who take the caribou for subsistence and sport purposes. That doesn't happen in Alaska; it happens in Canada.

So I hope my colleagues will be ready to recognize the significance of their votes. Not only is this a major issue for the veterans of this country who have said time and time again that we want to reduce our dependence on foreign oil. We don't want to send our men and women overseas to fight another war on foreign soil.

I am reminded of Mark Hatfield's statement; he is a former Senator from the State of Oregon. He said:

> I will vote for ANWR any day rather than send our young men or women overseas to fight a war over oil on foreign soil.

Well, we did it in 1992 and we lost 147 lives. Let's get on with the issue at hand and let's reflect on the issues. American labor is on board because they see it as a jobs issue—somewhere in the area of 250,000 new jobs. People talk about stimulus. That is the largest single stimulus that anybody has been able to identify in this entire year of debate on the floor of the Senate. What does it mean? It means 250,000 jobs. But these are private sector, well-paying jobs, union jobs that will not cost the taxpayer one red cent. This is win-win-win-win. It is win for America, win for jobs, win for reducing our dependence on imported oil, and win for our scientific community and our environmental community—to ensure that we have the technology to do this right.

I look forward to the debate in the coming days, but I think it is appropriate to highlight what has happened in just the last 2 days. Saddam Hussein has determined he is going to stop oil production for 30 days. Venezuela is on strike. We have, overnight, lost nearly 30 percent of our imports, and each day you are going to hear more bad news: higher prices at the gas station and higher prices to fill your heating oil tanks. You are going to see it represented in the economy—on the stock market as it affects our growth and, God knows what we can expect from the Mideast crisis that is underway in that area today, as our vulnerability becomes more intense.

I will have more to say about this topic each day. I wanted to bring to my colleagues' attention the highlights of the pending crisis. When we left here on our recess, we had a threat. Today we have a crisis. Here it is: a 30-day oil embargo, $3-a-barrel increase, and Saddam pays suicide bombers $25,000. Iraq and Iran call on countries to use oil as a weapon. If that isn't a threat against the United States and Israel, I don't know what is. Iraq plots to blow up U.S. warships, and the price of gasoline is skyrocketing.

Madam 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. DASCHLE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. DASCHLE. Madam President, it is 5:45 in the afternoon. We had one vote today. Obviously, there will be no

more rollcall votes today. I say ''obviously''; I should probably say ''unfortunately.'' This is the fourth week now we have been on this bill. This is the 15th day we have been on this bill. We have scores, if not hundreds, of amendments that ought to be offered and ought to be debated. We listened to countless speeches all last year from many of our Republican colleagues about how critical it was we bring up this bill. I think Senator MURKOWSKI on several occasions said: Let's let the chips fall where they may; let's offer amendments; let's take up ANWR; let's get this legislation done.

The Senator from Alaska talked today about this being another crisis, given the Iraqi situation. Here it is, 5:45 this afternoon, and we are facing a Republican filibuster on the Feinstein amendment, the so-called derivatives amendment. We are hopeful we can at long last reach a cloture vote tomorrow. They have been filibustering the derivative amendment now for some time. I don't understand why we have yet to take up the ANWR amendment. As I said, after 15 long days of debate, we have yet to debate one of the central issues involving energy policy from the Republicans' perspective, and that is the debate on ANWR.

It is critical we have that debate sooner rather than later. And if need be, I know some of my colleagues have actually suggested maybe they will raise the issue, that they take it up, that they offer the amendment. We would probably offer the House language.

We want to accomplish as much as possible during this work period. I have laid out, on several occasions now, our hope and expectation with regard to the legislative agenda for this work period. It is ambitious. But our Republican friends in the administration, and Republican friends in the Senate, talk about how they are unable to take up other very important pieces of legislation, including trade promotion authority and terrorist insurance.

But we find ourselves here with a Republican filibuster on the energy bill, a Republican reluctance to take up the ANWR amendment, and, at 5:45 in the afternoon, no one to offer amendments in spite of the fact that we have been on this bill now for 15 days and over 200 amendments are still pending.

So, I must say, it is a situation that has to be rectified sooner or later. There is no way we can take up all of the other important bills during this very critical work period if we do not have more cooperation and ability to address the remaining issues in this bill than what has been demonstrated so far.

It is unfortunate. It is frustrating to be at a point, after this long on the energy bill, that in my view is so far from closure on a bill that both sides have acknowledged must be completed.

I want to complete it. I know Senator REID has been working very hard to try to work on both sides to see if we can come up with a list of amendments. But, as I say, a Republican filibuster on the derivative amendment has to end. The ANWR amendment has to be debated. We have to find some way to resolve whatever other outstanding questions there are and bring this bill to a close so we can move on to other important pieces of legislation, including border security, which, as I understand it, is supported by the administration; Republicans and Democrats support it.

We also have the election reform bill. We have nominations we would like to take up—judicial nominations. We have heard a lot about that in recent days. So there is no lack of work required of this body. Yet there are such limits on our ability to deal with all of those and other priorities, simply because we have been unable to move this bill any further along than we are this afternoon.

Mr. REID. Will the Senator yield for a question?

Mr. DASCHLE. I will be happy to yield to the Senator from Nevada.

Mr. REID. I ask my friend from South Dakota, the majority leader, if he is aware that we have had speeches here in the past several weeks—we had one earlier this afternoon—of Senators saying, Why don't we vote on ANWR? Why don't we have an up-or-down vote on ANWR?

Is the Senator aware these speeches are being made by the other side often but no amendment is offered? Have you ever seen a procedure such as that where they complain about not having a vote but they have not offered the amendment?

Mr. DASCHLE. It is mystifying to me. We have been told for months, if not years, how critical ANWR is to some of our colleagues on the other side. Yet after 15 days we are told we still have to wait for an ANWR amendment on this energy bill.

So something doesn't connect here. Either ANWR is not important or there is a slow-walking of the bill—inexplicably. There is an emergency, as some of our colleagues have indicated today, but there is an inability here to connect the dots. It seems to me we have to rectify that situation.

The Senator is right. You cannot give speeches and say it is important for us to finish the bill and take up ANWR and we need a vote but then fail to offer the amendment to get the vote.

I ask my colleagues to recognize how precious our time is. This is Tuesday. I have already had two or three requests for early evenings and early departure this weekend. I suspect we will get more of those throughout the week. We have to make the most of the days we are here. Let's make the most of Wednesday, the most of Thursday. Let's resolve these outstanding issues, let's end the filibuster, and let's get this job done.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. REID. Madam President, I ask unanimous consent that at 9:15 on Wednesday, April 10, the Senate resume consideration of S. 517; that the time until 9:45 a.m. be for debate prior to the cloture vote with respect to the Feinstein amendment numbered 2989, with the time equally divided and controlled in the usual form; that at 9:45 tomorrow morning the Senate proceed to vote on the motion to invoke cloture; and that Senators have until 9:30 a.m. for filing second-degree amendments to the Feinstein amendment.

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

MORNING BUSINESS

Mr. REID. Madam President, I ask unanimous consent that there be a period for morning business with Senators permitted to speak therein for a period of up to 5 minutes each.

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

THE MIDEAST CRISIS

Mrs. CARNAHAN. Madam President, last week, as people of many faiths celebrated holy days of peace, our television screens were filled with visions of horror. Young Palestinian men and women, strapping explosives to their bodies and detonating themselves in crowds of Israeli civilians, destroyed dozens of lives and with them exploded the hopes and dreams for a peaceful resolution of the Middle East crisis.

The words used to acclaim these acts are deeply troubling. The murderous bomber who killed celebrants at the Passover meal was deemed ''a glorious martyr.'' Such a proclamation is a cruel hoax, perpetrated by those dedicated to the destruction of the Jewish state. It comes from those who have never admitted in their hearts—and will never admit that Israel has the right to exist within secure and peaceful borders.

They unleash their hate under the banner of such groups as Hamas, and Hezbollah, the Fatah and the Al Asqa Mosque Martyrs' Brigade.

Unfortunately, the leader of the Palestinian Authority, Yasser Arafat, is unwilling or unable to prevent the wave of assaults against Israeli civilians. For far too many years he has talked the talk of peace; but he has never walked the walk for peace.

When it has served his interest to speak of reconciliation, of compromise, of security for Israel—he has done so. But days, or even hours, later when speaking to his people, or the Arab world, he uses language that urges armed struggle, a war of liberation, and a return to conquered lands.

He has not prepared his people for peace. He has not explained the need for compromise. In fact, maps in school books do not even show the State of Israel.

On the White House lawn, President Clinton urged both sides to take a chance for peace. Israel was willing to do just that. Israel traded land in the hope for peace. Israel promised even more land, and a Palestinian state.

What did the Palestinians do? They did not create a government to serve the best interests of their people. Yasser Arafat created a gulag on Israel's back doorstep—one riddled by corruption and bent on crushing dissent. The Palestinian leader built an infrastructure for terror and then incited his people telling them that Palestine would run from the Jordan River to the Mediterranean Sea.

When the parties met at Camp David, Israel did what it had never done before. It put the issue of Jerusalem on the table. But the most generous offer Israel could possibly make, was not only rejected, it was brutalized by violence. That violence has intensified for 18 months, mutating into waves of suicidal terror.

In the minds of most Israelis, this cruel response has undermined Yasser Arafat as a genuine partner in search of peace, for Israel now has to question whether land for peace is actually an equation for more violence.

Israel has an obligation to its citizens to respond. When al Qaeda attacked America, we sent our military across the globe to seek out the terrorists in training camp by camp, cave by cave. Israel has terrorist's cells just a couple miles from its largest cities. It had no choice but to take them out—root and branch.

America is conducting her own war on global terrorism in the wake of attacks on our country and to address the threat of Saddam Hussein acquiring weapons of mass destruction. But the United States must at the same time devote its full resources to resolving the Israeli-Palestinian conflict. We must do so in a way, however, that does not undermine the core principle of our war against terrorism. There must be zero tolerance for terrorism. Such deeds cannot have, or be perceived to have, any political benefit.

Those who seek a political solution to conflict must first rebuild trust by rejecting terror. Unfortunately, both the Arab League and Islamic Conference have failed to do so. Nonetheless, Secretary Powell's mission takes place against the backdrop of a new Arab initiative.

This initiative has many flaws, but it is significant. Arab governments have now demonstrated a desire to play a constructive role in resolving the conflict. Since the Palestinian leadership has been totally discredited as peace partners, the path to peace goes through Amman, Cairo, and Riyadh.

If these governments are serious peace-seekers, other steps must follow. They must denounce terror against Israel with the same strength and passion as they denounce actions taken against Palestinians. They must halt their financial backing for terrorist groups dedicated to the destruction of Israel. They must put an end to the anti-semetic, anti-Israel, and anti-American rhetoric in their state sponsored media. Finally, they must convince Yasser Arafat, and more importantly the Palestinian people, to abandon their self-destructive behavior.

Had the Passover ceremony in Netanya not been violated by a murderous bomber, those present, together with Jews around the world, would have ended the ceremony by saying: ''next year in Jerusalem.''

The Jerusalem to which they aspire, however, is not the city we see today—a city stricken with fear; a city of shattered windows and shattered lives where calls to worship have been replaced by sirens and ambulances.

No, the Jerusalem to which they aspire, is a Jerusalem of tolerance, of faith, and of peace.

While that vision seems remote at the moment, we are reminded of the words of Louis Pasteur, who said:

> Never let yourselves be discouraged by the sadness of certain hours which pass over nations.

For those who earnestly seek peace, even dark days can be the harbingers of brighter tomorrows.

Our prayers today are for a brighter tomorrow for all in the Mideast, for all people of goodwork.

NEVADA VETO OF YUCCA MOUNTAIN SITE

Mr. MURKOWSKI. Madam President, I advise my colleagues that yesterday another significant step was taken in the process to address relief for nuclear energy by the approval of the Yucca Mountain process—and I emphasize process because it is a step-by-step effort.

The Governor of Nevada came to Washington to deliver his veto over the President's recommendation to site this Nation's high-level waste repository at Yucca Mountain in Nevada.

Further, Chairman BINGAMAN, chairman of the Energy and Natural Resources Committee, today took yet another step in introducing a resolution, S.J. Res. 34, to override the Nevada veto. Senator BINGAMAN's action sets in motion the congressional fast-track procedure in both the House and Senate to approve this resolution, which is done by a simple majority. We finally may approve a safe, remote, central facility for our Nation's nuclear waste. Without this repository, our nuclear plants would have to shut down, and I do not think we can address that risk, recognizing nearly 20 percent of our Nation's energy is generated by nuclear power.

Without Yucca Mountain, the cold-war legacy sites throughout the U.S. will not get cleaned up because we will have no place to put the waste. The Federal Government has an obligation for the spent fuel and the DOE waste, and to meet this obligation we must open that repository, and we must do it soon.

To date, we have spent over 20 years and over $4 billion to investigate and characterize the site. The science tells us this is the place.

I join Senator BINGAMAN in urging my colleagues to vote for this resolution when it comes before the Senate.

TRIBUTE TO THE GIRL SCOUTS OF AMERICA

Mr. DASCHLE. Madam President, I would like to take this opportunity to recognize the 90th Anniversary of the Girl Scouts of the United States of America. In March, this vital organization celebrated an important milestone in its efforts to encourage girls and young women from communities across our nation to enjoy scouting activities that nurture their mental, physical, and spiritual well-being. Congratulations to the 3.8 million members throughout the United States.

I am pleased to tell you that more than 9,000 girls across the State of South Dakota actively participate in Girl Scouts. In particular, I want to commend the Girl Scouts of Nyoda Council for their outstanding accomplishments in the areas of leadership, community service and personal development in our state. For over 35 years, this chapter has offered a spiritually motivated, values-based program that encourages every girl to reach her highest potential. The Girl Scouts of Nyoda Council adhere to the vision statement of the Girl Scout movement: ''to inspire girls with the highest ideals of character, conduct, patriotism, and service, that they may become happy and resourceful citizens.''

On April 13, the Nyoda Council will hold their Girl Scout Gold Award ceremony in honor of those who have achieved the highest honor a Senior Girl Scout can attain. They deserve recognition for their outstanding work, perseverence, leadership, and community involvement. I applaud their ''can-do'' spirit, determination, and dedication to the betterment of their community.

Congratulations to the Girl Scouts of Nyoda Council on this very special occasion. May they enjoy this celebration of their efforts, and keep up the great work.

Mr. BINGAMAN. Madam President, I rise today to speak on behalf of the Girl Scouts. In honor of their 90th anniversary, I would like to congratulate this extraordinary group for their many years of excellence and service to this Nation. This organization has provided great opportunities for many girls and young women, helping them to develop to their full potential and to become good citizens and great leaders. The Girl Scout Law states that each girl will strive to possess honesty,

courage, responsibility, and respect both for themselves and others. These ideals demonstrate the high standards this organization sets in encouraging the development of young girls.

Currently in New Mexico, approximately 8,000 girls and 3,000 women participate in Girl Scouts. Chapparal Council, one of the three New Mexican Girl Scout councils, covers counties in northwestern New Mexico and parts of Southwestern Colorado. The 6,000 members of that council contribute their time and effort to better their communities. These girls, along with countless other women who once pledged the Girl Scouts' promise have and will receive the many benefits from this organization.

The Girl Scouts' new initiative ''For Every Girl, Everywhere'' highlights the diversity of this fine group, attempting to reach out to every girl in every community, regardless of race, ethnicity, or geographic boundaries. The Girl Scouts have given girls from every socioeconomic background an equal opportunity to become successful adults through the exploratory and intellectual activities in which they participate. This has especially played an important role in New Mexico.

Throughout New Mexico, girls have been changing their lives in a positive way that will no doubt benefit them in their future endeavors. By focusing on health and fitness, appreciating diversity, and community service, the Girl Scouts have inspired girls with high ideas of character, conduct, and patriotism. Girls participate in many events throughout their community such as providing help to those in need and working to improve the environment. They organize donation drives for needy families, plan activities for senior citizens, hold flag ceremonies throughout the State, plant trees and clean up local parks.

Although the Girl Scouts are primarily community based, the ideals of caring and helping others are also demonstrated on a national level. After the tragedy of September 11th, Girl Scouts from the Zia Council in New Mexico made dream catchers, a Native American work of art symbolizing peaceful sleep, and had them blessed and sent to New York in memory of the victims and their families as a way of reaching out to those in need of inspiration.

Through this organization, girls learn to set high standards and develop qualities that will benefit them throughout their lives. They are able to learn self-confidence, responsibility, and leadership skills, and are encouraged to think creatively. Through the hard work of this organization over 50 million women have been touched by the positive impact of Girl Scouts. As the world's largest girls' organization with currently 2.7 million girl members and just under 1 million adult members, I would like to once again commend past, current and future Girl Scouts for their valuable contributions and dedication over the last 90 years.

Mr. SMITH of New Hampshire. Madam President, I rise today to show my support for the 90th anniversary of the Girl Scouts. Through the Girl Scouts, girls acquire self-confidence, a sense of responsibility, life skills and integrity. In each level of the Scouts, young girls learn skills that will assist them as they enter adulthood, including science and technology education, money management, sports training, engaging in community services, art education, and much more. The Girl Scouts encourage their members to engage in a wide variety of activities such as field trips, sports camps, and cultural exchanges. I am proud to note that members of my staff were Girl Scouts when they were younger.

The mission of the Girl Scouts is to help all girls grow strong and prepare for adulthood by empowering them to develop their full potential, get along well with others, and to work together to contribute to their communities. Today, the organization boasts a membership of 3.8 million members, 2.7 million girls and over 900,000 adults.

I would like to take just a moment to commend the activities that the Girl Scouts are involved with in my State of New Hampshire. I would like to specifically thank the Girl Scouts of Swift Water Council for their numerous contributions toward the development of young women in our state. For a single organization to reach over 15,000 girls in New Hampshire alone is extraordinary. There are three programs that fall under the Swift Water Council that I want to commend. The Cool Connections program at Sanders Cottage in Manchester, and the Antrim Girls Shelter both help young girls in crisis by teaching them how to make positive decisions and boosting their self-esteem. The Swift Water Council also established an activity center for young refugee girls at the International Institute in Manchester. This Institute helps refugees from wartorn nations seek asylum in the United States. These activities provide young girls with socialization, group cooperation skills, and the tools they need to acclimate successfully into the community. I am grateful for the contributions that the Girl Scouts have made in my state.

In closing, I want to commend the Girl Scouts for 90 years of positive influence on the lives of young girls all across this nation. I especially want to thank the Girl Scouts of New Hampshire and the adult volunteers who support them. Keep up the good work.

REVISION IN ENERGY TAX INCENTIVES REPORT

Mr. BAUCUS. Madam President, on March 1, 2002, I filed Report 107–140 to accompany S. 1979, the Energy Tax Incentives Act of 2002. Since that time, the Congressional Budget Office has revised its estimate to reflect changes resulting from enactment of Public Law 107–147, the Job Creation and Worker Assistance Act of 2002, plus direct spending effects that were not in the previous estimate. I ask unanimous consent that the revised CBO estimate, dated April 1, 2002, be printed in the RECORD.

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

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, April 1, 2002.

Hon. MAX BAUCUS,
Chairman, Committee on Finance, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed revised cost estimate for S. 1979, the Energy Tax Incentives Act of 2002. The estimate includes direct spending effects on the Tennessee Valley Authority, loans issued by the Rural Utilities Service, and crop subsidies provided by the Department of Agriculture that were not in the previous estimate. Review estimates reflect changes in current law resulting from enactment of Public Law 107–147, the Job Creation and Worker Assistance Act of 2002, which was signed on March 9, 2002. This estimate supersedes the estimate that CBO provided for this bill on February 27, 2002.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contacts are Erin Whitaker (for revenues), who can be reached at 226–2720, and Lisa Cash Driskill (for direct spending), who can be reached at 226–2860.

Sincerely,

BARRY B. ANDERSON
(For Dan L. Crippen, Director).

Enclosure.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE, REVISED APRIL 1, 2002

[S. 1979: Energy Tax Incentives Act of 2002, as ordered reported by the Senate Committee on Finance on February 13, 2002]

SUMMARY

S. 1979, the Energy Tax Incentives Act, would amend numerous provisions of tax law relating to energy. The bill would enhance and create credits for the use and development of energy-efficient technologies, amend tax rules to provide deductions for certain devices and credits for businesses that provide energy, and enhance and create credits and deductions for the production of oil, gas, and other types of fuel. Certain tax credits would be available to the Tennessee valley Authority (TVA) and rural electric cooperatives in the form of credits that could be used to pay sums owed to the Treasury. The bill also would provide tax credits for the production of biodiesel fuels. which would result in a reduction in the subsidies provided by the Department of Agriculture (USDA) for certain crops. Most provisions of S. 1979 would take effect in 2003, but some would take effect in 2002.

The Congressional Budget Office (CBO) and the Joint Committee on Taxation (JCT) estimate that enacting the bill would decrease governmental receipts by $80 million in 2002, by $8.3 billion over the 2002–2007 period, and by $14.4 billion over the 2002–2012 period. CBO estimates that provisions in the bill affecting TVA, rural electric cooperatives, and USDA would result in an increase in direct spending of $20 million in 2002, a decrease of about $75 million over the 2002–2007 period, and a decrease of about $200 million over the 2002–2012 period. CBO also estimates that certain provisions requiring studies and reports would have an insignificant impact on spending subject to appropriation. Since S. 1979 would affect direct spending and receipts, pay-as-you-go procedures would apply.

CBO has determined that provisions of the bill requiring the Secretary of the Treasury and the General Accounting Office to report the results of certain studies contain no intergovernmental mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would not affect the budgets of state, local, or tribal governments. JCT has determined that the remaining provisions of the bill contain no intergovernmental mandates as defined in UMRA. The bill contains no new private-sector mandates as defined in UMRA.

ESTIMATED COST TO THE FEDERAL GOVERNMENT

The estimated budgetary impact of the bill is shown in the following table.

	By Fiscal Year, in Millions of Dollars					
	2002	2003	2004	2005	2006	2007
CHANGES IN REVENUES						
Estimated Revenues	−80	−312	−1,237	−2,259	−2,583	−1,869
CHANGES IN DIRECT SPENDING						
Credits for Clean Coal and Renewable Technologies Used by TVA:						
Estimated budget Authority	...	...	10	10	10	10
Estimated Outlays	...	...	10	10	10	10
Credits for Clean Coal and Renewable Technologies Used by Rural Electric Cooperatives:						
Estimated Budget Authority	20	0	...	...	...	...
Estimated Outlays	20	0	...	...	...	...
Effect of Biodiesel Tax Credits on Spending for Farm Programs:						
Estimated Budget Authority	...	−13	−22	−28	−33	−38
Estimated Outlays	...	−13	−22	−28	−33	−38
Total Changes in Direct Spending:						
Estimated Budget Authority	20	−13	−12	−18	−23	−28
Estimated Outlays	20	−13	−12	−18	−23	−28

BASIS OF ESTIMATE

Revenues

All revenue estimates were provided by JCT except for one provision. For the years 2006–2012, CBO estimated the revenue effects of the provision providing a tax credit and excise tax rate reduction for biodiesel fuel mixtures.

Five provisions would compose a significant portion of the effect on revenues if enacted. Those provisions would extend the credit for producing energy from certain sources, extend the credit for purchase of alternative motor vehicles, and modify the credit for purchase of electric vehicles. They also would establish a statutory 15-year recovery period for natural gas distribution lines, expand the credit for certain qualifying fuels produced from coal to fuels produced in facilities placed in service after the date of enactment, and modify the rules governing certain requirements for contributions to, and transfers of, qualified nuclear decommissioning funds. These provisions would, if enacted, reduce revenues by $57 million in 2002, $3.3 billion over the 2002–2007 period, and $6.8 billion over the 2002–2012 period.

Section 209 of the bill would provide for an income tax credit and a reduction in the excise tax rate on purchases of biodiesel fuel mixtures (a combination of diesel fuel and vegetable oil). These provisions would expire on December 31, 2005. The JCT assumes that they would expire at that time and estimates that they would reduce revenue by $74 million through fiscal year 2006. CBO extends those revenue losses beyond 2006, however, based on the rules governing CBO's revenue baseline. Those rules require CBO to treat excise taxes dedicated to trust funds as permanent, even if they expire during the projection period. The excise taxes on motor fuels are dedicated to the Highway Trust Fund and are scheduled to expire on September 30, 2005. The biodiesel provision would reduce the excise tax rate on certain motor fuels. Because CBO's baseline extends the excise taxes at the rate existing at time of expiration, the biodiesel provision would, for budgetary scoring purposes, be treated as if it were extended permanently. On that basis, CBO estimates that the biodiesel provision would reduce revenues by $448 million from 2006 through 2012. In all, CBO and JCT estimate that the provision would reduce revenues by $552 million from 2002 through 2012.

Direct Spending

Effect of Biodiesel Tax Credits on Farm Programs. Because of the bill's incentives to sell and use biodiesel fuels, JCT and CBO have estimated that use of these fuel mixtures would increase. Because the vegetable oil in the mixtures is expected to be primarily derived from soybeans and a few other oilseeds, the price of these oilseeds would increase. (Qualifying vegetable oils may be derived from corn, soybeans and a list of other oil seeds.) Higher commodity prices would result in lower costs of farm price-support and income-support programs administered by the Agriculture Department. CBO estimates these changes in the demand for soybeans and other grains would reduce federal spending by $308 million over the 2002–2002 period.

Use of Credits for Federal Payments by TVA and Rural Electric Cooperatives. The bill would establish tax credits for electric power producers using certain coal and renewable technologies. Although exempt from taxation, TVA and rural electric cooperatives would be eligible to take such credits in the form of cash-equivalent credits that could be used to repay amounts they owe to the Treasury. We estimate that the provisions would cost $20 million in 2002 and $110 million over the 2002-2012 period.

CBO expects that TVA will make significant investments in pollution control and clean coal technologies over the next 10 years and thus would be eligible for the cash-equivalent credits authorized by the bill. TVA could use such credits to reduce its payments to the Treasury for past appropriations. TVA could then pass such savings on to its customers by lowering the price it charges for electricity. We estimate that this price adjustment would reduce TVA's power revenues by an average of $10 million a year beginning in 2004, when we expect the agency would revise its rates. Hence, CBO estimates that this provision would cost a total of about $90 million over the 2002-2012 period.

Rural electric cooperatives would be eligible for both the clean coal technology and renewable energy tax credits offered under the bill. Based on information from industry analysts, CBO expects that rural electric cooperatives would make investments in technologies that would qualify for such credits over the next several years. The bill would allow the credits to be sold or traded to certain other taxable entities, or used to prepay loans held by the federal spending. For this estimate, we assume that around 15 percent of eligible cooperatives would prepay their federal loans with the Rural Utilities Service, rather than trade the credits.

The authority provided by the bill to prepay federal loans with non-cash credits would be considered a loan modification. Under the Credit Reform Act, the cost of a loan modification is the change in the subsidy cost of the cost of this provision would be about $20 million and would be recorded in 2002, when the modification would be authorized.

Spending Subject to Appropriation

The bill would require the General Accounting Office and the Department of the Treasury to provide annual reports on energy tax incentives. Based on information from these agencies, CBO expects that preparing the reports would cost less than $500,000 per year, assuming appropriation of the necessary amounts.

PAY-AS-YOU-GO CONSIDERATIONS

The Balanced Budget and Emergency Deficit Control Act sets up pay-as-you-go procedures for legislation affecting direct spending or receipts. The net changes in outlays and governmental receipts that are subject to pay-as-you-go procedures are shown in the following table. For the purposes of enforcing those procedures, only the effects through 2006 are counted.

	By Fiscal Year, in Millions of Dollars										
	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012
Changes in outlays	20	−13	−12	−18	−23	−28	−29	−31	−22	−26	−16
Changes in receipts	−80	−312	−1,237	−2,259	−2,583	−1,869	−1,234	−1,181	−1,174	−1,214	−1,289

PREVIOUS CBO COST ESTIMATES

This revised cost estimate supersedes the CBO cost estimate for this bill prepared on February 27, 2002. Revenue estimates have changed because Public Law 107–147, the Job Creation and Worker Assistance Act of 2002, signed on March 9, 2002 extends certain tax credits that would also be extended by S. 1979. In addition, CBO has increased the estimate of revenue losses by about $448 million to account for the impact on baseline projections of the reduction in excise tax rates for biodiesel fuels.

The revised estimate also includes an estimate of direct spending effects on TVA, loans issued by the Rural Utilities Service to

rural electric cooperatives, and crop subsidies provided by the USDA. The effect of these changes would be to increase direct spending by $20 million in 2002 and decrease direct spending by about $200 million over the 2002–2012 period.

INTERGOVERNMENTAL AND PRIVATE-SECTOR IMPACT

CBO has determined that provisions of the bill requiring the Secretary of the Treasury and the General Accounting Office to report the results of certain studies contain no intergovernmental mandates as defined in UMRA and would not affect the budgets of state, local, or tribal governments. JCT has determined that the remaining provisions of the bill contain no intergovernmental mandates as defined in UMRA. The bill contains no private-sector mandates as defined by UMRA.

Estimate prepared by: Revenues: Erin Whitaker (226–2720); Federal Costs: Lisa Cash Driskill, and Dave Hull (226–2860); Impact on State, Local, and Tribal Governments: Susan Sieg Tompkins (225–3220); and Impact on the Private Sector: Paige Piper/Bach (226–2940).

Estimate approved by: G. Thomas Woodward, Assistant Director for Tax Analysis and Robert A. Sunshine, Assistant Director for Budget Analysis.

LET US REMEMBER THE CHILDREN

Mrs. CARNAHAN. Madam President, nearly 2,000 years ago, a ''poll'' was taken on the road between Jericho and Jerusalem. We are told that only one out of three was willing to turn from their personal pursuits to help someone who had been physically assaulted and left without care. This story of the Good Samaritan is an ancient and familiar teaching. We must be the people today who will pause in our own pursuits to help heal the wounds in our society.

April is Child Abuse Prevention Month. Today I want to challenge all of us to face this horrific national tragedy head on. We should never lose sight of the pressing needs of our most precious resource, our children. Across the nation, neglect and abuse figures reach 2.5 million. Not only has the reported number of abused and neglected children increased, but their problems are more severe and difficult to treat. Abuse is not new, nor is it likely to go away, but I believe we are lowering the tolerance for this kind of behavior. Policy makers, community leaders, educators and parents came together on April 1st in Kansas City to demonstrate their commitment to the issue. These are the types of actions we need to help build strong families and eliminate the circumstances leading to abuse.

As legislators, we are making significant strides in our crusade against abuse. I supported $82.6 million in continued funding of the Child Abuse Prevention and Treatment Act during the appropriations process. President Bush signed the appropriations bill into law on January 10, 2002.

I was pleased to support the Promoting Safe and Stable Families Amendments Act that the President also recently signed into law. This bill reauthorizes and expands several programs designed to help children and families in high-risk situations. Specifically, the bill established grants for programs for mentoring children of prisoners, and amends the Foster Care Independent Living program to provide for educational and training vouchers for youths aging out of foster care. It also extends adoption assistance eligibility and prevents states from opting out of criminal background checks for foster and adoptive parents.

In addition, I have cosponsored a bill, which would restore the Social Services Block Grant (SSBG) funding. Missouri uses its Social Services Block Grant funds to provide aid to families sand children with identified problems in the areas of child abuse and neglect, and services to juvenile offenders committed to the custody of the State's Division of Youth Services as well as other services to our most vulnerable citizens. I am committed to increasing funding for this important program.

Yes, we have had significant victories, but there is much left to do. As long as there is one child that needs our help, we must remain committed.

In closing, let me share a few lines from a poem I ran onto recently. I hope you will keep its vivid imagery before you as we continue to search for solutions.

Let us remember the children
who can't bound down the streets in a new pair of sneakers,
who never go to the circus,
who live in an X-rated world.

Let us remember the children
who have no safe blanket to drag behind them,
whose pictures aren't on anybody's dresser,
whose monsters are real.

And let us remember the children who want to be carried and for those who must,
gor those we never give up on and for those who don't get a second chance,
for those who cling to the shadows and for those who will grab the hand of anybody kind enough to offer it.

VA RESEARCHERS IDENTIFY ORAL TREATMENT FOR SMALLPOX

Mr. ROCKEFELLER. Madam President, as the Chairman of the Committee on Veterans' Affairs, I am committed to focusing a spotlight on findings by researchers at the Department of Veterans Affairs, VA. For too long, VA researchers have labored with only the recognition of their peers to acknowledge the excellent caliber of VA research into the treatment of a wide range of diseases.

A recent finding—the discovery of a drug that might help us fight smallpox, the most feared weapon in bioterrorists' arsenal—offers real hope for protecting our Nation against the threat of bioterrorism. This discovery demonstrates again how integral VA's efforts are not only to public health and research, but to domestic security.

VA's Medical Research Service may not support as many projects as the NIH, but its work has yielded effective treatments for diseases that include schizophrenia, diabetes, cancer, depression, heart disease and stroke. Some of my colleagues may know that VA's expertise in prosthetics and spinal cord injury research is unparalleled; fewer may be aware that VA researchers pioneered the concepts that allowed development of the CAT scan and MRI, the cardiac pacemaker, and safe kidney and liver transplants. VA researchers have demonstrated the best clinical practices for detecting high cholesterol and colon cancer, launched a large-scale study to determine the best way to treat HIV infection, and started a landmark clinical trial to treat Parkinson's disease.

In March, VA researchers announced another breakthrough finding. Two VA researchers, Dr. Karl Hostetler and Dr. James Beadle of the VA San Diego Healthcare System, worked with military and academic colleagues to develop a drug that could be the best tool we have yet to protect the public from the threat of smallpox.

Until recently, only vaccination could be used to stop the spread of a smallpox epidemic. Because doctors eradicated naturally occurring smallpox in the 1960's, the smallpox vaccine has been neither manufactured nor used regularly in decades, leaving the American population vulnerable to a deliberate attack by terrorists. Although HHS recently accelerated and expanded a plan to vaccinate the U.S. population, the vaccine doses will not be ready for some time, and are not without risk of potentially serious side-effects.

Although researchers proved several years ago that an existing drug called cidofovir could prevent smallpox from multiplying and spreading, this drug had to be administered intravenously, over the course of at least an hour. In the case of an epidemic, it would simply be impossible to treat every person at risk.

Drs. Hostetler and Beadle and their colleagues developed a powerful form of this drug that can be taken as a pill or a capsule. Although this research is still in its early stages, VA and military scientists showed that a few oral doses of this drug each day protected animals completely against a virus closely related to smallpox. In the near future, we may be able to contain any potential outbreak of smallpox using this simple medication, rendering smallpox useless as a biological weapon.

This research promises to bear fruit not only for emergency medical preparedness, but for those who must take cidofovir to treat more common but still devastating viral infections.

This work grew from a collaboration between VA, military, NIH, and academic researchers. As I have said many times, we cannot in these times neglect any resource available to us when confronting potentially catastrophic threats to this nation's health, whether in offering medical care or developing

new technologies and treatments to protect the public.

I am proud to recognize the insight that these researchers and VA have shown, and continue to show, in exploring cutting-edge research. This is yet another contribution that the VA health care system has made, not only to the health of our nation's veterans, but to our national safety and well-being.

CONFIRMATION OF MELANIE SABELHAUS

Mr. KERRY. Madam President, I speak today to congratulate Melanie Sabelhaus, who was confirmed by the Senate last evening as the Deputy Administrator for the U.S. Small Business Administration.

The U.S. Senate Committee on Small Business and Entrepreneurship held a hearing on Mrs. Sabelhaus' nomination on February 27, 2002. On March 12, 2002, the Committee voted unanimously in support of her nomination and recommended her favorably to the full Senate, which approved her nomination by unanimous consent on April 8, 2002. I would like to thank the Senate floor staffs for their assistance in moving Mrs. Sabelhaus' nomination so quickly.

Mrs. Sabelhaus has had an excellent career that has provided her with both the necessary management and small business experience required of a Deputy Administrator at the SBA. Having chaired her nomination hearing and known her from her volunteer work with the Nantucket Historical Association, I can report that President Bush has made a qualified choice in selecting Mrs. Sabelhaus for the critical post of Deputy Administrator at the U.S. Small Business Administration.

I believe calling this position critical in no way overemphasizes its importance, for the Deputy Administrator has historically served as the day-to-day manager of the SBA in the Administrator's absence. In fact, the Deputy Administrator position was made subject to Senate confirmation a little over ten years ago, with the passage of the Small Business Reauthorization and Amendments Act of 1990, precisely because the Congress recognized its importance to the management of the Agency. During the nomination process, the Committee received assurances from Mrs. Sabelhaus and Administrator Barreto that one or both would be on hand to run the SBA on a daily basis, barring extraordinary circumstances.

The SBA's role is vital to our continuing economic well-being, especially now as we seek to improve our economy. Loan programs, technical assistance programs and contracting programs are just a few of the tools the SBA has to help small businesses—and a small sample of the issues Mrs. Sabelhaus will face on a daily basis as she seeks to aid the Administrator in implementing the President's policies and congressional initiatives. It is my hope that as a former small business owner and innovative thinker Mrs. Sabelhaus will steer the agency toward our bipartisan goal: to cultivate the entrepreneurial spirit of this country and provide all—including women and minorities in the small business world with adequate and equal access to capital and opportunities and the resources and counseling that often determine a business's success or failure.

I look forward to working with Mrs. Sabelhaus, the new Deputy Administrator for the U.S. Small Business Administration, as we seek to assist the small business community.

ADDITIONAL STATEMENTS

IN CELEBRATION OF THE CITY OF SANTA CLARA'S 150TH ANNIVERSARY

• Mrs. BOXER. Madam President, I would like to take this opportunity to recognize the 150th Anniversary of the City of Santa Clara in my home state of California.

As early as 4000 BC, Ohlone Indian settlements were found in the area. The City of Santa Clara began in 1852 as a small Spanish mission. After Santa Clara was incorporated as a city, the fertile valley became a magnet for farmers and Santa Clara was soon filled with bountiful orchards and farms. Today, Santa Clara is located in the heart of California's Silicon Valley, the technology capital of the world. From Indian settlement to Spanish mission, from orchard country to high tech mecca, Santa Clara has been part of the rich history of California.

Last year, the National Civic League bestowed the prestigious ''All-America City'' award on Santa Clara. Santa Clara was one of only 10 cities in the U.S. to be given this award for successful community collaboration. Santa Clara has also recently been given top marks as a ''2001 Kid-Friendly City.'' I am delighted that Santa Clara is such an outstanding place for children and families. And Santa Clara's Code of Ethics and Values has been getting national attention as a model for using shared values to guide a city.

While Santa Clara receives national attention, a 2000 public opinion survey found that the residents of Santa Clara feel their city is one of the best places in America to live. This local pride is one of the things that makes this city such a California treasure.

Santa Clara is home to California's first school of higher learning, Santa Clara University, established in 1851. At the center of campus is the beautiful Mission Santa Clara de Asis, the eighth of the original 21 California missions.

I am thrilled that the City of Santa Clara, its local government and its residents maintain such a strong community spirit while its high-tech companies provide new products to change the way we live. Santa Clara's sesquicentennial slogan, ''150 years of democracy, diversity, distinction,'' could not be more appropriate. I hope the people of Santa Clara enjoy this yearlong celebration and I wish them another 150 years of success.•

THE 30TH ANNIVERSARY OF THE NATIONAL COMMITTEE FOR EMPLOYER SUPPORT OF THE GUARD AND RESERVE

• Mr. BOND. Madam President, today I wish to congratulate the National Committee for Employer Support of the Guard and Reserve, ESGR, its 4,200 volunteers and Department of Defense, DOD, staff, in celebrating 30 years of service to this Nation.

The National Committee for Employer Support of the Guard and Reserve was established in 1972, the year the United States ended the Selective Service System and established an all-volunteer military force. DOD realized that support from employers and communities would be instrumental in maintaining Reserve component membership. ESGR was created to obtain employer and community support for the National Guard and Reserve and to promote the role of Reserve forces in the national defense.

ESGR has lived up to the task and accomplished much more. Since 1972, with the help of the Advertising Council, Inc., ESGR has benefitted from nearly $1 billion in pro bono advertising reaching the six million employers with one or more employees in the United States.

Employers have, in turn, signed ESGR Statements of Support, publicly committing to support the National Guard and Reserve. The former Chairman of the Board and CEO of General Motors, Mr. James H. Roche signed the first Statement of Support in the Office of the Secretary of Defense on December 13, 1972. The next day, President Richard Nixon signed a Statement of Support covering all Federal civilian employees. Since the inception of this program, Presidents Ford, Carter, Reagan, Bush, Clinton and President George W. Bush have all signed Statements of Support, along with hundreds of thousands of employers, including Dell Computer Corporation, Xerox, the Society for Human Resource Management and the U.S. Chamber of Commerce. To date, over 300,000 employers have signed statements of support. Additionally, the strategic alliance formed in 1998 between ESGR and the U.S. Chamber of Commerce resulted in more than 1,200 chambers of commerce nationwide signing a Statement of Support for the Guard and Reserve.

ESGR offers Ombudsman services designed to provide information to employers and Reservists regarding their rights and responsibilities under the law, and to resolve conflicts through informal mediation. These services operate in cooperation with the Department of Labor. ESGR volunteers in 54 U.S. States and territories contribute

thousands of hours of effort representing millions of dollars of volunteer service in support of ESGR programs, its services, and the men and women of our nation's Reserve forces.

The National Committee for Employer Support of the Guard and Reserve is smart government in action. The small ESGR staff in Arlington, VA under the direction of the Assistant Secretary of Defense for Reserve Affairs provides guidance and support to a network of 4,200 volunteer business, civic, and community leaders.

ESGR educates employers on their rights and obligations under the law and recognize employers who actively support employee participation in the Guard and Reserve. ESGR also educates members of the National Guard and Reserve in regards to their rights and responsibilities to the value of their employers support. Committees can be found in all 50 States, the District of Columbia, Puerto Rico, the Virgin Islands, and Guam.

With the end of the cold war, the Reserve components have been called with increasing frequency. During the Gulf War in 1990–1991, more than 250,000 Reserve component members were called to active duty to support military operations in the Persian Gulf. Since the start of Operation Noble Eagle and Enduring Freedom, more than 80,000 National Guard and Reserve troops have been activated and are playing a critical role.

Thousands of employers, local and State government officials, Active and Reserve component leaders, and military members from across the Nation and around the world request ESGR's employer support expertise on a daily basis. When Guardsmen and Reservists return home following mobilization, ESGR committee members are there to provide information and support services to those in need.

The U.S. Congress passed the Uniformed Services Employment and Reemployment Rights Act, USERRA, of 1994, and updated it in 1996. This law completely revised the Veterans Reemployment Rights Act of 1940. USERRA articulates the rights and responsibilities of Guard and Reserve members with regard to job protection and explains employer rights under Federal law. ESGR helps employers and Reservists understand this law and helps them informally resolve any employment conflicts that may arise.

Again, I want to congratulate ESGR and its 54 ESGR committees on their 30 years of service and commend this network of over 4,200 volunteer patriots for their time and talent. They are serving their country and maintaining the much needed support of our employers and communities for the Guard and Reserve. Through the efforts of agencies like ESGR, we can call on our Reserve forces to answer the Nation's call without the fear of job loss.

Thank you Madam President, and thank you ESGR.●

WE THE PEOPLE COMPETITION

● Mr. HOLLINGS. Madam President, I want to recognize the 20 students of Wilson High School in Florence, SC, who will be visiting the Capitol in early May to compete in the national finals of the ''We The People . . . The Citizen and the Constitution'' program. Right now the students are conducting research and preparing for the contest, which will test their knowledge of the Constitution and the Bill of Rights against 1,200 students from across the country. They have earned the trip by showing they were the best of the best in a statewide contest in February.

Obviously, I hope my fellow South Carolinians win it all, but whatever happens, we are all winners in this country. When young people, on their own, want to understand the fundamental principles and values of our democracy, they are more likely to vote. They are more likely to participate in political life. They are more likely to take serious the civic duties that this nation needs of our citizens in the new century.

I wish the very best to the Wilson Tigers: Jessica Anderson, Whitney Benjamin, Carol Chen, Cameron Coker, Katherine Collar, Joshua Croteau, Matthew Daniels, Leon Dock, Cara Dowling, Christine Gonzales, Latrese McElveen, Matthew Meggs, Philip Miller, Virginia Munson, Ashley Neel, Dacey Riley, Elinor Rooks, Gregory Schuetz, Priscilla Suggs, and Jingtian Yu.●

TRIBUTE TO RHONA CHARBONNEAU

● Mr. SMITH of New Hampshire. Madam President, I rise today to pay tribute to Rhona Charbonneau, of Hudson, NH. Charbonneau has been named the Greater Hudson Chamber of Commerce Citizen of the Year for her outstanding devotion and positive influence to the community.

I commend her active role in both the local and State governments. By serving as Town Selectman, and as Selectmen's Representative to the planning Board, Charbonneau has been able to serve her community in many capacities. Aside from these positions, she currently serves as a member of the Board for the Salvation Army as well as the Advisory Board to the Community Council. Even more eager to serve the community of Hudson, she also works as a representative on the State level, serving on the Hillsborough County Board of Commissioners and the New Hampshire Finance Authority.

Aside from serving in advisory capacities for numerous organizations and boards, Charbonneau has worked hard to improve the Lion's Hall. Under her request, the Department of Corrections sent a community service group to paint and do repairs, leaving the Lion's Hall with a fresh face. Because of her creative thinking, other departments came together to make considerable improvements to the facility.

Rhona Charbonneau has set a positive example for not only the community of Hudson, but for the entire Granite State. By consistently working to improve her community she has shown a tremendous dedication to the community in which she and her family have lived for more than 50 years. She has brought high profile political figures to the town, whereby she allowed a forum for candidates to share their beliefs as well as bringing the spotlight to the ever growing town of Hudson. I applaud her commitment and congratulate her on being named this year's Citizen of the Year. It is truly an honor to represent her in the U.S. Senate.●

THE 110TH ANNIVERSARY OF THE DAILY CARDINAL

● Mr. KOHL. Madam President, I am proud to rise today to honor the Daily Cardinal, one of the student newspapers at the University of Wisconsin-Madison, on this the occasion of its 110th anniversary. For 110 years, Cardinal reporters, photographers, and editors have educated and entertained their peers. As one of the nation's oldest student-run papers, it is truly a treasure of the State and its university.

Since the newspaper's establishment in 1892 by a University of Wisconsin-Madison student, thousands of young journalists have covered some of the most important issues and events facing the university, the community, and the country. Cardinal contributors have simultaneously developed strong journalistic skills and informed their community by covering such important events as the United States' declaration of war in 1941 to the assassination of Dr. Martin Luther King Jr., and most recently, the events and aftermath of September 11. Furthermore, the staffs of the Cardinal have served their journalistic role as public watchdog throughout its history, and have undoubtably made their university, community, and State better for it.

As an alumni of the University of Wisconsin, it is my great honor to congratulate the Daily Cardinal for 110 years of dedicated and quality student journalism, and I wish them all the best as they extend this tradition.●

CONGRATULATIONS TO THE FRANKLIN ELECTRIC PLANT BOARD

● Mr. BUNNING. Madam President, today I rise to congratulate the Franklin Electric Plant Board for winning the Public Power Association's 2001 Electric Utility Safety Award for safe operating practices. The Franklin Plant Board earned this top honor in the category for utilities with 25,000 worker-hours of annual worker exposure.

The Franklin Plant was one of more than 200 utilities to enter the contest,

which has been held annually for the last 42 years. The various entrants were placed into separate categories based on their size and were judged according to their 2001 incident rate. This rate is based on the number of worker-related reportable injuries or illnesses and the number of worker-hours during 2001, as defined by the Occupational Safety and Health Administration.

I ask that my fellow colleagues join me in recognizing the Franklin Electric Plant Board for its ongoing and unwavering commitment to safety and the community. Not only is the Franklin Plant focused on serving the electric needs of its 4,680 customers, but it has proven its dedication to providing a safe atmosphere where employees can work without fear of serious injury or illness.●

TRIBUTE TO ROBERT L. TUNSTALL

● Mr. WYDEN. Madam President, Mr. Robert L. Tunstall of Oregon has spent a lifetime in service to his fellow Americans—as a member of the U.S. Marine Corps, as a U.S. postal worker, and as a dedicated representative of his many colleagues in the Postal Service.

In November 1998, Mr. Tunstall was elected to the third-highest office of the American Postal Workers Union AFL–CIO, becoming the organization's secretary-treasurer. Prior to that election, Mr. Tunstall was twice chosen as director of the union's clerk division, serving from 1992 to 1998.

Mr. Tunstall's illustrious service record with the APWU spans more than three decades. He became president of the Portland, OR local in 1974 and served until 1976. He followed that service as a national representative from 1976–1978, national vice-president for the Seattle region from 1978–1985, and as assistant clerk division director from 1985 until 1992. Mr. Tunstall also represented APWU members as a member of the rank and file bargaining advisory committee in 1975 and as chairman of the appeals committee in 1982.

Mr. Tunstall's employment with the U.S. Postal Service began nearly 40 years ago. In 1963, after completing four years in the U.S. Marine Corps. Mr. Tunstall was hired as a distribution clerk. He went on to hold numerous positions, including stamp supply clerk, bulk mail clerk, postage due clerk, box section clerk and pouch rack clerk.

Mr. Tunstall was born in Sioux Falls, SD, but raised and educated in Portland, OR. After graduating from Portland's Jefferson High School, he attended Multnomah Junior College, where he made the dean's list in 1967; he earned a Bachelor of Arts degree at Portland State University in 1969. Later, in 1977, Mr. Tunstall earned a law degree at Northwestern School of Law at Lewis and Clark College. Mr. Tunstall has taught at the Labor Education Research Center of the University of Oregon.

In addition to a career of honorable service, Robert Tunstall has built a fine family as well. He is married to Rae Ann; they have a son, Brett, a daughter, Brooke, and a grandson, Matthew Martinez. I am proud to honor this fellow Oregonian today and I hope that Oregon and the nation benefit from many more years of his public service.●

TRIBUTE TO DR. JOAN R. LIETZEL

● Mr. SMITH of New Hampshire. Madam President, I rise today to pay tribute to Dr. Joan R. Lietzel, President of the University of New Hampshire. President Lietzel has been named this year's recipient of The Charles Holmes Pettee Medal for outstanding accomplishment and distinguished service to the State of New Hampshire.

The Pettee Medal was established in 1940 by the University of New Hampshire Alumni Association and the University Board of Trustees, in memory of the late Dean Pettee. This medal is awarded annually to a resident or former resident of the State of New Hampshire in recognition of outstanding accomplishment or distinguished service of any form to the State, Nation, or world. The Pettee Medal represents a rare devotion of service as was expressed by the life commitment and service of Dean Pettee.

I applaud the contributions that Dr. Lietzel has made to the University of New Hampshire since her appointment in 1996 as the President of the university. Since her arrival, Lietzel has worked tirelessly to raise the level of excellence in academic programs as well as the day to day operation of the university. During her tenure, Lietzel has successfully run the most aggressive capital campaign in the history of the university, as well as implementing new financial and fiscal management policies. Her vision and commitment have taken the university's academic standard to a higher level, as well as successfully increasing the amount of research funding the university receives.

Previous to her stay at UNH, Dr. Lietzel served as the Senior Vice-Chancellor for Academic Affairs at the University of Nebraska-Lincoln, where she was an accomplished educator and worked to improve the program and budget planning. Dr. Lietzel also served as a professor at Ohio State University, in the Department of Mathematics.

On behalf of the citizens of New Hampshire, I would like to thank Dr. Joan Lietzel for her endless dedication to academic excellence. She has set a positive example for educators across the Granite State, as well as the Nation. My congratulations to Dr. Lietzel as she accepts this year's Pettee Medal for her distinguished service in the State of New Hampshire. It is truly an honor to represent her in the U.S. Senate.●

EULOGY FOR LORAL JOHNSON

● Mr. NELSON of Nebraska. Madam President, while I was home in Nebraska, a great Nebraska citizen passed away. Loral Johnson was a newspaper publisher in southwestern Nebraska and a pillar of his community.

He began working in the newspaper business at age 9 as a ''printer's devil.'' He started at the Imperial Republican newspaper as a linotype operator following graduation from high school in 1952. He purchased the paper with his wife, Elna, in 1968.

Loral Johnson was well respected and known by his colleagues as an innovative newspaperman. Johnson's editorial pages were often positive and progressive, calling on community members to move forward and always striving to make Imperial a better place for current and future generations. He was inducted into the Nebraska Journalism Hall of Fame and was named a master-editor publisher, the highest award of the Nebraska Press Association. Johnson's Imperial Republican was also among the first weekly papers to print on an offset press and to use computers.

However, Loral Johnson will be remembered as far more than just a newspaper publisher. He was also a key leader in his community and his church. He was a member of the school board for 28 years, a co-founder and board member of the local nursing home for 33 years, and secretary for the Imperial Planning Commission for 21 years. His important contributions to education and health care will be remembered for many years to come.

While we will miss Loral Johnson greatly, it is comforting to know that his two daughters and a son-in-law are continuing the tradition of excellent journalism in Imperial. His family and the devotion to community that he has passed on to them and so many others are his greatest legacy.●

TRIBUTE TO RAY BURKE

● Mr. JEFFORDS. Madam President, I rise today to congratulate and thank Ray Burke of Berlin, Vermont, for over 30 years of service as Vermont's highway dispatcher. Ray retires at the end of this month from the Vermont Agency of Transportation and he will be missed heartily.

Humorist Kin Hubbard once said, ''Don't knock the weather; nine-tenths of the people couldn't start a conversation if it didn't change once in a while.'' I suppose then that the art of conversation is easiest for Vermonters, especially during the winter months. For most of us, that conversation often turns into complaining futilely about the weather, except, of course, when Ray was talking. And Ray, as dispatcher, is known for his talking.

For 32 years, Vermonters have relied on Ray's constant updates and information on which roads were being treated with salt and sand, which

routes we should avoid altogether, and how serious driving conditions were or were likely to become. And, of course, most importantly, Ray always reminded us to drive safely. Snow and ice can be unpredictable and dangerous at their worst; Ray, at his best and always on the job, kept Vermonters' safety as his top priority.

Heavy snowfalls, black ice, sleet, and freezing rain made Ray's work important and difficult. More challenging than Vermont's natural arsenal of inclement weather, however, was Ray's ability to always be there when we needed him. This is extraordinary because Ray has a disease that has slowly taken away his sight, although it has never disrupted his sense of service to Vermonters or his spirit.

Ray has never stopped. His disability has never beaten him; his disability has never even slowed him. Aside from dispatching trucks and plows to deal with winter weather, Ray plays the saxophone in his band, Stretch and the Limits, along with drummer Conrad ''Stretch'' Normandeau and keyboardist Jim Thompson.

I would like to close with a personal message to Ray. You will be missed dearly by every Vermonter who listened to you update conditions on the news, by the plow drivers who relied on your information, and by everyone who has learned to live with Vermont's weather with the help of your advice and forecasts.●

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.)

REPORT DETAILING THE PROGRESS OF SPENDING BY THE EXECUTIVE BRANCH DURING THE LAST TWO QUARTERS OF FISCAL YEAR 2001 IN SUPPORT OF PLAN COLOMBIA—PM 79

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Foreign Relations:

To the Congress of the United States:

Pursuant to section 3204(e), of Public Law 106–246, I am providing a report prepared by my Administration detailing the progress of spending by the executive branch during the last two quarters of Fiscal Year 2001 in support of Plan Colombia.

GEORGE BUSH.

THE WHITE HOUSE, *April 9, 2002.*

REPORT PREPARED BY THE NATIONAL SCIENCE BOARD ENTITLED ''SCIENCE AND ENGINEERING INDICATORS—2002''—PM 80

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Commerce, Science, and Transportation:

To the Congress of the United States:

As required by 42 U.S.C. 1863(j)(1), I am pleased to submit to the Congress a report prepared by the National Science Board entitled, ''Science and engineering Indicators—2002.'' This report represents the fifteenth in the series examining key aspects of the status of science and engineering in the United States.

GEORGE BUSH.

THE WHITE HOUSE, *April 9, 2002.*

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–6369. A communication from the Deputy Secretary of Defense, transmitting, pursuant to law, a report on the allocation of Department of Defense resources to mission and support activities, as required by Section 915 of the National Defense Authorization Act for Fiscal Year 1999; to the Committee on Armed Services.

EC–6370. A communication from the Under Secretary of Defense, Comptroller, transmitting, pursuant to law, a report specifying the projects and accounts to which funds provided in Chapter 3 (in the Defense Emergency Response Fund) are to be transferred; to the Committee on Armed Services.

EC–6371. A communication from the Under Secretary of Defense, Acquisition, Technology and Logistics, transmitting, the annual Selected Acquisition Reports (SARs) for the quarter ending December 31, 2001; to the Committee on Armed Services.

EC–6372. A communication from the Assistant to the Federal Reserve Board, transmitting, pursuant to law, the report of a rule entitled ''Amendments to Official Staff Commentary for Truth in Lending (Regulations Z) and Technical Amendments to Regulation Z'' received on April 4, 2002; to the Committee on Banking, Housing, and Urban Affairs.

EC–6373. A communication from the Director of the Policy Directives and Instructions Branch, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Increase of the Immigration User Fee From $6 to $7'' ((RIN115–AG 46) (INS No. 2179–01)) received on April 3, 2002; to the Committee on the Judiciary.

EC–6374. A communication from the Chairman of the Federal Energy Regulatory Commission, transmitting, pursuant to law, the Commission's Annual Report for Fiscal Year 2001; to the Committee on Energy and Natural Resources.

EC–6375. A communication from the Regulations Coordinator, Health Resources and Services Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Compliance Alternatives for Provision of Uncompensated Services'' (RIN0906–AA52) received on April 1, 2002; to the Committee on Health, Education, Labor, and Pensions.

EC–6376. A communication from the Assistant Secretary, Occupational Safety and Health Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled ''29 CFR 1979, Procedures for the Handling of Discrimination Complaints under Section 519 of the Wendell H. Ford Aviation Investment and Reform Act for the 21st Century'' (RIN1218–AB99) received on April 4, 2002; to the Committee on Health, Education, Labor, and Pensions.

EC–6377. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Revocation of Certain Obsolete Tolerance Exemptions'' (FRL6833–3) received on April 3, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6378. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Furilazole; Pesticide Tolerance'' (FRL6828–4) received on April 3, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6379. A communication from the Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Raisins Produced from Grapes Grown in California; Extension of Redemption Date for Unsold 2001 Diversion Certificates'' (Doc. No. FV02–989–3 FIR) received on April 3, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6380. A communication from the Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Sweet Cherries Grown in Designated Counties in Washington; Order Amending Marketing Agreement and Order No. 923'' (Doc. No. 99AMS–FV–923–A1; FV00–923–1) received on April 3, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6381. A communication from the Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Tart Cherries Grown in the State of Michigan, et al.; Suspension of Provisions Under the Federal Marketing Order for Tart Cherries'' (Doc. No. FV01–930–5 FIR) received on April 3, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6382. A communication from the Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Tart Cherries Grown in States of Michigan, et al.; Temporary Suspension of a Provision Regarding a Continuance Referendum Under the Tart Cherry Marketing Order'' (Doc. No. FV01–930–4 FR) received on April 3, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6383. A communication from the Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Walnuts Grown in California; Decreased Assessment Rate'' (Doc . No. FV01–984–1 IFR) received on

April 3, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6384. A communication from the Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Raisins Produced from Grapes Grown in California; Final Free and Reserve Percentages for 2001–02 Crop Natural (sun-dried) Seedless and Other Seedless Raisins'' (Doc. No. FV02–989–4 IFR) received on April 3, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6385. A communication from the Administrator, Rural Housing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Guaranteed Rural Rental Housing (7 CFR 3565)'' (RIN0575–AC26) received on April 4, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6386. A communication from the Regulations Coordinator, Center for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicare Program; Negotiated Rulemaking: Coverage and Administrative Policies for Clinical Diagnostic Laboratory Services'' (RIN0938–AL03) received on April 1, 2002; to the Committee on Finance.

EC–6387. 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 ''Time for Eligible Air Carriers to File the Third Calendar Quarter 2001 Form 720'' ((RIN1545–BA42)(TD 8983)) received on April 3, 2002; to the Committee on Finance.

EC–6388. 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 ''Appeals Settlement Guidelines: Dollar-Value LIFO Earliest Acquisition Value'' (UIL 472 .08–10) received on April 3, 2002; to the Committee on Finance.

EC–6389. 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 ''IRS Announces New Position With Regard to Consolidated Return Loss Disallowance Rule'' (Notice 2002–11, 2002–7 IRB) received on April 3, 2002; to the Committee on Finance.

EC–6390. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, a report entitled ''Definition of Soil Sample''; to the Committee on Environment and Public Works.

EC–6391. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, a report entitled ''Use of ASTM Standards''; to the Committee on Environment and Public Works.

EC–6392. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, a report entitled ''Definition of Wipe Sample''; to the Committee on Environment and Public Works.

EC–6393. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, a report entitled ''Lead and Copper Monitoring and Reporting Guidance for Public Water Systems''; to the Committee on Environment and Public Works.

EC–6394. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; Nevada'' (FRL7167–3) received on April 3, 2002; to the Committee on Environment and Public Works.

EC–6395. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans Commonwealth of Kentucky: Approval or Revision to the 1-Hour Ozone Maintenance State Implementation Plans for the Edmonson County and the Owensboro-Daviess County Area; Correction'' (FRL7168–6) received on April 3, 2002; to the Committee on Environment and Public Works.

EC–6396. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Hazardous Waste Management System; Identification and Listing of Hazardous Waste; Paint Production Wastes; Land Disposal Restrictions for Newly Identified Wastes; and CERCLA Hazardous Substances Designation and Reportable Quantities; Final Determination'' (FRL7167–8) received on April 3, 2002; to the Committee on Environment and Public Works.

EC–6397. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Interim Final Determination that the State of California Has Corrected Deficiencies and Stay of Sanctions, South Coast Air Quality Management District'' (FRL7158–9) received on April 3, 2002; to the Committee on Environment and Public Works.

EC–6398. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''National Emission Standards for Hazardous Air Pollutants From the Portland Cement Manufacturing Industry'' (FRL7168–1) received on April 3, 2002; to the Committee on Environment and Public Works.

EC–6399. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Revisions to the California State Implementation Plan, San Joaquin Valley Unified Air Pollution Control District'' (FRL7164–6) received on April 3, 2002; to the Committee on Environment and Public Works.

EC–6400. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Revisions to the California State Implementation Plan, South Coast Air Quality Management District'' (FRL7158–7) received on April 3, 2002; to the Committee on Environment and Public Works.

EC–6401. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Revisions to the California State Implementation Plan, South Coast Air Quality Management District'' (FRL7165–2) received on April 3, 2002; to the Committee on Environment and Public Works.

EC–6402. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Revisions to the California State Implementation Plan, Monterey Bay Unified Air Pollution Control District'' (FRL7160–8) received on April 3, 2002; to the Committee on Environment and Public Works.

EC–6403. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans: Kentucky: Nitrogen Oxides Budget and Allowance Trading Program'' (FRL7169–7) received on April 5, 2002; to the Committee on Environment and Public Works.

EC–6404. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans: Revision to the Alabama Department of Environmental Management (ADEM) Administrative Code for the Air Pollution Control Program'' (FRL7169–1) received on April 5, 2002; to the Committee on Environment and Public Works.

EC–6405. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Washington: Final Authorization of State Hazardous Waste Management Program Revision'' (FRL7168–8) received on April 5, 2002; to the Committee on Environment and Public Works.

EC–6406. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, a report entitled ''EPA Policy Towards Privately-Owned Formerly Used Defense Sites''; to the Committee on Environment and Public Works.

EC–6407. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, a report entitled ''Guidance Document on Determination of the Appropriate Fqpa Safety Factor(s) in Tolerance Assessment''; to the Committee on Environment and Public Works.

EC–6408. A communication from the Director of the Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Quino Checkerspot Butterfly (Euphydryas editha quino)'' (RIN 1018–AH03) received on April 8, 2002; to the Committee on Environment and Public Works.

EC–6409. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airspace Actions Modification of Class E Airspace; Ashland, OH'' ((RIN2120–AA66) (2002–0051)) received on April 5, 2002; to the Committee on Commerce, Science, and Transportation.

EC–6410. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification of Class E Airspace; Portsmouth, OH'' ((RIN2120–AA66) (2002–0050)) received on April 5, 2002; to the Committee on Commerce, Science, and Transportation.

EC–6411. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification of Class E Airspace; Washington Court House, OH'' ((RIN2120–AA66) (2002–0049)) received on April 5, 2002; to the Committee on Commerce, Science, and Transportation.

EC–6412. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification of Class East Airspace; Twentynine Palms, CA'' ((RIN2120–AA66) (2002–0048)) received on April 5, 2002; to the Committee on Commerce, Science, and Transportation.

EC–6413. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Flint, MI'' ((RIN2120–AA66) (2002–0047)) received on April 5, 2002; to the Committee on Commerce, Science, and Transportation.

EC–6414. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revision of Class E Airspace; Cedar City, UT'' ((RIN2120–AA66) (2002–0046)) received on April 5, 2002; to the Committee on Commerce, Science, and Transportation.

EC–6415. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Boeing Model 737–600, –700, –700C, and –800 Series Airplanes'' ((RIN2120–AA64)(2002–0178)) received on April 5, 2002; to the Committee on Commerce, Science, and Transportation.

EC–6416. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Airbus Model A319 Series Airplanes and A320–200 Series Airplanes'' ((RIN2120–AA64)(2002–0179)) received on April 5, 2002; to the Committee on Commerce, Science, and Transportation.

EC–6417. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures; Miscellaneous Amendments (40); Amdt. No. 2097'' ((RIN2120–AA65)(2002–0021)) received on April 5, 2002; to the Committee on Commerce, Science, and Transportation.

EC–6418. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures; Miscellaneous Amendments (52); Amdt. No. 2098'' ((RIN2120–AA65)(2002–0022)) received on April 5, 2002; to the Committee on Commerce, Science, and Transportation.

EC–6419. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Bell Helicopter Textron Inc, Manufactured Model OH–13E, OH–13H, and OH–13S Helicopters'' ((RIN2120–AA64)(2002–0176)) received on April 5, 2002; to the Committee on Commerce, Science, and Transportation.

EC–6420. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Airbus Model A300, A300 B4–600, B4–600R, and F4–600R; and A310 Series Airplanes'' ((RIN2120–AA64)(2002–0177)) received on April 5, 2002; to the Committee on Commerce, Science, and Transportation.

EC–6421. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification of Class E Airspace; Hillsboro, ND; CORRECTION'' ((RIN2120–AA66)(2002–0057)) received on April 5, 2002; to the Committee on Commerce, Science, and Transportation.

EC–6422. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''IFR Altitudes; Miscellaneous Amendments (24); Amdt. No. 434'' ((RIN2120–AA63)(2002–0002)) received on April 5, 2002; to the Committee on Commerce, Science, and Transportation.

EC–6423. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures; Miscellaneous Amendments (65); Amdt. No. 2093'' ((RIN2120–AA65)(2002–0019)) received on April 5, 2002; to the Committee on Commerce, Science, and Transportation.

EC–6424. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures; Miscellaneous Amendments (9); Amdt. No. 2095'' ((RIN2120–AA65)(2002–0020)) received on April 5, 2002; to the Committee on Commerce, Science, and Transportation.

EC–6425. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification of Class E Airspace; Zanesville, OH'' ((RIN2120–AA66)(2002–0053)) received on April 5, 2002; to the Committee on Commerce, Science, and Transportation.

EC–6426. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification of Class E Airspace; Youngstown-Warren Regional Airport, OH; CORRECTION'' ((RIN2120–AA66)(2002–0054)) received on April 5, 2002; to the Committee on Commerce, Science, and Transportation.

EC–6427. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revocation of Class E Airspace; Umiat, AK'' ((RIN2120–AA66)(2002–0055)) received on April 5, 2002; to the Committee on Commerce, Science, and Transportation.

EC–6428. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Stanley, ND; CORRECTION'' ((RIN2120–AA66)(2002–0056)) received on April 5, 2002; to the Committee on Commerce, Science, and Transportation.

EC–6429. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification of Class E Airspace; Mount Vernon, OH'' ((RIN2120–AA66)(2002–0052)) received on April 5, 2002; to the Committee on Commerce, Science, and Transportation.

EC–6430. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Kanab, UT'' ((RIN2120–AA66)(2002–0045)) received on April 5 , 2002; to the Committee on Commerce, Science, and Transportation.

EC–6431. A communication from the Attorney-Advisor, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Light Truck Average Fuel Economy Standard; Final Rule'' (RIN2127–AI68) received on April 5, 2002; to the Committee on Commerce, Science, and Transportation.

EC–6432. A communication from the Deputy Assistant Chief Counsel for Safety, Federal Railroad Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Locomotive Cab Working Conditions'' (RIN2130–AA89) received on April 5, 2002; to the Committee on Commerce, Science, and Transportation.

EC–6433. A communication from the Trial Attorney, Federal Railroad Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Brake System Safety Standards for Freight and Other Non-Passenger Trains and Equipment; End-of-Train Devices'' (RIN2130–AB52) received on April 5, 2002; to the Committee on Commerce, Science, and Transportation.

EC–6434. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the Service's Annual Surplus Property Report for Fiscal Year 2001; to the Committee on Governmental Affairs.

EC–6435. A communication from the Chairman of UNICOR, Federal Prison Industries, Inc. Department of Justice, transmitting, pursuant to law, the Annual Report entitled ''Securing the Future'' for Fiscal Year 2001; to the Committee on Governmental Affairs.

EC–6436. A communication from the Secretary of the Department of Housing and Urban Development, transmitting, pursuant to law, the Department's Performance and Accountability Report for Fiscal Year 2001; to the Committee on Governmental Affairs.

EC–6437. A communication from the Chief Judge, Superior Court of the District of Columbia, transmitting, pursuant to law, the report of the Family Court Transition Plan dated April 5, 2002; to the Committee on Governmental Affairs.

EC–6438. A communication from the Chairman of the Federal Regulatory Commission, transmitting, pursuant to law, the Commission's Annual Performance Report for Fiscal Year 2001; to the Committee on Governmental Affairs.

EC–6439. A communication from the President and Chief Executive Officer, Overseas Private Investment Corporation (OPIC), transmitting, pursuant to law, OPIC's Management Report, the Annual Performance Plan, and the Annual Program Performance Report for Fiscal Year 2001; OPIC's Report on Development and U.S. Effects of Fiscal Year 2002 Projects, and a Report on Cooperation with Private Insurers; OPIC's Annual Report on the Environment, a Review of the Environmental Impact of OPIC's Fiscal Year 2001 Projects; to the Committee on Governmental Affairs.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. BAUCUS:

S. 2075. A bill to facilitate the availability of electromagnetic spectrum for the deployment of wireless based services in rural areas, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. DORGAN:

S. 2076. A bill to prohibit the cloning of humans; to the Committee on the Judiciary.

By Ms. COLLINS:

S. 2077. A bill to make grants to improve public safety in order to prepare for and respond to terrorist threats; to the Committee on Environment and Public Works.

By Mrs. HUTCHISON (for herself, Mr. LIEBERMAN, Mr. MCCAIN, Mr. FEINGOLD, and Mr. LEVIN):

S. 2078. A bill to amend section 527 of the Internal Revenue Code of 1986 to eliminate notification and return requirements for State and local political committees and candidate committees and avoid duplicate reporting by certain State and local political committees of information required to be reported and made publicly available under State law, and for other purposes; to the Committee on Finance.

By Mr. ROCKEFELLER:

S. 2079. A bill to amend title 38, United States Code, to facilitate and enhance judicial review of certain matters regarding veteran's benefits, and for other purposes; to the Committee on Veterans' Affairs.

By Mrs. BOXER:

S. 2080. A bill to designate a United States courthouse to be constructed in Fresno, California, as the ''Robert E. Coyle United States Courthouse''; to the Committee on Environment and Public Works.

By Mr. BINGAMAN (by request):

S.J. Res. 34. A joint resolution approving the site at Yucca Mountain, Nevada, for the development of a repository for the disposal of high-level radioactive waste and spent nuclear fuel, pursuant to the Nuclear Waste Policy Act of 1982; to the Committee on Energy and Natural Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. DODD (for himself and Mr. LIEBERMAN):

S. Res. 232. A resolution congratulating the Huskies of the University of Connecticut for winning the 2002 NCAA Division I Women's Basketball Championship; considered and agreed to.

By Mr. SARBANES (for himself and Ms. MIKULSKI):

S. Res. 233. A resolution congratulating the University of Maryland Terrapins for winning the 2002 NCAA National Basketball Championship; considered and agreed to.

ADDITIONAL COSPONSORS

S. 205

At the request of Mrs. HUTCHISON, the name of the Senator from Virginia (Mr. ALLEN) was added as a cosponsor of S. 205, a bill to amend the Internal Revenue Code of 1986 to waive the income inclusion on a distribution from an individual retirement account to the extent that the distribution is contributed for charitable purposes.

S. 627

At the request of Mr. GRASSLEY, the name of the Senator from Missouri (Mrs. CARNAHAN) was added as a cosponsor of S. 627, a bill to amend the Internal Revenue Code of 1986 to allow individuals a deduction for qualified long-term care insurance premiums, use of such insurance under cafeteria plans and flexible spending arrangements, and a credit for individuals with long-term care needs.

S. 682

At the request of Mr. MCCAIN, the name of the Senator from Utah (Mr. BENNETT) was added as a cosponsor of S. 682, a bill to amend title II of the Social Security Act to restore the link between the maximum amount of earnings by blind individuals permitted without demonstrating ability to engage in substantial gainful activity and the exempt amount permitted in determining excess earnings under the earnings test.

S. 885

At the request of Mr. CLELAND, the names of the Senator from South Dakota (Mr. JOHNSON) and the Senator from North Dakota (Mr. DORGAN) were added as cosponsors of S. 885, a bill to amend title XVIII of the Social Security Act to provide for national standardized payment amounts for inpatient hospital services furnished under the medicare program.

At the request of Mr. HUTCHINSON, the names of the Senator from Maine (Ms. SNOWE) and the Senator from Minnesota (Mr. DAYTON) were added as cosponsors of S. 885, supra.

S. 946

At the request of Ms. SNOWE, the name of the Senator from New Jersey (Mr. TORRICELLI) was added as a cosponsor of S. 946, a bill to establish an Office on Women's Health within the Department of Health and Human Services.

S. 999

At the request of Mr. BINGAMAN, the names of the Senator from Alabama (Mr. SHELBY) and the Senator from South Dakota (Mr. JOHNSON) were added as cosponsors of S. 999, a bill to amend title 10, United States Code, to provide for a Korea Defense Service Medal to be issued to members of the Armed Forces who participated in operations in Korea after the end of the Korean War.

S. 1132

At the request of Mr. CRAPO, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. 1132, a bill to amend the Federal Food, Drug, and Cosmetic Act relating to the distribution chain of prescription drugs.

S. 1208

At the request of Mr. GRAHAM, the name of the Senator from New Jersey (Mr. TORRICELLI) was added as a cosponsor of S. 1208, a bill to combat the trafficking, distribution, and abuse of Ecstasy (and other club drugs) in the United States.

S. 1258

At the request of Mr. DORGAN, the names of the Senator from Massachusetts (Mr. KERRY) and the Senator from New Jersey (Mr. TORRICELLI) were added as cosponsors of S. 1258, a bill to improve academic and social outcomes for teenage youth.

S. 1339

At the request of Mr. CAMPBELL, the name of the Senator from New Jersey (Mr. TORRICELLI) was added as a cosponsor of S. 1339, a bill to amend the Bring Them Home Alive Act of 2000 to provide an asylum program with regard to American Persian Gulf War POW/MIAs, and for other purposes.

S. 1346

At the request of Mr. SESSIONS, the names of the Senator from Wyoming (Mr. ENZI) and the Senator from Nevada (Mr. REID) were added as cosponsors of S. 1346, a bill to amend the Federal Food, Drug, and Cosmetic Act with regard to new animal drugs, and for other purposes.

S. 1408

At the request of Mr. ROCKEFELLER, the names of the Senator from South Dakota (Mr. JOHNSON) and the Senator from Nevada (Mr. REID) were added as cosponsors of S. 1408, a bill to amend title 38, United States Code, to standardize the income threshold for copayment for outpatient medications with the income threshold for inability to defray necessary expense of care, and for other purposes.

S. 1516

At the request of Mr. SANTORUM, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 1516, a bill to remove civil liability barriers that discourage the donation of fire equipment to volunteer fire companies.

S. 1707

At the request of Mr. JEFFORDS, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 1707, a bill to amend title XVIII of the Social Security Act to specify the update for payments under the medicare physician fee schedule for 2002 and to direct the Medicare Payment Advisory Commission to conduct a study on replacing the use of the sustainable growth rate as a factor in determining such update in subsequent years.

S. 1708

At the request of Mr. MCCONNELL, the name of the Senator from Louisiana (Mr. BREAUX) was added as a cosponsor of S. 1708, a bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to ensure the continuity of medical care following a major disaster by making private for-profit medical facilities eligible for Federal disaster assistance.

S. 1749

At the request of Mr. KENNEDY, the names of the Senator from Washington (Mrs. MURRAY) and the Senator from Georgia (Mr. MILLER) were added as cosponsors of S. 1749, a bill to enhance the border security of the United States, and for other purposes.

S. 1822

At the request of Mr. AKAKA, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 1822, a bill to amend title 5, United States Code, to allow certain catchup contributions to the Thrift Savings Plan to be made by participants age 50 or over.

S. 1828

At the request of Mr. LEAHY, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 1828, a bill to amend subchapter III of chapter 83 and chapter 84

of title 5, United States Code, to include Federal prosecutors within the definition of a law enforcement officer, and for other purposes.

S. 1922

At the request of Mr. HUTCHINSON, the name of the Senator from Georgia (Mr. MILLER) was added as a cosponsor of S. 1922, a bill to direct the Secretary of Health and Human Services to expand and intensify programs with respect to research and related activities concerning elder falls.

S. 1945

At the request of Mr. JOHNSON, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1945, a bill to provide for the merger of the bank and savings association deposit insurance funds, to modernize and improve the safety and fairness of the Federal deposit insurance system, and for other purposes.

S. 2003

At the request of Mr. NELSON of Florida, the names of the Senator from Alabama (Mr. SESSIONS) and the Senator from Idaho (Mr. CRAIG) were added as cosponsors of S. 2003, a bill to amend title 38, United States Code, to clarify the applicability of the prohibition on assignment of veterans benefits to agreements regarding future receipt of compensation, pension, or dependency and indemnity compensation, and for other purposes.

S. 2026

At the request of Mr. LUGAR, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 2026, a bill to authorize the use of Cooperative Threat Reduction funds for projects and activities to address proliferation threats outside the states of the former Soviet Union, and for other purposes.

S. 2051

At the request of Mr. REID, the names of the Senator from Washington (Ms. CANTWELL), the Senator from Delaware (Mr. BIDEN), the Senator from Idaho (Mr. CRAIG), the Senator from North Dakota (Mr. DORGAN), the Senator from North Carolina (Mr. HELMS), and the Senator from Vermont (Mr. JEFFORDS) were added as cosponsors of S. 2051, a bill to remove a condition preventing authority for concurrent receipt of military retired pay and veterans' disability compensation from taking affect, and for other purposes.

S. RES. 109

At the request of Mr. REID, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. Res. 109, a resolution designating the second Sunday in the month of December as ''National Children's Memorial Day'' and the last Friday in the month of April as ''Children's Memorial Flag Day.''

S. RES. 209

At the request of Mr. SMITH of New Hampshire, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. Res. 209, a resolution to express the sense of the Senate regarding prenatal care for women and children.

S. RES. 219

At the request of Mr. GRAHAM, the name of the Senator from Tennessee (Mr. THOMPSON) was added as a cosponsor of S. Res. 219, a resolution expressing support for the democratically elected Government of Colombia and its efforts to counter threats from United States-designated foreign terrorist organizations.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BAUCUS:

S. 2075. A bill to facilitate the availability of electromagnetic spectrum for the deployment of wireless based services in rural areas, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. BAUCUS. Madam President, I rise today to introduce the Rural Spectrum Access Act, RESA, of 2002. Wireless communications is revolutionizing the way we communicate. It allows us to place calls from anywhere in the world to anywhere in the world. We can check our favorite websites, and even stay in touch with family and friends through email, all without a phone line. It's empowering to know that we can do all this and more while sitting on top of a mountain in Montana.

However, these services require spectrum, the wireless waves that give us this freedom. Due to the way the FCC distributes spectrum, rural America is finding it more and more difficult to get quality wireless service. The current system distributes spectrum on very large geographic areas, which in effect, inhibits certain carriers from participating in wireless auctions. Since the geographic licensing areas are so large and the price for the spectrum is equally as large, rural carriers often find it difficult bidding on the spectrum. My legislation will correct this inequity.

RESA requires the Federal Communications Commission, in future auctions, to distribute spectrum on smaller geographic levels. It does not favor one type of carrier over another, or pick which carrier can serve which areas. Rather, it simply allows carriers to bid on spectrum that they find difficult under today's system.

It is my hope that this bill will allow more of our rural telecommunication carriers to participate in future auctions. The RESA Act will bring more choices, better service and lower prices for those of us living in rural America.

By Mr. DORGAN:

S. 2076. A bill to prohibit the cloning of humans; to the Committee on the Judiciary.

Mr. DORGAN. Madam President, the Senate will soon start debating the issue of human cloning. I want to state unequivocally that I am against the cloning of a human being. The cloning of a human being raises serious moral and ethical questions about society's perception of human life.

Today, I am introducing legislation that prohibits the cloning of a human being. It is a simple bill, but it reflects my view and a view that is held by almost everyone. My bill reflects the common ground that we can all agree to in this debate. My legislation makes it illegal to clone a human being and imposes strict penalties against anyone who violates this prohibition.

I urge my colleagues to support a ban on the cloning of a human being, and encourage their cosponsorship of my legislation.

By Ms. COLLINS:

S. 2077. A bill to make grants to improve public safety in order to prepare for and respond to terrorist threats; to the Committee on Environment and Public Works.

Ms. COLLINS. Madam President, today I am introducing the Securing Our States Act. As the tragic terrorist attacks of September 11 taught us all too well, our Nation is not as prepared for widespread emergencies as it should be. The legislation I am introducing today, Securing Our States Act, or SOS Act, will help make our Nation more secure by strengthening our first line of defense, the first responders in our States and communities.

As the Presiding Officer is well aware, when a terrorist attack or other disaster occurs, it is the State and local police, firefighters, and emergency medical personnel who are first on the scene. Nearly 2 million State and local police, firefighters, emergency medical personnel, and others are closest to these challenges. They understand best what is needed to respond effectively, and they tell me they need improved training, more and better equipment, greater coordination, and more exercises. They need them as soon as possible. They are the ones who are always on the front lines when disaster strikes.

Properly trained and equipped, first responders have the greatest potential to save lives and limit casualties after a terrorist attack. Currently, however, our capabilities for responding to a terrorist attack vary widely from community to community, State to State, across this great country. Many areas simply have very little capacity to respond to a terrorist attack. In fact, most localities could not respond effectively to a terrorist attack if weapons of mass destruction were used. Even the best prepared States and communities do not possess adequate resources to respond to the full range of possible terrorist attacks.

This legislation I am introducing will help by providing much needed resources. The SOS Act, which is consistent with the first responders proposal in President Bush's budget, will provide $4 billion in critically needed funding, an increase of more than 1,000 percent in Federal resources that will flow to State and local governments.

This bill is designed to accomplish the following objectives: First, more resources to States and communities to conduct important planning and exercises, purchase equipment, and better train their personnel.

Second, it would provide flexibility for States and localities to address whatever the needs of their particular locality may be. States differ in their preparedness, and this would allow flexibility in the use of funds.

Third, another important feature of this bill is its simplicity. We need to speed the disbursement of Federal funds to States and communities without further delay.

Fourth, this legislation is designed to promote cooperation across the Nation so local, State, Federal, and volunteer networks can operate together effectively.

To achieve these objectives, the Federal Emergency Management Agency, known as FEMA, will implement a streamlined and simple procedure designed to speed the flow of resources to States and communities. The funds may be used for a variety of activities, including planning to develop comprehensive plans to prepare for and respond to a terrorist attack; equipment to respond more effectively to terrorist attack, including personal protective equipment, chemical, and biological detectors and interoperable communications gear.

We want to make sure our emergency personnel can communicate with one another. We have learned from the lessons of September 11 that can be a devastating problem.

The legislation would also allow funds to be used for more training to enable firefighters, police officers, and emergency medical professionals to respond and operate in a chemical or biological environment, even a very dangerous environment.

We need to have more exercises to improve response capabilities, practice mutual aid and assess operational improvements and deficiencies.

The legislation I am introducing will help make our Nation safer. Nearly 2 million first responders are always there, willing to put their lives at risk to save the lives of others and to make our country safer. This bill will help these brave men and women do their jobs better and will help all of our communities be more secure. The benefits of the Securing Our States Act are immediate and widespread and the goal is one we can all embrace, the goal of making our Nation safer from terrorist attacks while also bolstering everyday response capabilities.

I urge my colleagues to join me in supporting this legislation.

I yield the floor.

By Mrs. HUTCHISON (for herself, Mr. LIEBERMAN, Mr. MCCAIN, Mr. FEINGOLD, and Mr. LEVIN):

S. 2078. A bill to amend section 527 of the Internal Revenue Code of 1986 to eliminate notification and return requirements for State and local political committees and candidate committees and avoid duplicate reporting by certain State and local political committees of information required to be reported and made publicly available under State law, and for other purposes; to the Committee on Finance.

Mrs. HUTCHISON. Madam President, today I am pleased to again be offering legislation that will solve a significant issue for State and local legislators and candidates across the country and which I know is of serious concern.

Two years ago, Congress enacted the Full and Fair Political Activities Disclosure Act of 2000, Public Law 106–230, a law that imposed new IRS reporting requirements on political organizations claiming tax-exempt status under Section 527 of the Internal Revenue Code. The purpose of this law was to uncover so-called ''stealth PACs,'' tax-exempt groups which, prior to the enactment of this law, did not have to disclose any contributions or expenditures and were free to influence elections in virtual anonymity. While Public Law 106–230 was intended to target ''stealth PACs,'' it has had the unintended consequence of imposing burdensome and duplicative reporting requirements on State and local candidates who are not involved in any federal election activities. In many States like Texas, state and local candidates already file detailed reports with their state election officials.

To correct this problem, I have worked closely with Senator LIEBERMAN, among others, to develop legislation that would exempt state and local candidates from some of the IRS reporting requirements of Public Law 106–230. We have done this in a way that solves the problem but without creating new loopholes that would allow ''stealth'' organizations to reemerge. This legislation is the product of bipartisan and I would like to thank those who have supported our efforts, including Senator MCCAIN, Senator FEINGOLD, and Senator LEVIN who join me and Senator LIEBERMAN on this bill today. I originally offered legislation on this issue last year and it was included in the tax cut bill, the Economic Growth and Tax Relief Reconciliation Act of 2001. Unfortunately, our provision was dropped from the bill in conference.

Since then, P.L. 106–230 has created an increasingly heavy burden on local and State candidates. This is exacerbated by the fact that many candidates were not aware of the notification requirements and could now face severe penalties. It is time to take action and get this issue resolved. The bill we introduce today solves this problem while also addressing some issues that have been raised since we first made this effort last year. The deadline for the most burdensome reporting requirements is fast approaching in May. Congress has delayed too long. I again urge my colleagues to support this bill and to solve the problem that we created and to do so now.

By Mr. ROCKFELLER:

S. 2079. A bill to amend title 38, United States Code, to facilitate and enhance judicial review of certain matters regarding veterans' benefits, and for other purposes; to the Committee on Veterans' Affairs.

Mr. ROCKEFELLER. Madam President, I am today introducing legislation which responds to concerns relating to judicial review of VA benefits expressed by the authors of the Independent Budget for Veteran's Programs for fiscal year 2003. I am doing this in order to provide a vehicle for further discussion on these and related matters.

The Independent Budget, the IB, is the collaborative effort of a coalition of four veterans service organizations, AMVETS, Disabled American Veterans, Paralyzed Veterans of America, and Veterans of Foreign Wars, which is endorsed by dozens of other veterans' groups and others. This is the sixteenth year that the these organizations have drafted an independent budget to advocate for the funding that they feel is necessary to properly provide care and benefits to our veterans.

This bill proposes three amendments to title 38, United States Code, and a free-standing provision relating to the Equal Access to Justice Act. Section 1 of this legislation would amend section 502 of title 38 to allow the United States Court of Appeals for the Federal Circuit, the Federal Circuit, to review and set aside VA changes to the schedule for rating disabilities found to be arbitrary and capricious or in violation of statute. Section 2 would amend section 7261 of title 38 to specify that the United States Court of Appeals for Veteran Claims, the CAVC, shall apply a preponderance of the evidence standard when reviewing findings of fact made by the Board of Veterans Appeals. Section 3 would amend section 7292 of title 38 to permit the Federal Circuit to review CAVC decisions on questions of law. The final section of this legislation would allow the CAVC, when awarding attorneys fees under the Equal Access to Justice Act to award compensation to qualified non-attorney representatives before the CAVC.

Current section 502 of title 38, provides for judicial review of VA rules and regulations in the Federal Circuit, but expressly precludes review of VA actions relating to the adoption or revision of the so called ''rating schedule'' made pursuant to section 1155 of title 38. This rating schedule is the system by which VA categorizes types and levels of disability by percentages and, as noted by the IB authors, this preclusion of review was based on the view that VA has specific expertise in this area, an expertise not found in most courts. However, while the IB authors recognize the importance of VA's particularly informed judgment in this

area, they are concerned that, ''without any constraints or oversight whatsoever, VA is free to promulgate rules to rating disabilities that do not have as their basis reduction in earning capacity.'' To remedy this concern, the authors of the IB propose an amendment to section 502 of title 38 which would authorize Federal Circuit review of rating schedule decisions. This is the intent of section 1 of this bill.

A second concern of the authors of the IB relates to the scope of review applied by the CAVC to factual determinations of the Board of Veterans' Appeal. Under current law, section 5107(b) of title 38, VA is required to give a claimant the benefit of the doubt when ''there is an approximate balance of positive and negative evidence regarding the merits'' of an issue material to the claim. However, as noted in the IB for fiscal year 2003, the CAVC, in reviewing a VA decision on a factual issue, is required to apply a ''clearly erroneous'' standard. Under this standard, which is the same as applied by Federal appellate courts in their review of factual determinations of trial courts, if there is a plausible basis for a factual finding, it can not be clearly erroneous. This results in the CAVC having to accord significant deference to findings of fact made by the Board. As the IB authors note, this approach of requiring the CAVC to uphold a Board decision based on only the lower ''plausible basis'' undermines the statutory ''benefit of the doubt'' rule. Section 2 of this legislation would protect the ''benefit of the doubt'' rule by amending section 7261 of title 38 to specify that the CAVC is to apply a preponderance of the evidence standard when reviewing factual determinations of the Board.

Another concern of the IB authors is the present limit on Federal Circuit's authority to review CAVC precedential decisions on questions of law. Under section 7292 of title 38, the Federal Circuit is authorized to review CAVC findings on questions of statutory or regulatory interpretation, but is not authorized to review such decisions based on questions of law not rooted on a constitutional, statutory, or regulatory interpretation. In a 1992 case, Livingston v. Derwinski, 959 F.2d 224, the Federal Circuit has described this limitation as follows: ''The interpretation of the board's decision is unquestionably a matter of law, but that is not enough to bring the appeal within this court's statutory jurisdiction. In the absence of a challenge to the validity of a statute or a regulation, or the interpretation of a constitutional or statutory provision or a regulation, we have no authority to consider the appeal.'' The IB authors express the concern that this ''unavailability of Federal Circuit review, has, in many instances, undesirable consequences'' and urge that the law be amended to give the Federal Circuit jurisdiction to review all CAVC decisions on questions of law. Section 3 would modify section 7292 of title 38 to accomplish that result.

A final issue raised by the authors of the Independent Budget is not one of procedural fairness, but rather of equality of access to the administrative and judicial structures of the veterans' appeals process. Currently, veterans who enlist the aid of attorneys, and non-attorney practitioners supervised by attorneys, who are successful in their claims and satisfy the other requirements, can avail themselves of the benefits of the Equal Access to Justice Act, the EAJA. The EAJA shifts the burden of attorney fees from the citizen to the government in cases where the citizen successfully challenges an unreasonable government action. In the case of VA claims, however, claimants often turn to qualified, non-attorney representatives of the many veterans service organizations to represent them, up to and through the CAVC. Based upon the prior long standing limitation on paying attorney fees in veterans' benefits cases, there had not been an active veterans' bar. As a result, veterans service organizations developed expertise to enable them to effectively represent claimants before VA. VA does not require that these representatives be attorneys, only credentialed by a VA-recognized veterans service organization. Therefore, when the court was created, certain non-attorney practitioners were allowed to represent appellants at the court. However, as currently interpreted, these non-attorney practitioners are not eligible to receive compensation under the EAJA, despite the fact that they are doing the same work as their attorney counterparts. The authors of the Independent Budget, representatives of the organizations which are affected by this limitation, ask that unsupervised, non-attorneys be given access to fee compensation under the EAJA. They believe that this change would allow veterans organizations to represent even more veterans. Section 4 of the bill would provide for this change.

As a new generation is called to sacrifice in service of our country it is imperative that we ensure the fairness and accessibility of the benefits that they so richly deserve and it is for this reason that I introduce this bill. As I noted earlier in my statement, I am doing so in order to provide a vehicle for detailed discussion of these and other issues related to the judicial review of VA claims. I look forward to working with my colleagues on these matters in the months ahead.

By Mrs. BOXER:

S. 2080. A bill to designate a United States courthouse to be constructed in Fresno, California, as the ''Robert E. Coyle United States Courthouse''; to the Committee on Environment and Public Works.

Mrs. BOXER. Madam President, I am pleased to introduce legislation to name the Federal courthouse building to be constructed at Tulare and ''O'' Streets in downtown Fresno, CA the ''Robert E. Coyle United States Courthouse.''

It is fitting that the Federal courthouse in Fresno be named for Senior U.S. District Judge Robert E. Coyle, who is greatly respected and admired for his work as a judge and for his foresight and persistence which contributed so much to the Fresno Courthouse project. Since prior to 1994, Judge Coyle has been a leader in the effort to build a new courthouse in Fresno. In the course of his work, Judge Coyle, working with the Clerk of the United States District Court for the Eastern District, conceived and founded a program called ''Managing a Capitol Construction Program'' to help others understand the process of having a courthouse built. This Eastern District program was so well received by national court administrators that it is now a nationwide program run by Judge Coyle. In addition to meeting the needs of the court for additional space, the courthouse project has become a key element in the downtown revitalization of Fresno. Judge Coyle's efforts, and those in the community with whom he worked, produced a major milestone when the groundbreaking for the new courthouse took place earlier this month.

Judge Coyle has had a distinguished career as an attorney and on the bench. Appointed to California's Eastern District bench by President Ronald Reagan in 1982, Judge Coyle has served as a judge for the Eastern District for 20 years, including 6 years as senior judge. Judge Coyle earned his law degree from University of California, Hastings College of the Law in 1956. He then worked for Fresno County as a Deputy District Attorney before going into private practice in 1958 with McCormick, Barstow, Sheppard, Coyle & Wayte, where he remained until his appointment by President Reagan. He is very active in the community and has served in many judicial leadership positions, including: Chair, Space and Security Committee; Chair, Conference of the Chief District Judges of the Ninth Circuit; President of the Ninth Circuit District Judges Association; Member of the Board of Governors of the State Bar of California and President of the Fresno County Bar. My hope is that, in addition to serving the people of the Eastern District as a courthouse, this building will stand as a reminder to the community and people of California of the dedicated work of Judge Robert E. Coyle.

By Mr. BINGAMAN (by request):

S.J. Res. 34. A joint resolution approving the site at Yucca Mountain, Nevada, for the development of a repository for the disposal of high-level radioactive waste and spent nuclear fuel, pursuant to the Nuclear Waste Policy Act of 1982; to the Committee on Energy and Natural Resources.

Mr. BINGAMAN. Madam President, yesterday, the Governor of the State of

Nevada submitted to the Senate and to the House of Representatives a notice of disapproval of the proposed nuclear waste repository at Yucca Mountain, pursuant to section 116 of the Nuclear Waste Policy Act. The notice was duly referred in the Senate to the Committee on Energy and Natural Resources under rule XXV of the Standing Rules of the Senate. Under section 115 of the Nuclear Waste Policy Act, it is my duty, as the chairman of the committee to which the notice of disapproval was referred, to introduce, by request, a resolution of repository siting approval not later than the first day of session following the day on which the Governor's notice of disapproval was submitted.

In accordance with the statutory requirement, I am today introducing the resolution of repository siting approval. The text of the resolution is prescribed by the Nuclear Waste Policy Act. The resolution will be referred to committee for a period of up to 60 days. Under the terms of the Nuclear Waste Policy Act, the Governor's notice of disapproval will stand, and the Department of Energy will be prohibited from applying for a license to develop a nuclear waste repository at Yucca Mountain, unless both Houses of Congress pass the resolution of repository siting approval and it becomes law within 90 days from yesterday.

This is an extraordinary process. The 97th Congress, which prescribed this process for us to follow 20 years ago, did not do so lightly. The Members of the 97th Congress only arrived at this procedure after considerable debate. Representative Morris K. Udall, who was the principal architect of the Nuclear Waste Policy Act, explained the thinking of our predecessors. ''We are all agreed that the States ought to have a veto,'' Chairman Udall said. ''If you are going to put something as important, as a nuclear waste repository, in a State, then the State, through its Governor or legislature, ought to be able to say no thanks.'' But, he continued, ''we are also agreed that once the State has made that veto, that there ought to be mechanism so that, in the national interest, it could be overridden, as we do in war when we need an air base or at other times when we need Federal eminent domain.''

The process upon which we are embarking today was designed to serve those two goals. It will afford the State of Nevada a fair hearing on its objections to the repository and will ensure that those objections stand unless the administration can persuade both Houses of Congress to override them. At the same time, it will give the administration an opportunity to present its case and to override the State's objections if it can show its decision was sound and in the national interest.

It is my intention, once the Senate completes action on the energy bill, to schedule hearings before the Committee on Energy and Natural Resources to consider the President's recommendation of the Yucca Mountain site and the objections of the State of Nevada to the use of the site for the nuclear waste repository and to report the committee's recommendation to the Senate within the prescribed 60-day period as the 97th Congress envisioned.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 232—CONGRATULATING THE HUSKIES OF THE UNIVERSITY OF CONNECTICUT FOR WINNING THE 2002 NCAA DIVISION I WOMEN'S BASKETBALL CHAMPIONSHIP.

Mr. DODD (for himself and Mr. LIEBERMAN) submitted the following resolution; which was considered and agreed to:

S. RES. 232

Whereas the University of Connecticut women's basketball team won its second national championship in 3 years by defeating the University of Oklahoma by the score of 82-70;

Whereas NCAA Division I Women's Basketball Coach of the Year Geno Auriemma's team finished the 2002 season with a perfect 39–0 record, becoming only the fourth NCAA Division I women's basketball team to go undefeated;

Whereas Sue Bird was chosen as the national women's player of the year;

Whereas Swin Cash was named the Final Four Most Outstanding Player;

Whereas Sue Bird, Swin Cash, Diana Taurasi, Asjha Jones, and Tamika Williams were selected as All-Americans;

Whereas the Huskies' 35-point average margin of victory during the regular season was the largest in NCAA Division I women's basketball history;

Whereas the Huskies dominated this year's NCAA Division I women's basketball tournament, averaging 83.3 points and a 27-point margin of victory en route to the championship;

Whereas the high caliber of the Huskies in both athletics and academics has significantly advanced the sport of women's basketball and provided inspiration for future generations of young men and women alike; and

Whereas the Huskies' season of unparalleled accomplishment rallied Connecticut residents of all ages, from New London to New Haven, from Hartford to Hamden, behind a common purpose, and triggered a wave of euphoria across the State: Now, therefore, be it

Resolved, That the Senate commends the Huskies of the University of Connecticut for—

(1) completing the 2001–2002 women's basketball season with a 39–0 record; and

(2) winning the 2002 NCAA Division I Women's Basketball Championship.

SENATE RESOLUTION 233—CONGRATULATING THE UNIVERSITY OF MARYLAND TERRAPINS FOR WINNING THE 2002 NCAA NATIONAL BASKETBALL CHAMPIONSHIP

Mr. SARBANES (for himself and Ms. MIKULSKI) submitted the following resolution; which was considered and agreed to:

S. RES. 233

Whereas the 2002 University of Maryland Terrapins men's basketball team won 32 games, a school record for wins in a season;

Whereas the 2002 Maryland Terrapins were undefeated at home in the last year of play at historic Cole Field House, compiling a home record of 15–0;

Whereas the 2002 Maryland Terrapins continued their dominance over nonconference opponents at home, extending their NCAA record nonconference home winning streak to 84 wins;

Whereas the 2002 Maryland Terrapins won their first, outright Atlantic Coast Conference regular season championship in 22 years;

Whereas the Maryland Terrapins qualified for a 9th consecutive NCAA tournament under Coach Gary Williams, being awarded a number 1 seed in the East Region;

Whereas the Maryland Terrapins handily defeated the Siena College Saints in the first round of the NCAA tournament by a score of 85–70;

Whereas in the second round, the Maryland Terrapins ousted the Wisconsin Badgers by a score of 87–57;

Whereas in the Sweet Sixteen, the Maryland Terrapins overpowered the tough Kentucky Wildcats by a score of 78–68;

Whereas in the final game of the East Regional, the Maryland Terrapins earned a 2d straight bid to the Final Four by defeating the Connecticut Huskies by a score of 90–82;

Whereas in the Final Four, the Maryland Terrapins achieved a 97–88 victory over the potent Kansas Jayhawks;

Whereas in the NCAA championship game, the Maryland Terrapins came away with a 64–52 victory over the storied Indiana Hoosiers;

Whereas on April 1, 2002 the University of Maryland won the NCAA men's basketball championship, the first ever for the University of Maryland;

Whereas the 2002 Maryland Terrapins, by winning the 2002 NCAA men's basketball championship, became only the 5th NCAA Division I athletic program to have won national championships in both basketball and football;

Whereas senior Juan Dixon was named the most outstanding player of the 2002 NCAA tournament, first team all-American, and Atlantic Coast Conference player of the year;

Whereas senior Lonny Baxter was named the most valuable player in regional play for the second year in a row; and

Whereas in game number 2002 of the University of Maryland men's basketball program, the Terrapins achieved the title of 2002 national champion: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the mighty University of Maryland Terrapins for winning the 2002 NCAA national men's basketball championship on April 1, 2002;

(2) commends the Maryland Terrapins for their outstanding performance in the 2002 NCAA national tournament, the Atlantic Coast Conference, and the entire 2002 season;

(3) applauds the Maryland Terrapins for their commitment to high standards of character, perseverance, and teamwork;

(4) congratulates the Maryland Terrapins on reaching their goal of an NCAA championship, an achievement that no previous Maryland men's basketball team had been able to accomplish;

(5) recognizes the achievements of the players, coaches, and support staff who were instrumental in helping the University of Maryland Terrapins win the 2002 NCAA championship;

(6) congratulates all of the 65 outstanding teams who participated in the 2002 NCAA Tournament;

(7) congratulates the National Collegiate Athletic Association for its continuing excellence in providing a supportive arena for college athletes to display their talents and sportsmanship; and

(8) directs the Secretary of the Senate to transmit an enrolled copy of this resolution to—

(A) Dr. C.D. ''Dan'' Mote, the President of the University of Maryland;

(B) Deborah Yow, the Athletic Director at the University of Maryland; and

(C) Gary Williams, the head coach of the University of Maryland Terrapins men's basketball team.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3082. Mr. BAUCUS submitted an amendment intended to be proposed to amendment SA 2917 proposed by Mr. DASCHLE (for himself and Mr. BINGAMAN) to the bill (S. 517) to authorize funding the Department of Energy to enhance its mission areas through technology transfer and partnerships for fiscal years 2002 through 2006, and for other purposes; which was ordered to lie on the table.

SA 3083. Mr. BOND submitted an amendment intended to be proposed to amendment SA 2917 proposed by Mr. DASCHLE (for himself and Mr. BINGAMAN) to the bill (S. 517) supra; which was ordered to lie on the table.

SA 3084. Mr. BOND submitted an amendment intended to be proposed to amendment SA 2917 proposed by Mr. DASCHLE (for himself and Mr. BINGAMAN) to the bill (S. 517) supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 3082. Mr. BAUCUS submitted an amendment intended to be proposed to amendment SA 2917 proposed by Mr. DASCHLE (for himself and Mr. BINGAMAN) to the bill (S. 517) to authorize funding the Department of Energy to enhance its mission areas through technology transfer and partnerships for fiscal years 2002 through 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. SALE OF GASOLINE AND DIESEL FUEL AT DUTY-FREE SALES ENTERPRISES.

(a) PROHIBITION.—Section 555(b) of the Tariff Act of 1930 (19 U.S.C. 1555(b)) is amended—

(1) by redesignating paragraphs (6) through (8) as paragraphs (7) through (9), respectively; and

(2) by inserting after paragraph (5) the following:

''(6) Any gasoline or diesel fuel sold at a duty-free sales enterprise shall be considered to be entered for consumption into the customs territory of the United States.''.

(b) CONSTRUCTION.—The amendments made by this section shall not be construed to create any inference with respect to the interpretation of any provision of law as such provision was in effect on the day before the date of enactment of this Act.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of enactment of this Act.

SA 3083. Mr. BOND submitted an amendment intended to be proposed to amendment SA 2917 proposed by Mr. DASCHLE (for himself and Mr. BINGAMAN) to the bill (S. 517) to authorize funding the Department of Energy to enhance its mission areas through technology transfer and partnerships for fiscal years 2002 through 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 307, after line 3, insert the following new section at the end of Subtitle E:

SEC. 946. LIMITATION ON APPROPRIATION OF FUNDS.

No funds may be appropriated under subtitle E of title IX unless all programs and authorities contained in this subtitle have been approved in legislation within the appropriate committees of jurisdiction and enacted thereafter.

SA 3084. Mr. BOND submitted an amendment intended to be proposed to amendment SA 2917 proposed by Mr. DASCHLE (for himself and Mr. BINGAMAN) to the bill (S. 517) to authorize funding the Department of Energy to enhance its mission areas through technology transfer and partnerships for fiscal years 2002 through 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 307, after line 3, strike ''Secretary of Housing and Urban Development'' wherever it appears in Subtitle E, and insert in lieu thereof the following ''Secretary of Energy.''

On page 307, after line 3, strike ''Secretary'' wherever it appears by itself without explicit reference to an agency or department and insert in lieu thereof ''Secretary of Energy.''

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Tuesday, April 9, 2002, at 9:30 a.m., in open session to receive testimony on Department of Defense policies and programs to transform the force to meet the challenges of the twenty-first century.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, April 9, 2002, at 2:30 p.m. to hold a hearing titled, 'Weak States in Africa—U.S. Policy Options in the DRC.'

Agenda

Witness

Panel 1: Mr. William Bellamy, Acting Assistant Secretary for African Affairs, Department of State, Washington, DC.

Panel 2: Ms. Fabienne Hara, Co-Director of the Africa Program, International Crisis Group, Brussels, Belgium; Mr. Learned Dees, Program Office for Africa, National Endowment for Democracy, Washington, DC; and Ms. Anne Edgerton, Advocate, Refugees International, Washington, DC.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet for a hearing on the reauthorization of the Corporation for National and Community Service during the session of the Senate on Tuesday, April 9, 2002, at 10 a.m.

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

COMMITTEE ON THE JUDICIARY

Mr. REID. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a hearing on ''FBI Reforming the 21st Century: The Lessons of the Hanssen Espionage Case'' today, Tuesday, April 9, 2002, in Dirksen room 628 at 10 a.m.

Agenda

Witnesses

Panel I: The Honorable William Webster, Milbank, Tweed, Hadley & McCoy, LLP, Washington, DC.

Panel II: Mr. Dale Watson, Executive Assistant Director for Counterterrorism/Counterintelligence, Federal Bureau of Investigation, Washington, DC; Mr. Dave Szady, Assistant Director for Counterintelligence Division, Federal Bureau of Investigation, Washington, DC; and Mr. Kenneth Senser, Assistant Director for Security Division, Federal Bureau of Investigations, Washington, DC.

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

SUBCOMMITTEE ON SEAPOWER

Mr. REID. Mr. President, I ask unanimous consent that the Subcommittee on Seapower of the Committee on Armed Services be authorized to meet during the session of the Senate on Tuesday, April 9, 2002, at 2:30 p.m., in open session to receive testimony on Navy equipment required for fielding a 21st century capabilities-based Navy in review of the Defense authorization request for fiscal year 2003.

Agenda

Witnesses

Panel I: Admiral Vernon E. Clark, USN, Chief of Naval Operations.

Panel II: Major General William A. Whitlow, USMC, Director, Expeditionary Warfare Division, Department of the Navy; Rear Admiral Phillip M. Balisle, USN, Director, Surface Warfare Division, Department of the Navy; Rear Admiral Paul F. Sullivan, USN, Director, Submarine Warfare Division, Department of the Navy; and Rear Admiral Michael J. McCabe, USN, Director, Air Warfare Division, Department of the Navy.

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

CONGRATULATING THE UNIVERSITY OF MARYLAND TERRAPINS

Mr. REID. Madam President, I ask unanimous consent that the Senate

proceed to S. Res. 233 submitted earlier today by Senators SARBANES and MIKULSKI.

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

The legislative clerk read as follows:

A resolution (S. Res. 233) congratulating the University of Maryland Terrapins for winning the 2002 NCAA National Basketball Championship.

There being no objection, the Senate proceeded to consider the resolution.

Mr. SARBANES. Madam President, one of Aesops fables tells of the race between the tortoise and the hare. As the story goes, the hare took off at the start of the race at a very swift pace but soon tired, stopped and fell fast asleep. The tortoise, on the other hand, maintained a slow and steady pace and passed the sleeping hare en route to a victory. The moral of the story is ''slow but steady wins the race.''

Such was the pace to the 2002 NCAA Basketball Championship for the University of Maryland Terrapins. Following a Final Four appearance in last year's NCAA Tournament, expectations were high for this year's team. From the first tip-off last October during Midnight Madness to the final buzzer of this year's championship game, the entire Terrapin team, led by head coach and University of Maryland alumnus Gary Williams, pursued a deliberate and determined course. Their journey culminated on the night of April 1, 2002, when the team won the NCAA Men's Division 1 Basketball Championship.

It is with a deep sense of Maryland pride and pleasure that I rise as the chairman of the Maryland congressional delegation to submit a resolution congratulating the University of Maryland Terrapins for winning the 2002 NCAA National Basketball Championship. My Maryland colleague, Senator BARBARA MIKULSKI, is joining me in this effort and the Maryland House delegation, led by University of Maryland alum, STENY HOYER, is also submitting a similar resolution.

As our resolution highlights, this has been a remarkable run for the men's basketball team. The team won a school record 32 games. They went undefeated at home, including their impressive win over Duke University by a score of 97–73. This year was the last year that the team will play in historic Cole Field House and the season was a fitting tribute to a building that has witnessed so many remarkable games over the years. This year's team continued its home court dominance over non-conference opponents, extending its winning streak to 84 wins, the current longest winning streak in the Nation.

Madam President, please join me in congratulating the Maryland Terrapin team members: senior guard Juan Dixon, the 2002 NCAA Tournament's Most Outstanding Player, the ACC Player of the Year, a First-Team All-American, and a member of the ACC All-Defensive Team; senior center Lonny Baxter, Most Valuable Player of the East Region, Second Team All-ACC, honorable mention All-American, and a member of the ACC All Defensive Team; senior forward Byron Mouton, Honorable Mention All-ACC; senior guard Earl Badu; junior guard Steve Blake, named to the Third Team All-ACC, and Honorable Mention All-American; junior forward Tahj Holden; junior guard Drew Nicholas; junior center Ryan Randle; junior guard Calvin McCall; sophomore forward Chris Wilcox, named to the Third Team All-ACC; freshman guard Andre Collins; and freshman forward Mike Grinnon.

On behalf of the State of Maryland, the Maryland congressional delegation and the University of Maryland, I ask my colleagues to join me in acknowledging the outstanding efforts of this amazing group of basketball players, coaches and staff.

Ms. MIKULSKI. Madam President, I rise to pay tribute to the nation's premier men's college basketball team, the University of Maryland Terrapins. I am so proud that our Terps are our national champions. Their victory shows the hard work, perseverance and experience of an amazing team—and the support of an outstanding university. This resolution seeks to celebrate the Terps' victory.

Our Terps have worked so hard to reach these heights, shaping college basketball history as they got here. They are led by a Terrapin who learned about much more than basketball as a student and graduate-assistant in five years at College Park. Coach Gary Williams is that Terrapin—a true leader, a true teacher, and a true Marylander at heart. As ACC Coach of the Year, Coach Williams led the Terps to the regular season ACC title, and their first national championship. But even more important, he has continue to shape the lives of the young men he coaches.

He cares about his players on and off the court. That meant encouraging them in their studies as well as in their sport. He helped them understand the importance of getting their degrees. His success is shown in the fact that four of his players are serious—more than any of their competitors.

These men include this year's dynamic senior class of Earl Badu, Byron Mouton, Lonny Baxter, and Juan Dixon. I am so proud of them because they will all graduate this year, proving that Coach Williams' philosophy of hard work on and off the court works here in Maryland. Their experience was a key factor in their victory.

When Coach Williams recruits and teaches players, he doesn't always look for the flashiest prospects. He works with men he can make into champions. Our Terrapins show that championship spirit on and off the court. And that is what a Maryland education is all about.

The Terrapins' court successes have mirrored the University of Maryland's rise to the pinnacle of the academic world. Our university is a national leader in science, engineering and business.

The Terps had a perfect season during their last year at Cole Field House. The University of Maryland and the entire State is grateful for everything this basketball team has given us.

I ask my colleagues to join me in commending the University of Maryland's Terrapins for being such great winners—both on and off the court.

Mr. REID. Madam President, I ask unanimous consent that the resolution and preamble be agreed to en bloc, the motion to reconsider be laid upon the table, and that any statements related thereto be printed in the RECORD.

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

The resolution (S. Res. 233) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 233

Whereas the 2002 University of Maryland Terrapins men's basketball team won 32 games, a school record for wins in a season;

Whereas the 2002 Maryland Terrapins were undefeated at home in the last year of play at historic Cole Field House, compiling a home record of 15–0;

Whereas the 2002 Maryland Terrapins continued their dominance over nonconference opponents at home, extending their NCAA record nonconference home winning streak to 84 wins;

Whereas the 2002 Maryland Terrapins won their first, outright Atlantic Coast Conference regular season championship in 22 years;

Whereas the Maryland Terrapins qualified for a 9th consecutive NCAA tournament under Coach Gary Williams, being awarded a number 1 seed in the East Region;

Whereas the Maryland Terrapins handily defeated the Siena College Saints in the first round of the NCAA tournament by a score of 85–70;

Whereas in the second round, the Maryland Terrapins ousted the Wisconsin Badgers by a score of 87–57;

Whereas in the Sweet Sixteen, the Maryland Terrapins overpowered the tough Kentucky Wildcats by a score of 78–68;

Whereas in the final game of the East Regional, the Maryland Terrapins earned a 2d straight bid to the Final Four by defeating the Connecticut Huskies by a score of 90–82;

Whereas in the Final Four, the Maryland Terrapins achieved a 97–88 victory over the potent Kansas Jayhawks;

Whereas in the NCAA championship game, the Maryland Terrapins came away with a 64–52 victory over the storied Indiana Hoosiers;

Whereas on April 1, 2002 the University of Maryland won the NCAA men's basketball championship, the first ever for the University of Maryland;

Whereas the 2002 Maryland Terrapins, by winning the 2002 NCAA men's basketball championship, became only the 5th NCAA Division I athletic program to have won national championships in both basketball and football;

Whereas senior Juan Dixon was named the most outstanding player of the 2002 NCAA tournament, first team all-American, and Atlantic Coast Conference player of the year;

Whereas senior Lonny Baxter was named the most valuable player in regional play for the second year in a row; and

Whereas in game number 2002 of the University of Maryland men's basketball program, the Terrapins achieved the title of 2002 national champion: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the mighty University of Maryland Terrapins for winning the 2002 NCAA national men's basketball championship on April 1, 2002;

(2) commends the Maryland Terrapins for their outstanding performance in the 2002 NCAA national tournament, the Atlantic Coast Conference, and the entire 2002 season;

(3) applauds the Maryland Terrapins for their commitment to high standards of character, perseverance, and teamwork;

(4) congratulates the Maryland Terrapins on reaching their goal of an NCAA championship, an achievement that no previous Maryland men's basketball team had been able to accomplish;

(5) recognizes the achievements of the players, coaches, and support staff who were instrumental in helping the University of Maryland Terrapins win the 2002 NCAA championship;

(6) congratulates all of the 65 outstanding teams who participated in the 2002 NCAA Tournament;

(7) congratulates the National Collegiate Athletic Association for its continuing excellence in providing a supportive arena for college athletes to display their talents and sportsmanship; and

(8) directs the Secretary of the Senate to transmit an enrolled copy of this resolution to—

(A) Dr. C.D. ''Dan'' Mote, the President of the University of Maryland;

(B) Deborah Yow, the Athletic Director at the University of Maryland; and

(C) Gary Williams, the head coach of the University of Maryland Terrapins men's basketball team.

ORDERS FOR WEDNESDAY, APRIL 10, 2002

Mr. REID. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until tomorrow morning at 9:15 a.m.; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate resume consideration of the energy reform bill.

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

ADJOURNMENT UNTIL 9:15 A.M. TOMORROW

Mr. REID. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 6:03 p.m., adjourned until Wednesday, April 10, 2002, at 9:15 a.m.

NOMINATIONS

Executive nominations received by the Senate April 9, 2002:

COMMODITY FUTURES TRADING COMMISSION

SHARON BROWN-HRUSKA, OF VIRGINIA, TO BE A COMMISSIONER OF THE COMMODITY FUTURES TRADING COMMISSION FOR THE REMAINDER OF THE TERM EXPIRING APRIL 13, 2004, VICE WILLIAM J. RAINER, RESIGNED.

ENVIRONMENTAL PROTECTION AGENCY

JOHN PETER SUAREZ, OF NEW JERSEY, TO BE AN ASSISTANT ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY, VICE STEVEN ALAN HERMAN, RESIGNED.

BROADCASTING BOARD OF GOVERNORS

STEVEN J. SIMMONS, OF CONNECTICUT, TO BE MEMBER OF THE BROADCASTING BOARD OF GOVERNORS FOR THE REMAINDER OF THE TERM EXPIRING AUGUST 13, 2003, VICE ALBERTO J. MORA.

OVERSEAS PRIVATE INVESTMENT CORPORATION

NED L. SIEGEL, OF FLORIDA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE OVERSEAS PRIVATE INVESTMENT CORPORATION FOR A TERM EXPIRING DECEMBER 17, 2003, VICE MIGUEL D. LAUSELL.

DEPARTMENT OF STATE

JACK C. CHOW, OF PENNSYLVANIA, FOR THE RANK OF AMBASSADOR DURING HIS TENURE OF SERVICE AS SPECIAL REPRESENTATIVE OF THE SECRETARY OF STATE FOR HIV/AIDS.

MERIT SYSTEMS PROTECTION BOARD

STUART D. RICK, OF MARYLAND, TO BE A MEMBER OF THE MERIT SYSTEMS PROTECTION BOARD FOR THE TERM OF SEVEN YEARS EXPIRING MARCH 1, 2007, VICE BARBARA J. SAPIN.

LEGAL SERVICES CORPORATION

LILLIAN R. BEVIER, OF VIRGINIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE LEGAL SERVICES CORPORATION FOR A TERM EXPIRING JULY 13, 2004, VICE HULETT HALL ASKEW, TERM EXPIRED.

ROBERT J. DIETER, OF COLORADO, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE LEGAL SERVICES CORPORATION FOR A TERM EXPIRING JULY 13, 2002, VICE F. WILLIAM MCCALPIN, TERM EXPIRED.

ROBERT J. DIETER, OF COLORADO, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE LEGAL SERVICES CORPORATION FOR A TERM EXPIRING JULY 13, 2005. (REAPPOINTMENT)

THOMAS A. FUENTES, OF CALIFORNIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE LEGAL SERVICES CORPORATION FOR A TERM EXPIRING JULY 13, 2002, VICE THOMAS F. SMEGAL, JR., TERM EXPIRED.

THOMAS A. FUENTES, OF CALIFORNIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE LEGAL SERVICES CORPORATION FOR A TERM EXPIRING JULY 13, 2005. (REAPPOINTMENT)

MICHAEL MCKAY, OF WASHINGTON, TO BE A MEMBER OF THE BOARD DIRECTORS OF THE LEGAL SERVICES CORPORATION FOR A TERM EXPIRING JULY 13, 2004, VICE NANCY HARDIN ROGERS, TERM EXPIRED.

FRANK B. STRICKLAND, OF GEORGIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE LEGAL SERVICES CORPORATION FOR A TERM EXPIRING JULY 13, 2004, VICE JOHN N. ERLENBORN, TERM EXPIRED.

DEPARTMENT OF JUSTICE

RAY ELMER CARNAHAN, OF ARKANSAS, TO BE UNITED STATES MARSHAL FOR THE EASTERN DISTRICT OF ARKANSAS FOR THE TERM OF FOUR YEARS, VICE CONRAD S. PATTILLO, TERM EXPIRED.

WALTER ROBERT BRADLEY, OF KANSAS, TO BE UNITED STATES MARSHAL FOR THE DISTRICT OF KANSAS FOR THE TERM OF FOUR YEARS, VICE RICHARD RAND ROCK II, TERM EXPIRED.

THERESA A. MERROW, OF KENTUCKY, TO BE UNITED STATES MARSHAL FOR THE MIDDLE DISTRICT OF GEORGIA FOR THE TERM OF FOUR YEARS, VICE LAWSON CARY BITTICK, TERM EXPIRED.

IN THE NAVY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. MARK D. HARNITCHEK, 0000
CAPT. MICHAEL S. ROESNER, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. BRIAN G. BRANNMAN, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. THOMAS K. BURKHARD, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. RICHARD E. CELLON, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral

REAR ADM. (LH) CHARLES H. JOHNSTON JR., 0000

IN THE MARINE CORPS

THE FOLLOWING NAMED SERVICE MEMBER FOR APPOINTMENT TO THE TEMPORARY GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C. SECTION 6222:

To be first lieutenant

JASON K. PETTIG, 0000

IN THE AIR FORCE

THE FOLLOWING NAMED STUDENTS FOR A REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 2114.

To be captain

SAMUEL E AIKELE, 0000
ANDREW T ALLEN, 0000
JONATHAN L ARNHOLT, 0000
ERIKA S BEARD, 0000
MICHAEL J BENCA, 0000
GLENN D BURNS, 0000
YOVANNI CASABLANCA, 0000
MARC A CHILDRESS, 0000
JARED A CHUGG, 0000
STEVEN D DEMARTINI, 0000
ELIZABETH DUNCAN, 0000
ROBERT L EMERY, 0000
TRAVIS W GERLACH, 0000
ANNE GRAY, 0000
ALAN D GUHLKE, 0000
GREGORY D GUTKE, 0000
DAVID J HOOPES, 0000
JONATHAN C JACKSON, 0000
NORRIS J JACKSON, 0000
KEITH J JOE, 0000
GARY S KIM, 0000
SCOTT A KING, 0000
JEFFREY M LAMMERS, 0000
DANIEL R LAMOTHE, 0000
WAYNE A LATACK, 0000
PAUL E LEWIS III, 0000
KENNETH A MARRIOTT III, 0000
BRYANT R MARTIN, 0000
CASSANDRA T MCDANIEL, 0000
JOSEPH H MCDERMOTT, 0000
JANELLE L MOORE, 0000
THOMAS O MOORE, 0000
JOHN J MURDOCK, 0000
SEAN P OBRIEN, 0000
GILBERTO PATINO, 0000
ERIC V PLOTT, 0000
IAN C RIDDOCK, 0000
JON M ROBITSCHEK, 0000
TREVOR J SCHAR, 0000
CARRIE A SCHMID, 0000
CHRISTIAN J SMITH, 0000
DREW N SWASEY, 0000
ARLO M TAN, 0000
CECELIA M TATSUMI, 0000
MONICA J TILLMAN, 0000
JUSTIN J TINGY, 0000
MARISSA M VALENCIA, 0000
GUY C VENUTI, 0000
CHRISTINA M WAITE, 0000
SUK C WHANG, 0000
BRYAN M WHITE, 0000

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be major

WILLIAM K.C. PARKS, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

MICHAEL J. BENNETT, 0000
JERRY D. DELACRUZ, 0000
JEFFREY GONSECKI, 0000
LEONARD C. HAWKINS, 0000
ROBERT S. HOUGH, 0000

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

FRANK E. BATTS, 0000
PAUL J. CIERVO, 0000
WAYNE L. HILL, 0000
JEFFREY A. JENKINS, 0000
CHRISTIAN JUBOK, 0000
EUNICE PATXOT, 0000
DANIEL J. SCHMICK, 0000
EVELYN M. WILSON, 0000

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

BAMIDELE J ABOGUNRIN, 0000
CHRISTOPHER C ABRAMS, 0000
JOHN C ALLEE, 0000
ROBERT J ALLEN, 0000
GARY V ALLISON, 0000
OSCAR M ALVAREZ II, 0000
JOHN F AMERICA, 0000
LEONARD F ANDERSON IV, 0000
CHARLES M ANDREWS JR., 0000
PHILIP G ANTEKEIER, 0000

JON J ANTONELLI, 0000
VINCENT D APPLEWHITE, 0000
ERIC M ARBOGAST, 0000
STEPHEN P ARMES, 0000
MITCHELL K ARNZEN, 0000
KENNETH L ASBRIDGE III, 0000
HUGH L ATKINSON, 0000
JOHN B ATKINSON, 0000
STEPHEN C AUGUSTIN, 0000
GAMAL F AWAD, 0000
WILLIAM L BABCOCK JR., 0000
TERRY L BAGGETT, 0000
CHRISTOPHER R BAIRD, 0000
THOMAS P BAJUS II, 0000
WILLIAM G BALESTRERI, 0000
RICHARD S BARNES, 0000
CRAIG P BARNETT, 0000
JOHN M BARNETT, 0000
TIMOTHY E BARRICK, 0000
MICHAEL B BARRY, 0000
ARA E BARTON, 0000
WENDELL BAZEMORE, 0000
GEORGE B BEACH, 0000
CHRISTOPHER C BEAVERS, 0000
THOMAS J BEIKIRCH, 0000
GABRIEL BELTRAN, 0000
WILLIAM D BENSCH, 0000
CHARLES T BERRY, 0000
JOHN R BINDER III, 0000
CHARLES N BLACK, 0000
HAYNESLY R BLAKE, 0000
PETER S BLAKE, 0000
TIMOTHY H BOETTCHER, 0000
DAVID H BOHN, 0000
ANTHONY C BOLDEN, 0000
RAPHAEL E BONITA, 0000
STEFAN J BOOTH, 0000
DAVID C BORKOWSKI, 0000
PARRISH M BOULWARE, 0000
STEVEN R BOWERS, 0000
ROBERT J BRAATZ, 0000
ROBERT G BRACKNELL, 0000
RICHARD T BRADY, 0000
DAVID R BRAMAN, 0000
JULIE B BRANDEL, 0000
ROLLIN D BREWSTER III, 0000
PAUL B BRICKLEY, 0000
BRUCE L BRIDGEWATER, 0000
SCOTT A BRINK, 0000
VAN P BRINSON III, 0000
SCOTT E BROBERG, 0000
HENRY D BROWN, 0000
PETER J BROWN, 0000
RALPH E BRUBAKER JR., 0000
ROBERT J BRUDER, 0000
DOUGLAS J BRUNE, 0000
MICHAEL R BRUNNSCHWEILER, 0000
TIMOTHY R BRYANT, 0000
ANDREW S BURCHFIELD, 0000
KENNETH A BURGER, 0000
WILLIAM S BURGER, 0000
ROBERT A BURGIN, 0000
HAROLD E BURKE, 0000
JOHN P BURTON, 0000
ALBERT J BUSENBARK, 0000
GEORGE CADWALADER JR., 0000
TODD R CALHOUN, 0000
JEFFREY R CALLAGHAN, 0000
SHAWN P CALLAHAN, 0000
MICHAEL J CALLANAN, 0000
DANIEL T CANFIELD JR., 0000
JUDE F CAREY JR., 0000
CURTIS W CARLIN, 0000
GLEN M CARLSON, 0000
JAMES C CARROLL III, 0000
JOHN D CARROLL, 0000
MATTHEW J CARROLL, 0000
JOHN F CARSON JR., 0000
MICHAEL T CARSON, 0000
RONNIE A CARSON JR., 0000
JENNIFER E CARTER, 0000
MELVIN G CARTER, 0000
JOSEMARTIN K CASADO, 0000
ERIC R CASEY, 0000
MICHAEL J CASTAGNA, 0000
STEPHEN L CASTORA, 0000
MICHAEL V CAVA, 0000
MATTHEW G CHALKLEY, 0000
BENJAMIN D CHAPMAN, 0000
CLINTON J CHLEBOWSKI, 0000
BRIAN S CHRISTMAS, 0000
ROBERT M CLARK, 0000
TROY L CLARK, 0000
WILLIAM P CLARK, 0000
GREGORY J CLARKE, 0000
TIMOTHY L CLARKE, 0000
JOSEPH R CLEARFIELD, 0000
SCOTT B CLIFTON, 0000
ERIN D COADY, 0000
ERIK E COBHAM, 0000
DOUGLAS L CODY, 0000
JEFFREY L COKER, 0000
KEITH A COLEMAN, 0000
LAWRENCE C COLEMAN, 0000
WAYNE E COLLINS, 0000
CHRISTOPHER J CONNELLY, 0000
FRANK P CONWAY, 0000
DAVID S COOK, 0000
SAMUEL C COOK, 0000
CARL E COOPER JR., 0000
MATTHEW D COOPER, 0000
ROBERT D COOPER, 0000
SCOTT A COOPER, 0000
DAVID M COOPERMAN, 0000
JAMES R COPPERSMITH, 0000
ERIC M CORCORAN, 0000
MARC D COSTAIN, 0000
JOSEPH M COUREY, 0000
PAUL T COURTAWAY JR., 0000
JOHN H COVINGTON JR., 0000
KENNETH L CRABTREE, 0000
DARYL G CRANE, 0000
TIMOTHY S CRONIN, 0000
ALAN F CROUCH, 0000
PAUL D CUCINOTTA, 0000
DREW E CUKOR, 0000
MATTHEW C CULBERTSON, 0000
CORY M CUNNINGHAM, 0000
WILLIAM H CUPPLES, 0000
MATTHEW DALKIEWICZ, 0000
KEVIN J DALY, 0000
ROGER P DALZIEL, 0000
CHARLES E DANIEL, 0000
ROMIN DASMALCHI, 0000
BRENT R DAVIS, 0000
MADELEINE DAVIS, 0000
MICHAEL A DAVIS, 0000
NICHOLAS E DAVIS, 0000
YOLANDA DAVIS, 0000
SARAH M DEAL, 0000
JOHN E DEATON, 0000
MICHAEL E DEHNER, 0000
GARY E DELGADO, 0000
WILLIAM L DEPUE JR., 0000
SCOTT T DERKACH, 0000
PAUL T DEUTSCH, 0000
CHRISTOPHER P DEVER, 0000
GERT J DEWET, 0000
JORGE DIAZ, 0000
DAVID I DIERSEN, 0000
ANDREW L DIETZ, 0000
DANIEL J DIMICCO, 0000
SEAN R DOBECK, 0000
THOMAS J DODDS, 0000
JANET M DOERNING, 0000
JOHN J DONAHOE, 0000
JONATHAN M DONIGAN, 0000
LANCE S DORMAN, 0000
DARRYL W DOTSON, 0000
CRAIG R DOTY, 0000
PETER M DOUGHTY, 0000
ROBERT D DOZIER, 0000
ANDREW J DRAKE, 0000
JOHN G DUCOTE, 0000
KEVIN C DUGAN, 0000
STEVEN E DUKE, 0000
FRANKLIN C DUNN, 0000
BRIAN M DWYER, 0000
KURT G EBAUGH, 0000
CURTIS V EBITZ JR., 0000
BRIAN W ECARIUS, 0000
BEN T EDWARDS JR., 0000
HAROLD B EGGERS, 0000
JAY M EGLOFF, 0000
BRIAN D EHRLICH, 0000
JEFFREY A EICHHOLZ, 0000
CHRISTIAN T ELLINGER, 0000
JAMES B ELLIS, 0000
KYLE B ELLISON, 0000
DOUGLAS J ENGEL, 0000
DAREN J ERICKSON, 0000
JEFFREY R ERTWINE, 0000
ANTHONY C FABIANO, 0000
IAN M FACEY SR, 0000
PETER C FAERBER, 0000
THOMAS M FAHY JR., 0000
JAMES P FALLON, 0000
RONALD M FARRIS JR., 0000
CHRISTOPHER M FEARS, 0000
FREDERICK G FERARES, 0000
GREG A FEROLDI, 0000
TODD W FERRY, 0000
TIMOTHY J FETSCH, 0000
CHRISTOPHER A FEYEDELEM, 0000
JOHN M FIELD, 0000
DANNY R FIELDS, 0000
ANDREW T FITZPATRICK, 0000
BRIAN G FITZPATRICK, 0000
ERIC C FLEMING, 0000
ANDREW J FLOYD, 0000
VINCENT H FONTENOT JR., 0000
KEITH A FORKIN, 0000
MATTHEW J FOWLER, 0000
WESLEY A FRASARD JR., 0000
ERIK G FRECHETTE, 0000
THOMAS J FREEL, 0000
ROBERT A FREELAND, 0000
LLOYD D FREEMAN, 0000
JAMES W FREY, 0000
KEITH A FRY, 0000
BRYON J FUGATE, 0000
ALEX K FULFORD, 0000
ROBERT C FULFORD, 0000
DARYL M FULLER, 0000
JAMES H FULLER, 0000
MARK R FULLER, 0000
JAMES R FULLWOOD JR., 0000
THOMAS M GAINOR, 0000
CHRISTOPHER J GALFANO, 0000
EDWARD A GARLAND, 0000
DANIEL W GEISENHOF, 0000
JASON S GERIN, 0000
WILLIAM W GERST JR., 0000
STEPHEN P GHOLSON, 0000
ROBERT R GICK, 0000
JOSEPH C GIGLIOTTI, 0000
ERIC M GILLARD, 0000
DEREK E GILLETTE, 0000
ERIC A GILLIS, 0000
WILLIAM E GLASER IV, 0000
DOUGLAS V GLASGOW, 0000
TIMOTHY C GOLDEN, 0000
HENRY L GONZALES, 0000
DANIEL F GOODWIN, 0000
PAUL A GOSDEN, 0000
ADRIAN C GOSS, 0000
WENDY J GOYETTE, 0000
JEFFREY M GRAHAM, 0000
DAVID P GRANT, 0000
JERAMY GREEN, 0000
MICHAEL T GREENO, 0000
DANIEL Q GREENWOOD, 0000
JUSTIN T GREINER, 0000
SEAN M GRENIER, 0000
THOMAS C GRESSER II, 0000
MICHAEL D GRICE, 0000
DAVID M GRIESMER, 0000
JOHN C GRISDALE, 0000
JOSEPH S GROSS, 0000
THOMAS A GRUNDHERR, 0000
PATRICK M GUINEE, 0000
CHRISTOPHER R HAASE, 0000
TERRY D HAGEN, 0000
WILLIAM T HAGEROTT, 0000
WILLIAM G HALL, 0000
JOSHUA P HALLETT, 0000
JON L HALVERSON, 0000
PATRICK H HANDLEY, 0000
MARK P HANEY, 0000
MICHAEL J HARMON, 0000
STUART M HARNESS, 0000
KEVIN C HARRIS, 0000
CHRISTIAN D HARSHBERGER, 0000
CARLTON W HASLE, 0000
JOHN W HATALA, 0000
ROBERT A HAUGHTON, 0000
MARK D HAWKINS, 0000
SEAN D HAYES, 0000
WESLEY T HAYES, 0000
DANIEL P HEALEY, 0000
KEVIN M HEARTWELL, 0000
RONALD E HEATH, 0000
CHAD T HEDLESTON, 0000
LEE G HELTON, 0000
CARL C HENGER, 0000
BRENT S HEPPNER, 0000
RAPHAEL HERNANDEZ, 0000
JOHN B HICKS, 0000
KARL E HILL, 0000
JOHN G HINSON, 0000
DANIEL P HINTON, 0000
PATRICK R HITTLE, 0000
MICHAEL O HIXSON, 0000
MICHAEL R HODSON, 0000
TIMOTHY H HOGAN, 0000
MITCHELL L HOINES, 0000
JOHN G HOLBROOK, 0000
SEANAN R HOLLAND, 0000
PIERRE G HOLLIS, 0000
RENEE A HOLMES, 0000
EVAN N HOLT, 0000
JEFFREY C HOLT, 0000
WILLIAM W HOOPER, 0000
PATRICK S HOULAHAN, 0000
JAMES E HOWARD, 0000
COLT J HUBBELL, 0000
MIKEL R HUBER, 0000
LAWRENCE E HUGGINS JR., 0000
BRIAN G HUGHES, 0000
THOMAS P HUMANN, 0000
NATHAN E HUNTINGTON, 0000
MICHAEL J IRONS, 0000
CHRISTOPHER B JACKSON, 0000
JEFFREY J JACKSON, 0000
THOMAS C JARMAN, 0000
DAVID K JARVIS, 0000
JEFFREY R JOHNSON, 0000
KARL E JOHNSON, 0000
JASON A JOHNSTON, 0000
CHARLES E JONES JR., 0000
DAVID E JONES, 0000
BRIAN P KALK, 0000
MICHAEL T KAMINSKI, 0000
KENNETH D KARIKA, 0000
JEFFREY S KAWADA, 0000
DANIEL R KAZMIER, 0000
PATRICK J KEANE III, 0000
AARON P KEENAN, 0000
HUNTER R KELLOGG, 0000
HOLLIE D KELLY, 0000
MATTHEW G KELLY, 0000
THOMAS E KERLEY, 0000
MILLER J KERR, 0000
ASLAM G KHAN, 0000
KYLE T KIMBALL, 0000
ROBERT L KIMBRELL II, 0000
PATRICK S KIRCHNER, 0000
SCOTT J KISH, 0000
CHRISTOPHER L KOELZER, 0000
WILLIAM S KOHMUENCH, 0000
FRANKLIN P KOLBE, 0000
STEVEN J KOTANSKY, 0000
BRYAN K KRAMER, 0000
ADAM R KUBICKI, 0000
DOUGLAS V KUHN, 0000
WALTER W KULAKOWSKI, 0000
ALEXANDER J KUZMA, 0000
SCOTT S LACY, 0000
JOHN P LAGANA JR., 0000
TROY D LANDRY, 0000
EDWARD T LANG, 0000
DARYL J LANINGA, 0000
STUART C LANKFORD, 0000
WILLIAM F LAPRATT, 0000
ERIC R LARSON, 0000
TERRENCE H LATORRE, 0000
FRANK N LATT, 0000
BRUCE W LAUGHLIN, 0000
PATRICK T LAVIGNE, 0000
GARY P LEE, 0000
WALTER S LEE JR., 0000

RAYMOND H LEGALL, 0000
MICHAEL T LEGENS JR., 0000
JASON D LEIGHTON, 0000
WENDELL B LEIMBACH JR., 0000
MARK J LENNERTON, 0000
MICHAEL D LEPSON, 0000
REGINALD LEWIS, 0000
RODNEY L LEWIS, 0000
RAUL LIANEZ, 0000
MARK D LIGHT, 0000
ROBERT S LIST, 0000
MARK A LISTER, 0000
ERIC S LIVINGSTON, 0000
ERIK A LLUFRIO, 0000
CURTIS T LOBERGER, 0000
DANIEL C LOGAN, 0000
JOSEPH A LORE, 0000
MELVIN L LOVE, 0000
MICHAEL W LOWES, 0000
JOHN M LOZANO, 0000
DAVID W LUCAS, 0000
JOSEPH A LUCIA III, 0000
RICHARD J LUCIER, 0000
JOSHUA L LUCK, 0000
HENRY W LUTZ III, 0000
JOHN J LUZAR, 0000
WILLIAM R LYNCH, 0000
JOSEPH F LYONS, 0000
JOHN F MACEIRA, 0000
JASON R MADDOCKS, 0000
SCOTT A MADZIARCZYK, 0000
MICHAEL S MAGEE, 0000
GEORGE G MALKASIAN, 0000
DENNIS A MANACO, 0000
MICHAEL P MANDEL, 0000
ROBB P MANSFIELD, 0000
SHAWN E MANSFIELD, 0000
RUSSELL W MANTZEL, 0000
LEONARD F MARTIN, 0000
HERIBERTO A MARTINEZ, 0000
DEMETRIUS F MAXEY, 0000
JOSEPH E MAYBACH, 0000
DAVID H MAYHAN, 0000
CLYDE D MAYS, 0000
THOMAS G MCCANN II, 0000
MATTHEW J MCCORMACK, 0000
MATTHEW J MCDIVITT, 0000
ROGER T MCDUFFIE, 0000
GARY D MCGEE, 0000
PATRICK M MCGEE, 0000
ALAN G MCKINNON, 0000
MARIA S MCMILLEN, 0000
WILLIAM J MCWATERS, 0000
JEFFREY W MEGARGEL, 0000
FRANCISCO J MELERO, 0000
ELDON E METZGER, 0000
RALPH B MEYERS, 0000
SAMUEL L MIDDLETON, 0000
DAVID M MIKKOLA, 0000
CHARLES J MILES, 0000
ALEXANDER H MILLER, 0000
BOYD A MILLER, 0000
DANIEL E MILLER, 0000
PAUL W MILLER, 0000
LYNE H MILLS, 0000
TERRY S MILNER, 0000
THOMAS P MITALSKI, 0000
ROBBY J MITCHELL, 0000
JOHN V MOLOKO, 0000
MICHAEL C MONTI, 0000
BRIAN P MONTOYA, 0000
MICHAEL J MOONEY, 0000
SEAN P MOONEY, 0000
CURTIS E MOORE II, 0000
KEITH F MOORE, 0000
JUAN J MORENO, 0000
JERRY R MORGAN, 0000
PAUL T MORGAN, 0000
ROBERT S MORGAN, 0000
DAVID C MORRIS, 0000
JASON L MORRIS, 0000
JOE H MORRIS, 0000
CHRISTOPHER D MORTON, 0000
HAROLD M MOSLEY, 0000
MICHAEL L MULLER, 0000
LANCE D MUNIZ, 0000
MAUREEN B MURPHY, 0000
JOSEPH C MURRAY, 0000
MICHAEL D MYERS, 0000
THOMAS J NAUGHTON JR., 0000
JAMES D NEAL JR., 0000
NATHAN G NEBLETT, 0000
BRIAN W NEIL, 0000
CHANDLER S NELMS, 0000
DOUGLAS B NELSON, 0000
MARCUS J NELSON, 0000
GEORGE J NEMES JR., 0000
JULIE L NETHERCOT, 0000
JOHN M NEVILLE JR., 0000
ANDREW M NIEBEL, 0000
EDWARD W NOVACK, 0000
BERNARD J NOWNES II, 0000
PAUL J NUGENT, 0000
CLINT J NUSSBERGER, 0000
CHRISTOPHER A OBALLE, 0000
DAVID M OCONNELL, 0000
KENNETH A OLDHAM, 0000
ERIC G OLSON, 0000
MICHAEL J ONEIL, 0000
GEORGE R OPRIA, 0000
PLACIDO C ORDONA JR., 0000
JOHNJOHN E ORILLE, 0000
JOHN C OSBORNE JR., 0000
MICHAEL S OSHAUGHNESSY, 0000
JOHN J OTOOLE III, 0000
SOUTSANASO OUNKHAM, 0000
DAVID S OWEN, 0000
KEITH E OWENS, 0000
PATRICK R OWENS, 0000
LOUIS J PALAZZO, 0000
SEAN D PARKER, 0000
TERRY L PATTERSON, 0000
CHRISTOPHER D PATTON, 0000
JEFFERY S PAULL, 0000
CLARKE A PAULUS, 0000
GEORGE L PAVEY, 0000
JOHN S PAYNE II, 0000
SCOTT A PAYNE, 0000
SCOTT B PEARSON, 0000
THOMAS A PECINA, 0000
ERIC A PECK, 0000
JACQUES T PELLETIER, 0000
DANIEL K PENCE, 0000
TODD E PERRY, 0000
JOHN PERSANO III, 0000
PHILLIP E PETERS II, 0000
RICHARD E PETERSEN, 0000
DAVID S PETERSON, 0000
JOHN D PETERSON, 0000
RONALD J PETERSON, 0000
ANDREW J PETRUCCI, 0000
DAVID H PETTERSSON, 0000
CHRISTOPHER L PHELPS, 0000
LLOYD G PHILLIPS JR., 0000
MICHAEL A PHILLIPS, 0000
RAYMOND J PLACIENTE, 0000
DARRELL W PLATZ, 0000
RICARDO T PLAYER, 0000
JOHN R POLIDORO JR., 0000
THOMAS E PRENTICE, 0000
TODD E PRESCOTT, 0000
CHARLES P PRESTON IV, 0000
JOHN J PRIFF, 0000
JAMES A PRITCHARD, 0000
MICHAEL J PROUTY, 0000
JOHN A PRYCE, 0000
MICHAEL A PURCELL, 0000
ERIC A PUTMAN, 0000
SCOTT C RAINVILLE, 0000
KELLY C RAMSHUR, 0000
CARLOS G RASCON, 0000
RICHARD R RAY JR., 0000
MICHAEL T RECCE, 0000
ROBERT D REDMOND II, 0000
MARVIN REED, 0000
KEVIN P REILLY, 0000
NORMAN L REITTER, 0000
DAVID S RENTZ, 0000
TIMOTHY D RENZ, 0000
THOMAS J REPETTI SR, 0000
MATTHEW B REUTER, 0000
DAVID A REYNOLDS, 0000
GREGORY F RHODEN, 0000
ROBERT C RICE, 0000
WILLIAM G RICE IV, 0000
RODNEY A RICHARDSON, 0000
CHRISTOPHER S RICHIE, 0000
RYAN S RIDEOUT, 0000
SEAN R RIGGS, 0000
SEAN M RIORDAN, 0000
PHILLIP R ROBERSON JR., 0000
BENJAMIN A ROBERTSON, 0000
BRIAN P ROBINS, 0000
GEORGE M ROBINSON, 0000
STEVEN ROBINSON, 0000
EDWARD J RODGERS, 0000
CARLOS R RODRIGUEZ JR., 0000
FRANCISCO J RODRIGUEZ, 0000
CRAIG D ROGERSON, 0000
ERIC J ROPELLA, 0000
ERIC S ROTH JR., 0000
GARY D ROTSCH, 0000
JAMES K ROUDEBUSH, 0000
CARLOS O ROWE, 0000
GEORGE B ROWELL IV, 0000
HAROLD J RUDDY, 0000
JEFFREY N RULE, 0000
JOSEPH J RUSSO, 0000
RONALD J RUX JR., 0000
MICHAEL V SAMAROV, 0000
BRIAN G SANCHEZ, 0000
ELEAZAR O SANCHEZ, 0000
DAVID B SANDVOLD, 0000
OWEN A SANFORD, 0000
FREDERICK G SCHENK, 0000
KURT J SCHERER, 0000
RICHARD A SCHILKE, 0000
JAMES A SCHNELLE, 0000
ROBERT W SCHRODER, 0000
ROBERT E SCHUBERT JR., 0000
JASON C SCHUETTE, 0000
JEFFERY SCHULMAN, 0000
MICHAEL E SCHUTTE, 0000
GEORGE A SCHUTTER III, 0000
MICHAEL B SCHWEIGHARDT, 0000
EDWIN L SCOGGIN, 0000
DOUGLAS J SCOTT, 0000
KEVIN R SCOTT, 0000
DANIEL D SEIBEL, 0000
JONATHAN W SELBY, 0000
KEITH E SHAFFER, 0000
WILLIAM D SHANNON, 0000
GLEN F SHARLUN, 0000
PETER J SHELBY, 0000
MARK W SHELLABARGER, 0000
DANIEL L SHIPLEY, 0000
DALE E SHORT, 0000
MARK T SILCOX, 0000
TIMOTHY A SILKOWSKI, 0000
TODD P SIMMONS, 0000
TY A SIMMONS, 0000
THOMAS K SIMPERS, 0000
MICHAEL S SIMS, 0000
WALTER S SKRZYNSKI, 0000
WILLIAM M SLOAN, 0000
MARK E SLUSHER, 0000
DAVID W SMITH, 0000
DUNCAN D SMITH JR., 0000
MARCUS C SMITH, 0000
MARK D SMITH, 0000
SAMUEL H SMITH, 0000
MICHAEL J SOBKOWSKI JR., 0000
ALAN W SOLTER, 0000
JOHN H SORENSON, 0000
DAVID B SOSA, 0000
KURT J SPACKMAN, 0000
ANTHONY M SPARAGNO JR., 0000
PHILLIP E STACKHOUSE, 0000
SEAN R STALLARD, 0000
ROBERT T STANFORD, 0000
JAMES L STANLEY, 0000
MARK J STANTON, 0000
MICHAEL C STARLING, 0000
MICHAEL J STEELE, 0000
JEFFREY A STIVERS, 0000
JAMES B STONE IV, 0000
DAVID E STRAUB, 0000
BRIAN L STROBEL, 0000
SCOTT P SUCKOW, 0000
MICHAEL J SUTHERLAND, 0000
TRAVIS L SUTTON, 0000
CHAD D SWAN, 0000
SHAWN M SWIER, 0000
DAVID S SYLVESTER, 0000
PATRICIO A TAFOYA, 0000
GLENN K TAKABAYASHI, 0000
CHRISTOPHER P TANSEY, 0000
MICHAEL J TARGOS III, 0000
EDWARD R TAYLOR, 0000
JOHN E TAYLOR, 0000
MONTE D TENKLEY, 0000
BRADFORD J TENNEY, 0000
ROBERT E THIEN, 0000
IVAN G THOMAS, 0000
MICHAEL A THOMAS, 0000
TIMOTHY W THOMASSON, 0000
MARK C THOMPSON, 0000
JOHN D THURMAN, 0000
ROBERT B TIFFT, 0000
CLAY C TIPTON, 0000
BRIAN F TIVNAN, 0000
JEFFERY J TLAPA, 0000
KRIS A TLAPA, 0000
TODD S TOMKO, 0000
WILLIAM H TORRICO, 0000
SCOTT M TOUNEY, 0000
JOHN C TREPKA, 0000
DAVID W TURNER, 0000
LARRY E TURNER JR., 0000
STEPHEN A TYNAN, 0000
SCOTT E UKEILEY, 0000
WILLIAM A ULLMARK JR., 0000
CARLOS O URBINA, 0000
TONY UZZLE, 0000
GABRIEL L VALDEZ III, 0000
HENRY E VANDERBORGHT, 0000
MICHAEL K VANNEST, 0000
STEPHEN K VANRIPER, 0000
MICHAEL C VARICAK, 0000
LUIS E VELAZQUEZ, 0000
LUIS E VILLALOBOS, 0000
SALVATORE VISCUSO III, 0000
GLENN C VOGEL, 0000
ROBERT M VOITH, 0000
DEAN J VRABLE, 0000
RHETT J VRANISH, 0000
WILLIAM N WAINWRIGHT, 0000
JASON E WALDRON, 0000
TODD S WALDRON, 0000
CHRISTOPHER K WALES, 0000
RICHARD E WALKER III, 0000
TYRONE WALLS, 0000
BENNETT W WALSH, 0000
DAVID C WALSH, 0000
CHRISTOPHER B WALTERS, 0000
WILLIAM M WANDO, 0000
ROBERT Q WARD, 0000
JAMES W WATERS, 0000
MCCLENDON N WATERS III, 0000
CLARK E WATSON, 0000
TIMOTHY C WATTS, 0000
PAUL R WEAVER, 0000
HENRY D WEEDE, 0000
AARON D WEISS, 0000
JAMES B WELLONS, 0000
MARTIN F WETTERAUER III, 0000
WILLIAM L WHEELER JR., 0000
EDWARD J WHITE, 0000
JOSEPH K WHITE, 0000
STEVEN J WHITE, 0000
TERENCE H WHITE, 0000
ZACHARY M WHITE, 0000
KEITH E WHITEHOUSE, 0000
RICHARD W WHITMER, 0000
BENJAMIN D WILD, 0000
JOSEPH D WILLIAMS, 0000
ROCKY W WILLIAMS III, 0000
ROBERT H WILLIS JR., 0000
JUSTIN W WILSON, 0000
PETER C WILSON, 0000
CARL D WINGO, 0000
CRAIG C WIRTH, 0000
STEVEN M WOLF, 0000
CRAIG R WONSON, 0000
BRYAN K WOOD, 0000
RONALD S WOOD, 0000
KEVIN S WOODARD, 0000
JOSEPH B WOODS, 0000
ERIK G WOODSON, 0000
BENJAMIN Z WOODWORTH, 0000
JASON G WOODWORTH, 0000

GREGORY T WRIGHT, 0000
TROY V WRIGHT, 0000
JOSEPH A WRONKOWSKI, 0000
WILLIAM WROTEN JR., 0000
JAY D WYLIE, 0000
DANIEL L YAROSLASKI, 0000
DAVID J YOST, 0000
DEVIN C YOUNG, 0000
PAUL F ZADROZNY JR., 0000
SIDNEY G ZELLER, 0000
PHILLIP M ZEMAN, 0000
ANTHONY M ZENDER, 0000
JAY K ZOLLMANN, 0000

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

BRUCE R. CHRISTEN, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

COLE J. KUPEC, 0000

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be commander

JAMES E. LAMAR, 0000

THE FOLLOWING NAMED OFFICERS FOR TEMPORARY APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 5721:

To be lieutenant commander

PROBERT E BEBERMEYER, 0000
THOMAS A BUSHAW, 0000
JOSHUA B ELKINS, 0000
JORGE R FLORES, 0000
RANDALL R HARRIS, 0000
TIMOTHY I MIKLUS, 0000
ANDREW T MILLER, 0000
JOHN J MOLINARI, 0000
JAMES L MUNIZ, 0000
THOMAS J PETRUCCI JR., 0000
CHRISTOPHER D ARDON, 0000
BENJAMIN A SHUPP, 0000

EXTENSIONS OF REMARKS

TRIBUTE TO THE GIRL SCOUTS OF AMERICA IN RECOGNITION OF THE 90TH ANNIVERSARY OF THE GIRL SCOUTS

HON. J. DENNIS HASTERT

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Mr. HASTERT. Mr. Speaker, I rise today to pay tribute to the Girl Scouts of the USA in recognition of their 90th anniversary.

From the small beginnings of a group of 18 girls gathered in Savannah, Georgia, Girl Scouting has grown to a membership of 3.8 million women and girls worldwide. For 90 years now, Girl Scouts of the USA has been encouraging young women to develop and meet their full potential.

As a former high school teacher, I can attest that the positive values learned in the Girl Scout program will help these girls make sound decisions throughout their lives. The Girl Scouts of the USA teaches girls to contribute to society and, through their interaction with the community around them, develop a strong sense of self-confidence and a willingness to take on responsibility. These qualities create a strong foundation, which will enable them to grow into quality citizens and effective leaders.

While Girl Scouting provides opportunities for community service to girls of all ages, senior Girl Scouts are able to build upon their service experience in the Gold Award program. The Girl Scout Gold Award program encourages senior Girl Scouts to use their leadership skills, career interests and personal values to meet an expressed need in their community.

The Girl Scouts of the USA have done an exceptional job of cultivating a positive atmosphere that allows young women to develop confidence in themselves, as well as a desire to serve their communities. I applaud them for their commitment to our nation's children, and am hopeful they will continue to make a positive difference in the lives of young adults for years to come.

HONORING CORPORAL PETER PATZER

HON. JOSEPH M. HOEFFEL

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Mr. HOEFFEL. Mr. Speaker, I rise today to congratulate Corporal Peter Patzer who retired from the Lower Gwynedd Township Police Department in Montgomery County, Pennsylvania, after twenty-seven years of outstanding service.

Mr. Patzer served in the United States Navy from 1965 through 1967. He served on the USS *Forrestal* CVA–59 Mediterranean Fleet and was honorably discharged in 1971 with the rank of E–3. He returned home and began his tenure with Lower Gwynedd as a police officer in 1974 and was later promoted to Corporal in 1987.

Corporal Patzer served as the Traffic Safety officer for Lower Gwynedd Township. He has been recognized by his community for his fine work and service.

I am pleased to honor Corporal Peter Patzer on his retirement. He has made significant contributions to his community and is deserving of the praise he has received from members of his community.

TRIBUTE TO MR. JOSEPH A. KNOTHE, RECIPIENT OF THE LIEUTENANT GENERAL JOSEPH J. REDDEN AWARD

HON. ROBERT E. (BUD) CRAMER, JR.

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Mr. CRAMER. Mr. Speaker, I rise today to recognize Mr. Joseph A. Knothe of Huntsville, Alabama for receiving the 2001 Lt. Gen. Joseph J. Redden Award, a very prestigious honor recognizing the nation's highest ranked Air Force pilot and navigator candidate in order of merit.

Mr. Knothe, a 1997 graduate of Grisson High School in Huntsville, Alabama, is now a senior majoring in mechanical engineering at Auburn University and is the school's top ranked Air Force cadet. Last year, he was among only thirty-five cadets in the nation to be selected to attend the Euro-NATO Joint Jet Pilot Training program based in Wichita Falls, Texas, Cadets selected for this demanding pilot training are sent to Sheppard Air Force Base where they are trained solely on fighter jets.

Mr. Speaker, I wish to express my sincere congratulations to Joseph Knothe for receiving this distinguished award. The criteria for the award are highly competitive and include grade point average, physical fitness, an Air Force Officer Qualifying Test, a Basic Attributes Test, and Commander's Ranking.

Joseph Knothe will graduate with honors from Auburn University and be commissioned a second lieutenant in the U.S. Air Force in May 2002, which will no doubt launch his career as a future leader in our nation's military. I commend Mr. Knothe for his achievements and wish him the best in his future career in the United States Air Force.

PROVIDING FOR CONSIDERATION OF H. CON. RES. 353, CONCURRENT RESOLUTION ON THE BUDGET, FISCAL YEAR 2003

SPEECH OF

HON. JAMES R. LANGEVIN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 20, 2002

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H. Con. Res. 353) establishing the congressional budget for the United States Government for fiscal year 2003 and setting forth appropriate budget levels for each of fiscal years 2004 through 2007:

Mr. LANGEVIN. Mr. Chairman, I rise today in strong opposition to this budget resolution, which undermines our long-term fiscal health and spends a huge portion of the Social Security and Medicare surpluses.

I stand united with the President and my colleagues on both sides of the aisle in our commitment to defeat terrorism and to do what is necessary to preserve national security both at home and abroad. However, despite the many new security and economic challenges confronting us, our homeland protection efforts and fiscal policies should not shortchange Social Security and other national priorities. We can win the war against terrorism without raiding the Social Security and Medicare Trust Funds and without increasing the national debt.

Earlier this year, the Congressional Budget Office (CBO) confirmed that in less than a year the 10-year projected surplus declined by $4 trillion. While portions of this decline are a result of the war and the economic downturn, the depletion of the surplus to date was largely caused by last year's massive and fiscally irresponsible tax cut package. The additional billions in tax cuts proposed in this year's budget would only worsen our current situation and lead us further down the path of mounting deficits and escalating public debt. To pay for the additional tax cuts, this budget would raid more than $1.5 trillion from the Social Security and Medicare Trust Funds over the next ten years to cover deficits in the rest of the federal budget. We need a wartime freeze on tax cuts to avoid deficit spending.

When I was elected to Congress, I promised my constituents that I would protect the Social Security and Medicare Trust Funds. And I was not alone. Over one hundred of my colleagues have co-sponsored legislation to prevent Congress from spending the Social Security and Medicare surpluses, and the House of Representatives has voted four times in the past three years to establish lockboxes for these funds.

The Administration and the Republican Leadership made the very same pledge to not touch these vital trust funds. This budget breaks that promise. It is time to honor our commitments by acknowledging our current situation and working together to craft budget that is fair and fiscally responsible.

Moreover, this resolution uses overly optimistic Administration budget estimates rather than the usual non-partisan estimates from the Congressional Budget Office. Furthermore, it assumes unacceptable cuts in key domestic priorities such as education, housing, health care, job training and environmental protection, even though Congress will likely restore the needed funding. While this resolution provides $350 billion in additional Medicare spending, it would place a Medicare prescription drug benefit in competition with Medicare ''modernization,'' as well as provider givebacks that the Republican Leadership has estimated will costs as much as $174 billion. The projections also leave out an assessment of the lost revenue from extending expiring tax credits and modifying the individual minimum tax that will impact 39 million middle-income taxpayers over the next 10 years. And these five-year projections fail to disclose the cost of making last year's tax cuts permanent, as the Administration's budget proposes. Over the customary ten-year budgetary window, extending the tax cuts cost $400 billion. A more realistic set of assumptions would show that the 10-year budget surplus has already vanished.

The disappearance of the 10-year surplus compels us to consider not just a one-year but also a long-term budget plan. The American people have the right to know how the Congress proposes to restore fiscal discipline while enacting additional tax cuts, boosting spending for the military and meeting commitments to a growing number of retirees. The Administration and Congress should devise budgetary rules that make tax cuts and spending contingent on the realization of specified targets for the budget surplus and the federal debt. Unfortunately, this budget fails on all those counts.

I am also deeply concerned about the draconian cuts to the Small Business Administration. The budget proposes cutting funding for the 7(a) loan program in half. Last year, this loan program provided over $94 million in assistance to Rhode Island's small business community. Additionally, the Administration proposed cutting funding for employment and training programs by $685 million. With more than 1.4 million workers laid off over the last year, we need this funding now more than ever. The budget would also slash the Low-Income Home Energy Assistance Program (LIHEAP) by #$300 million. This program is crucial for all New England states and particularly for our seniors, who might otherwise be forced to choose food over heat. Finally, the budget would cut $417 million from Public Housing Capital Fund, which helps provide 1.2 million families nationwide—40 percent of whom are elderly or disabled—with affordable housing. Housing needs are especially acute in Rhode Island, where 38 percent of renter households pay more than 30 percent of their income for rent.

I urge my colleagues to reject this misguided budget and to develop one that will ensure security at home and abroad, without dramatically increasing our debt, borrowing against Social Security and Medicare, or abandoning our commitments to children, workers, senior citizens and all Americans.

SOLIDARITY WITH ISRAEL

HON. CAROLYN McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Mrs. McCARTHY of New York. Mr. Speaker, I rise to express my strong solidarity with Israel during this time of crisis.

Built on the backs of international Jewry, consisting largely of pogrom and Holocaust survivors, modern Israel has weathered many battles against her existence. Our sole democratic ally in the Middle East, Israel is no larger than the state of New Jersey, and is situated amid enemy nations. These countries and their leaders have objected to Israel's existence since her declaration of Independence in 1948. It wasn't until 1979 that Israel entered into a peace treaty with Egypt, and 1994 with Jordan. Nevertheless, the Israeli people defied all odds; the army won countless wars and small battles, and the western society flourished.

After the Intifada of the late 1980s, Israel took a monumental step by joining Yasser Arafat, chairman of the PLO, in signing the Oslo Accords. This agreement laid out specific steps to be taken by both parties to ensure a lasting peace in the region. The PLO renounced terrorism, and Israel recognized it as the representative of the Palestinian people. At the same time, guidelines were given for the election and creation of a Palestinian government in the West Bank and Gaza Strip, and the redeployment of Israeli troops from those regions.

The period since 1993 can be characterized as a struggle between those who were committed to peace and the necessary steps to maintain the peace, and those who weren't. Yasser Arafat's renunciation of terrorism was never realized; suicide bombings and terrorist attacks peppered the peaceful landscape in Israel. Obviously, there are two sides to every situation. Although Israel took steps to withdraw from the West Bank and Gaza Strip, Jewish settlements were continually built and populated. This undoubtedly contributed to the sense of unrest.

In 2000, the situation combusted. We called it the second Intifada, but wasn't it just a continuation of the first? The use of terror as a political tool never ended; the current crisis is merely a culmination of the inevitable. The situation reached a detrimental turning point with the reprehensible act of terror we now call the Passover Massacre. This was followed with a string of suicide bombings perpetrated against different populations in Israel.

Today, Israel finds herself in an unbearable situation. Despite Israeli trust, Yasser Arafat allowed terrorism to invade Israeli society. He failed to keep his promise, and as the elected leader of the Palestinian people, he must take responsibility for his inaction. Israel has every right to enter Palestinian cities and refugee camps to root out terror. What other choice does Israel have? Is Israel supposed to wave suicide bombers through the checkpoints, allow wanted terrorists to go without arrest? Are we to expect Israel to sit by and watch her country crumble, and her people be murdered in groups of 20 while they sip coffee at cafes?

The answer is an unequivocal no. And as a Member of Congress, I will support Israel's decision regarding security and self-defense in any way possible.

IN HONOR OF MIMI SILBERT

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Ms. PELOSI. Mr. Speaker, I rise to salute Mimi Silbert, President, Chairman and CEO of the Delancey Street Foundation, on the occasion of her 60th Birthday and the 30th Anniversary of Delancey Street.

Mimi Silbert is the cofounder and director of Delancey Street; a San Francisco-based self-help residential education center where drug addicts, criminals, and the homeless go to turn their lives around.

Since 1971 more than 14,000 people have successfully been through the Delancey Street program and are now leading crime-free, drug-free lives in mainstream society. Residents have learned to read and have acquired skills; they attend college and are part of the work force, they are raising families, they are clean, they are sober, they are reborn. And each and every one of them has the extraordinary Mimi Silbert to thank for changing their lives.

All of this is done at no cost to the taxpayer or client. One of the most unique features of Delancey Street is that they have never accepted government funds nor do they have any staff. Delancey Street has started over 20 business training schools which generate income and train the residents in marketable skills.

The psychiatrist Karl Menninger has called Delancey Street ''the best and most successful rehabilitation program in the world.'' There are now five facilities throughout the country: San Francisco, Los Angeles, New Mexico, New York, and North Carolina.

Mimi Silbert is an inexhaustible dynamo who does what she does not of love, commitment and belief in the value of humanity. She has been called the ''Mother Teresa of America's down and out''. In San Francisco she is our treasure who has touched and miraculously changed so many lives. We love her and are forever in her debt.

I am proud to join my constituents to thank and praise Mimi Silbert for her marvelous achievements, indomitable spirit, and her inexhaustible service to San Francisco and our nation. As we celebrate her birthday we will keep in mind all those who have been reborn through her extraordinary life work. Happy Birthday Mimi!

HONORING 90 YEARS OF GIRL SCOUTING

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Mr. KILDEE. Mr. Speaker, I rise today to pay tribute to the 90th anniversary of the Girl Scouts organization. In the past 90 years, this organization has grown to a 3.8 million membership, making it the largest organization for girls in the world. Girl Scouts is a worldwide family of 10 million girls and adults in 140 countries. This organization should be honored for all the wonderful things it does to help empower our young girls.

Specifically, I would like to share with you the contributions of the Girl Scouts Fair Winds

Council that serves over 11,000 girls in my congressional district. The Fair Winds Council has two programs that I would like to talk about today. Both of these programs help empower young girls to rise above the status quo and become better citizens.

The first program I would like to talk about is Faces, a program developed in my hometown of Flint, MI. This program serves inner city girls, who come from single-family households and Faces attempts to break these young women out of the cycle of living in poverty by mentoring and doing community activities. Most notably, the young girls get to choose as a group two colleges or universities they would like to visit. Then through corporate sponsorships, these girls get an all expense paid trip to their choices. Last year 40 girls went on this trip. After the trip, these girls get help with filling out applications forms for college and with finding scholarships. Since this program began, 80 percent of its members have gone to college.

The second program, Fostering Issues, takes Girl Scouting to girls who are in foster care. Many of these young girls in foster care feel alone and afraid, and through this program, girls in the foster care system develop friendships. Through these friendships, these girls begin to develop social skills and trust in other people. They begin to develop self-esteem and believe that they too can become an important part of society.

Mr. Speaker, I ask the House of Representatives to join me in recognizing the truly amazing contributions the Fair Winds Council makes in my community. I invite my colleagues to find out all the wonderful things the Girl Scouts organization is doing in their own districts and commend them for 90 years of service to our communities.

CONGRATULATIONS TO HERSCHEL WISEBRAM FOR 50 YEARS OF SERVICE WITH WBHF RADIO

HON. BOB BARR

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Mr. BARR of Georgia. Mr. Speaker, I rise today to acknowledge a milestone which has recently occurred in the Seventh Congressional District in Georgia.

On April 5, 2002, Herschel Wisebram of Cartersville, Georgia, celebrated 50 years of service with WBHF Radio.

In 1946, shortly after World War II ended, the WBHF began to broadcast in Northwest Georgia. In 1952, Herschel Wisebram started at WBHF as a radio announcer, beginning a long distinguished career in the field of broadcasting.

WBHF Radio is a proven leader and has served the Cartersville area with distinction under Herschel's ownership.

Herschel has not just seen the changes Cartersville and the entire Atlanta and northwest Georgia area; he has reported the changing history of this small, southern town into what has been called one of the best and most livable small cities in the country. Herschel's strong sense of commitment to his community, is one of the reasons the quality of life in Cartersville and Bartow County is so enviable.

Mr. Speaker, I hope you and all of my Colleagues join me in saluting the motivation, dedication, and resolve that Herschel Wisebram has demonstrated for WBHF, for the advancement of radio broadcasting, for the city of Cartersville, and the people of Georgia.

MADNESS WITHOUT END?

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Ms. KAPTUR. Mr. Speaker, I submit the following article. The growing wave of Palestinian suicide bombings, followed inevitably by fierce Israeli military counter-attacks, ought to be proof for anyone that Middle East violence has degenerated beyond the bounds of any possible moral justification and into the realm of cultural psychosis.

Each side in this conflict continues to point a finger at the other, claiming, ''You started it,'' as if the childish refrain were reason enough to continue down what looks more and more like a path to Armageddon.

This is a regrettable characteristic of the Middle East mayhem, one not easily understood in the West. Any inclination to turn the other cheek is almost always overcome by religious and cultural injunctions to crush and grind the enemy into the dust. Charity toward an adversary, it seems, is a sign of weakness.

Arabs and Jews contesting the Holy Land are never going to make peace with each other until both sides have had their fill of the bloodbath. The question facing a horrified, uncomprehending world is ''when will enough be enough?''

The relentless procession of young Palestinians willing, even eager, to don explosives and give their lives to kill Jews and regain their historic homeland provides no indication of an early peace.

The so-called ''spiritual leaders'' of Hamas and other Palestinian movements point to such self-serving verses in the Qu'ran as, ''And slay them wherever ye find them and drive them out of the places whence they drove you out, for persecution is worse then slaughter.''

The Islamic militants who nurture, cultivate, and train the suicide bombers boast that they will send ''a million martyrs to Jerusalem,'' and who can doubt them?

The Israelis, who also claim this territory as a religious and historic right, fall back on the self-perpetuating justification of self-defense. Memories of the Holocaust (''Never again'') warn them of annihilation. The shock of the continued bombings neutralizes the nation's calmer voices and nascent peace movement. And violence begets violence.

The question of who is to blame no longer matters to a good bit of the outside world, but in the Middle East it remains pretty much the only issue. Until one side or the other takes responsibility, this burgeoning threat to humanity will continue to monopolize the world's resources and attention.

As much as we in the United States wish it were otherwise, what is happening in Israel and the West Bank cannot be separated from our war on terrorism. The same ancient fears and frustrations fuel both conflicts.

President Bush at first tried to distance the United States from the turmoil, but even he realizes now that inattention for several months last year was a mistake.

An end to the madness that has engulfed the region could be reached in several ways. The preferable one would be through the services of a negotiator of uncommon skill and forbearance, possibly someone who is not yet apparent on the diplomatic stage. Another more horrifying possibility: a cataclysm of bloodshed that would make the current suicide bombings seem tame by comparison.

World leaders, even those without a direct stake in the Middle East, have a responsibility to apply pressure on all the parties involved to see that the path of least violence is the one taken.

HONORING SERGEANT GARY O'CONNOR

HON. JOSEPH M. HOEFFEL

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Mr. HOEFFEL. Mr. Speaker, I rise today to congratulate Sergeant Gary O'Connor who retired from the Lower Gwynedd Police Department in Montgomery County, Pennsylvania on July 13, 2001 after twenty-seven years of service.

Sergeant O'Connor graduated from Penn State University with a Bachelor of Science degree. Throughout his career he has displayed a special interest in juvenile justice and headed the Lower Gwynedd Police Department juvenile division for ten years. Currently, he also is a trainer and consultant for the National Center for Missing and Exploited Children, the National School Safety Center, and the National Council of Juvenile and Family Court Judges. Since 1983, Sergeant O'Connor has also instructed and consulted on police training for the Federal Law Enforcement Training Center.

Sergeant O'Connor has received many awards for his fine work including Pennsylvania's Juvenile Officer of the Year, Montgomery County's Police Officer of the Year, and North Penn Area's Outstanding Police Officer. The police force was no doubt stronger because of Sergeant O'Connor.

It is a privilege to honor the contributions of Sergeant Gary O'Connor to the citizens of Lower Gwynedd.

TRIBUTE TO THE FIFTY-YEAR MEMBERS OF THE ALABAMA GRAND CHAPTER, ORDER OF THE EASTERN STAR

HON. ROBERT E. (BUD) CRAMER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Mr. CRAMER. Mr. Speaker, I rise today to recognize a group of ten members of the Alabama Grand Chapter of the Order of the Eastern Star who are celebrating their membership of over 50 years with Athens Chapter #214. I congratulate each of them for their many extraordinary years of charity and human outreach and wish them the best for many years of service to come.

Mr. Speaker, I want to commend Geneva Coulter, Juanita Turner, Roy H. Turner, Sr.,

Virginia Lonas Sharp, Cora Black, Sara Rudder, Gladys Rogers, Elree Culps, Onye M. Holliman, and Angie A. Nazaretian for fifty years of membership. For over half a century, these members have devoted themselves to their Limestone County community, their state, and their nation providing not only financial assistance but also their personal time whenever the community needs them.

The Alabama Grand Chapter of the Order of the Eastern Star was established in Alabama in 1901 in Montgomery. Thousands of members in the 200 chapters of this fraternal organization support countless numbers of charities and humanitarian projects such as cancer research and scholarships that enhance and enrich the lives of all of our citizens. I commend and thank this distinguished group for their service, and especially these fifty-year members of the Athens Chapter #214.

COMMEMORATING THE 182ND ANNIVERSARY OF GREEK INDEPENDENCE

HON. JAMES R. LANGEVIN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Mr. LANGEVIN. Mr. Speaker, I rise today in proud recognition of the 182nd anniversary of Greek Independence. This is a great day, for it commemorates the return of democracy to the cradle of Western Civilization after nearly four hundred years of foreign rule.

Greece has always been proud and independent by nature. Its people were a powerful force both culturally and militarily, as evidenced by the works of Homer and the multitude of Greek philosophers. The pinnacle of Greek influence was Alexander the Great and his unification of the eastern Mediterranean and ancient Middle East. Greek culture was spread throughout the new empire and for the first time, people were communicating with a common language, sharing ideas in a way never before possible. This Hellenization transformed every place is touched.

Nearly two thousand years later, another important concept from ancient Greece came to the forefront of modern thought. The concept of ''rule by the people'' gained prominence in the young United States. This was the desire of the framers of our Constitution, and they found their inspiration in the principles of the polis of Athens.

In 1821, thirty years after the birth of our nation, the people of Greece acted upon a desire to be free. The Ottoman Turks had conquered the region in 1453, bringing an end to over a thousand years of rule by the Orthodox-Christian Byzantine Empire and its resurgence of Greek culture. After a bloody eleven-year war, Greece was finally free once again.

In the modern era, one of the most important reminders of Greek heritage is the Olympic Games, which are finally returning to their origins in Athens in 2004 for the 25th Summer Olympic Games. For more than a century, the Olympics have symbolized peace and excellence for people the world over, reassuring us that even the smallest nation can compete on an equal ground with the largest.

With their intertwined histories, Greece and the United States stand as natural allies with a fine record of cooperation at the global level. The roots of this strong relationship are fixed in the two nations' shared views on independence, freedom, and democracy. These principles still flourish millennia after their creation, and the United States and Greece continue to uphold the promise of democratic ideals.

Mr. Speaker, it is this feeling that I believe is the greatest contribution Greece has given to our world: We are all equal, whether it is in our democratic government or in friendly competition, and we can come together in friendship even during the most difficult of times. With that, I would like to thank my colleagues for holding this special order and once again congratulate Greece on the anniversary of its independence and all of the gifts it has given us.

REMEMBERING RABBI ISRAEL MILLER

HON. CAROLYN McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Ms. McCARTHY of New York. Mr. Speaker, I rise in honor of Rabbi Israel Miller's contributions to the global Jewish community and in memory of his recent passing.

Rabbi Miller was born in Baltimore, MD., but he made his home in New York. A graduate of Yeshiva University, the Rabbi Isaac Elchanan Theological Seminary and Columbia University, Rabbi Miller was a well-learned man who dedicated his life to the needs of the international Jewish community.

Rabbi Israel Miller expressed his dedication to different members of the Jewish community through his activism and leadership in a variety of organizations. He served as president since 1982 of the Conference of Jewish Material Claims Against Germany, an organization dedicated to financial restitution of Holocaust survivors. Miller helped Soviet Jewry through his leadership of the American Jewish Conference on Soviet Jewry. He also served as chairman of the Conference of Presidents of Major American Jewish Organizations, founding and honorary president of the American Zionist Federation, and a founder of the Jewish Community Relations Council.

Rabbi Israel Miller lived a long, healthy and gratifying life. He is survived by his wife, Ruth, his four children, 19 grandchildren, eight great-grandchildren, and brother and sister. I share their pride over his achievements.

Rabbi Miller's accomplishments and contributions to our local, national and international community were obvious and greatly appreciated. His involvement in the peace process in Israel is notable and commendable, specifically in light of the recent conflict.

I join my constitutes and the entire Jewish community in remembering Rabbi Miller as a leader and role model for past, present and future generations.

CELEBRATING AFGHAN GIRLS GOING BACK TO SCHOOL

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Ms. PELOSI. Mr. Speaker, I commend Congresswoman TAMMY BALDWIN for her leadership and thank her for organizing today's statements. On March 23, the girls of Afghanistan returned to school, and on that day a milestone was reached in the re-establishment of Afghanistan's civil society. Preceding the takeover by the Taliban, women constituted 70 percent of the teachers in Afghanistan, 50 percent of the government workers, 40 percent of the health professionals. During the Taliban regime, women were forced out of the workforce and girls were banned from school. Now, the women are returning to work, and with the return of girls to school, Afghanistan is laying the groundwork for the full participation of all of its children in developing a brighter future.

As we celebrate this milestone in Afghanistan, we also must recognize the need for access to education for girls around the world. Nearly a quarter of the world's adult population cannot read and write and two thirds of the illiterate adults are women. In looking at gender equality in secondary education enrollment, only eleven percent of countries have achieved gender equality, in fact 51 percent of countries have a lower enrollment ratio for girls than boys.

Education gives women the skills and tools that they need to participate fully in society. Education enables women to raise healthier and better-educated children. Educated women are more likely to participate in the decision making process of government, making an impact on policy that affects their daily lives. As we celebrate with the people of Afghanistan, let us also commit ourselves to ensuring that other girls across the globe have access to basic education, and the chance to make a better life for themselves.

HONORING ROGER SAMUEL

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Mr. KILDEE. Mr. Speaker, I rise today to pay tribute to the recipient of the Edgar A. Guest Community Service Award. The Edgar A. Guest Award is given annually by the Flint-C.A. Durand Masonic Lodge Number 23 to honor the community service of a distinguished non-Mason. This year's recipient is Roger Samuel. He will receive the award at a dinner to be held in his honor on April 9th in my hometown of Flint, Michigan.

As an honorary member of the Old Newsboys of Flint, Roger Samuel plays an integral part in that organization's Christmas campaign, ''Let No Child be Forgotten.'' In its 77th year, this program is dedicated to the idea that every child will be remembered on Christmas Day. Each year thousands of volunteers sell newspapers on the street corners throughout Genesee County. The newspapers publicize the program and raise money to pay for toys, coats, boots, hats and mittens. Roger donates the resources of the Flint Journal and pays for the ink, paper and printing of these newspapers. Without his support, valuable money would be diverted away from children.

Roger Samuel has lived in Flint since 1991 and has been the publisher of the Flint Journal since 1996. His work with the Old Newsboys of Flint is just one part of Roger's commitment to his community. During the last decade Roger has served as the president of the Rotary Club of Greater Flint Sunrise, chair of the

Flint Cultural Center Corporation, chair of the Genesys Health Board of Trustees, chair of the Genesee Area Focus Council, the chair of the 1999 United Way Campaign for Genesee County. In addition, he is active on the Board of Regents of Baker College of Flint, the Board of Directors of the United Way of Genesee and Lapeer Counties, the Community Foundation of Flint, and the Hundred Club of Flint.

Part of Roger's tradition of service is reflected in his vision for the Flint Journal. The Flint-C.A. Durand Lodge will take this opportunity to commend him for the voice he has provided to civic and cultural groups. Through the Community Calendar feature and human interest articles, Roger has demonstrated a willingness to spotlight programs and individuals that often are overlooked in the barrage of daily news items.

Mr. Speaker, I ask the House of Representatives to join me in congratulating Roger Samuel. I have known him since he arrived in Flint and I respect his judgment, his advice, his business acumen, his compassion, and his sense of responsibility to his community. The Flint-C.A. Durand Masonic Lodge is to be commended for recognizing and honoring Roger Samuel's generosity to the Flint area.

HONORING DR. ROBERT DUNN OF CUMMING, GEORGIA

HON. BOB BARR

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Mr. BARR of Georgia. Mr. Speaker, Dr. Robert Dunn, a physician of Cumming Georgia is best described by his peers as humble. They have a deep respect for his skill and commitment as a physician and roll model for other physicians.

Dr. Dunn, joined by his family, his wife Norma, their children, Charlene McGill, Bill, Rick and Roger Dunn, along with his peers, was honored last month by Baptist Medical Center. In his honor they redecorated two rooms in the main emergency room as ''kid friendly.''

Dr. Dunn graduated from Emory University in 1947, and with three fellow physicians started a family practice in Forsyth County, helping meet the medical needs of the entire community. At 76 years of age, he continues to practice medicine, as well as attending conferences and continuing education to stay current with his skills.

Dr. Dunn's dedication to the community has continued for over 50 years. Among his many contributions, he donated his time and practice to providing free physicals for local boy scouts, and he donated land for the preservation of Sawnee Mountain. He led his Christian ministry to Zaire for missionary work and served his grateful nation in Korea.

I would like to join in acknowledging Dr. Robert Dunn for his ongoing commitment and dedication to the community.

THE HARD TRUTH, BY THOMAS C. FRIEDMAN

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Ms. KAPTUR. Mr. Speaker, I submit the following article.

[From the New York Times, Apr. 3, 2002]

THE HARD TRUTH

(By Thomas L. Friedman)

A terrible disaster is in the making in the Middle East. What Osama bin Laden failed to achieve on Sept. 11 is now being unleashed by the Israeli-Palestinian war in the West Bank: a clash of civilizations.

In the wake of repeated suicide bombings, it is no surprise that the Israeli Army has gone on the offensive in the West Bank. Any other nation would have done the same. But Ariel Sharon's operation will succeed only if it is designed to make the Israeli-occupied territories safe for Israel to leave as soon as possible. Israel's goal must be a withdrawal from these areas captured in the 1967 war; otherwise it will never know a day's peace, and it will undermine every legitimate U.S. effort to fight terrorism around the globe.

What I fear, though, is that Mr. Sharon wants to get rid of Mr. Arafat in order to keep Israeli West Bank settlements, not to create the conditions for them to be withdrawn.

President Bush needs to be careful that America doesn't get sucked into something very dangerous here. Mr. Bush has rightly condemned Palestinian suicide bombing as beyond the pale, but he is not making clear that Israel's war against this terrorism has to be accompanied by a real plan for getting out of the territories.

Why? Because President Bush, like all the other key players, doesn't want to face the central dilemma in this conflict—which is that while Israel must get out of the West Bank and Gaza, the Palestinians cannot, at this moment, be trusted to run those territories on their own, without making them a base of future operations against Israel. That means some outside power has to come in to secure the borders, and the only trusted powers would be the U.S. or NATO.

Palestinians who use suicide bombers to blow up Israelis at a Passover meal and then declare ''Just end the occupation and everything will be fine'' are not believable. No Israeli in his right mind would trust Yasir Arafat, who has used suicide bombers when it suited his purposes, not to do the same thing if he got the West Bank back and some of his people started demanding Tel Aviv.

''The only solution is a new U.N. mandate for U.S. and NATO troops to supervise the gradual emergence of a Palestinian state—after a phased Israeli withdrawal—and then to control its borders,'' says the Middle East expert Stephen P. Cohen.

People say that U.S. troops there would be shot at like U.S. troops in Beirut. I disagree. U.S. troops that are the midwife of a Palestinian state and supervise a return of Muslim sovereignty over the holy mosques in Jerusalem would be the key to solving all the contradictions of U.S. policy in the Middle East, not new targets.

The Arab leaders don't want to face this hard fact either, because most are illegitimate, unelected autocrats who are afraid of ever speaking the truth in public to the Palestinians. The Arab leaders are a disingenuous as Mr. Sharon; he says ending ''terrorism'' alone will bring peace to the occupied terrorities, and the Arab leaders say ending ''the occupation'' alone will end all terrorism.

Like Mr. Sharon, the Arab leaders need to face facts—that while the occupation needs to end, they independently need to address issues like suicide terrorism in the name of Islam. As Malaysia's prime minister, Mahathir Mohamad, courageously just declared about suicide bombing: ''Bitter and angry though we may be, we must demonstrate to the world that Muslims are rational people when fighting for our rights, and do not resort to acts of terror.''

If Arab leaders have only the moral courage to draw lines around Israel's behavior, but no moral courage to decry the utterly corrupt and inept Palestinian leadership or the depravity of suicide bombers in the name of Islam, then we're going nowhere.

The other people who have not wanted to face facts are the feckless American Jewish leaders, fundamentalist Christians and neoconservatives who together have helped make it impossible for anyone in the U.S. administration to talk seriously about halting Israeli settlement-building without being accused of being anti-Israel. Their collaboration has helped prolong a colonial Israeli occupation that now threatens the entire Zionist enterprise.

So there you have it. Either leaders of good will get together and acknowledge that Israel can't stay in the territories but can't just pick up and leave, without a U.S.–NATO force helping Palestinians oversee their state, or Osama wins—and the war of civilizations will be coming to a theater near you.

PAYING TRIBUTE TO HIDY OCHIAI

HON. MAURICE D. HINCHEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Mr. HINCHEY. Mr. Speaker, I am pleased to congratulate Hidy Ochiai as he receives the Endicott, New York SERTOMA Club's 2002 Service to Mankind Award. I commend the SERTOMA Club on its choice of Mr. Ochiai as the recipient of this award.

Mr. Ochiai began his martial arts training in Tokyo, Japan at the age of six, taught by his father. In 1966 he received his Bachelor of Arts degree from Albright College and opened his first school of Washin-ryu Karate in Broome County, New York. He now has a total of 25 branch schools servicing the public. Mr. Ochiai established a karate program as part of a physical education curriculum which, in 1969, was implemented by Broome Community College. Mr. Ochiai has successfully competed in many tournaments, including his first national tournament in 1970 where he won the kata title at the U.S.K.A. Grand Nationals.

Mr. Ochiai has an outstanding record of community service in Broome County and, including the establishment of the Education Karate Program (EKP). More than 30,000 students have completed the EKP, earning Mr. Ochiai the Distinguished Alumnus Award from Albright College for its development. In addition to his work through the EKP, he has written five books.

It is my pleasure to join Hidy Ochiai's colleagues, friends and family in extending my deepest appreciation for his outstanding community service. His personal and professional enthusiasm has made him a valuable asset to our community, and we thank him for his service.

HONORING CORPORAL WALTER WEST

HON. JOSEPH M. HOEFFEL

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Mr. HOEFFEL. Mr. Speaker, I rise today to congratulate Corporal Walter West. Corporal West retired on August 12, 2001 from the Lower Gwynedd Township Police in Montgomery County, Pennsylvania after thirty-five years of service. He has been an outstanding member of his community.

Mr. West began his career in the U.S. Army in 1959. He was honorably discharged in 1965, having attained the rank of E–4. He became a part-time police officer in May of 1966 and three years later became a full-time officer. In 1970, he attended the Philadelphia Police Academy and earned an Associate Degree in Applied Science from Montgomery County Community College. Corporal West served in the Lower Gwynedd police force admirably. In fact, he was inducted into the American Police Hall of Fame in 1983.

Corporal West has been active in the F.O.P. Montgomery County Lodge #14 and has participated in other community programs such as The Salvation Army Holiday Food Drive, the Home Run Derby, the YMCA physical fitness program and the Rotary Club of which he was a past president. He has been recognized by many in his community for his years of dedicated service.

I am pleased to have this opportunity to recognize Corporal Walter West for his many years of dedicated service. Our community is a better place because of his contributions.

TRIBUTE TO DR. RICHARD G. CARPENTER

HON. ROBERT E. (BUD) CRAMER, JR.

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Mr. CRAMER. Mr. Speaker, I rise today to recognize the many contributions of Dr. Richard G. Carpenter to Calhoun Community College and the Decatur, Alabama community during the last ten years. I join his family, friends and colleagues as they celebrate his accomplishments and congratulate him for a successful tenure as President of the school and an exciting new future as President of the Wisconsin Technical College System.

Dr. Carpenter, a native of Franklinton, Louisiana, has been President of Calhoun Community College since 1992. Calhoun is Alabama's largest community college, and Dr. Carpenter has provided them with progressive and visionary leadership for the past decade. He has played a pivotal role in shaping Calhoun Community College to what it is today and will be greatly missed.

Among his accomplishments at Calhoun Community College are its ongoing construction of the school's Technology Park and the record setting enrollment for the fall semester of 2001. His prior experience includes teaching at elementary through university graduate school levels and serving as president of three other community colleges. Dr. Carpenter received his Ph.D. in Community College Leadership from North Carolina State University and has been the recipient of numerous local and national awards.

Mr. Speaker, today I join his wife Dana and his three children as well as his many friends and colleagues in congratulating Dr. Richard Carpenter on ten years of extraordinary service to Calhoun Community College. Dr. Carpenter has been an influential leader for our North Alabama community for many years and I wish him the best as he pursues an exciting new future as President of the Wisconsin Technical College System.

TRIBUTE TO DR. BEVERLY WALTERS

HON. JAMES R. LANGEVIN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Mr. LANGEVIN. Mr. Speaker, I rise today to recognize the leadership and achievements of Dr. Beverly Walters in the field of neurosurgery. Dr. Walters is an Associate Professor of Clinical Neurosciences at Brown University, and Chief of Neurosurgery at Landmark Medical Center.

Dr. Walters recently co-chaired a committee that examined a number of studies and established guidelines for the treatment of acute cervical spine and spinal cord injuries. The guidelines were published in the March issue of Neurosurgery. The committee evaluated the best scientific evidence developed over the last 25 years to inform their conclusions.

The standardization and refinement of surgical techniques in treating spinal cord injuries is a substantial accomplishment in neurosurgery, and a testament to Dr. Walters' experience in research and surgical practice. I am proud to represent Dr. Walters, and applaud her commitment to this field.

Mr. Speaker, I hope you and our colleagues will join me in recognizing Dr. Beverly Walters and her outstanding work. Due in part to her dedication, numerous lives are improved daily through increased understanding of spinal cord, injuries.

RADM ARCHITZEL GIVES KEYNOTE ADDRESS AT USS ''HARRY S. TRUMAN'' CHANGE OF COMMAND

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Mr. SKELTON. Mr. Speaker, on Friday, March 15, a Change of Command was held on the USS *Harry S. Truman,* an aircraft carrier whose home port is Norfolk, VA. Captain Michael Groothousen succeeded Captain David Logsdon as the Commanding Officer of that ship. Captain Logsdon will continue his outstanding military career as a professor of Military Science at the University of South Carolina. The principal address was delivered by RADM David Architzel. The talk was a great reminder of American Naval strength. It is set forth as follows:

Congressmen Skelton and Schrock, Admiral Malone, Captains Logsdon and Groothousen and your families, distinguished guests and most importantly, men and women of USS *Harry S. Truman*.

Good morning to all of you, what a great personal and professional honor it is for me to address the crew of this great ship.

I accepted the invitation to speak here today with some trepidation and anxiety. After all, our distinguished guests include Congressmen and the Commander, Naval Air Forces, U.S. Atlantic Fleet (AIRLANT) and others who are far more eloquent speakers than I. Captain Logsdon was persistent in his efforts to convince me to speak, and as a fellow S–3 aviator, of course, I accepted.

Let me begin by saying that the Change of Command ceremony is one that is steeped in Naval tradition. The crew has been assembled and in just a few short minutes they will witness as all the responsibility and authority of Command at Sea passes from Captain Logsdon to Captain Groothousen.

Today is a day of mixed emotions for Logs, CAPT Logsdon. This is the assignment that he has worked his entire career to achieve; an assignment that many seek, but few ever attain. While he has done a wonderful job and has so many great memories of his time at the helm, nothing can stop the clock. I'm reminded of the Chow Call that I used to have to give many years ago at the Naval Academy: it ends with the one minute call and the words; Tide time and Formation wait for no man!'' Logs must now go ashore and he will be leaving this ship, just as Captain Otterbein had to leave it 2 and a half years ago, in the hands of another eager and talented officer, Captain Mike Groothousen.

This Change of Command provides the opportunity to reflect upon the accomplishments of the command and crew of *Harry S. Truman*. It also gives us a chance to talk about what lies ahead.

The United States is and always will be a Maritime nation. Since Theodore Roosevelt and the Great White Fleet sailed from Hampton Roads, the U.S. Navy has been an instrument of national policy and diplomacy, and her ships have been the centerpiece of our national defense. When one considers the striking power, mobility and agility of our deploying Carrier Battle Groups, built around carriers such as *Harry S. Truman*, it is evident that our nation's defense is the strongest it's ever been.

''I've been in the Navy, now, for some 28 years and can honestly say that today's Navy and her Sailors and Marines are the finest I've ever seen. You've earned the right to stand proud. Each deploying ship, squadron, and unit has the full support and backing of the American people, never before in American history has our nation been so completely unified and resolute in purpose.

CNO's guidance for 2002 is to ''Fight and Win''. He recently reflected on how the readiness, flexibility, power, precision and persistence of our naval forces are dealing decisive blows in the war on terrorism. The Navy is performing brilliantly and he is, as I am, very proud of each and every Sailor and Marine standing the watch. Sustainment of this level of performance presents many challenges to our Commanding Officers.

With respect to those challenges, the President, in his address to Congress on the 20th of September of last year, directed the military to ''be ready!'' and told Congress and the American people that the military's ''time will come and they will make us proud!'' Well . . . our time has come, the Enterprise, Theodore Roosevelt, Stennis, and Kitty Hawk Battle Groups have triumphed, and the JFK and Vinson Battle Groups have stepped in and filled their shoes. Whether you're on the tip of the spear, preparing to be there, or supporting those who are, We have a mission and one clear objective . . . to win the war on terrorism and we will.

The Enterprise and Theodore Roosevelt Battle Groups led the way from right here in Hampton Roads and have carried on the fight for all of us here at home. In the not too distant future, it will be TRUMAN'S turn to take her place on station to cheers of ''Give 'em Hell Harry!''

When that time comes, I known you will be ready. This carrier and her embarked Air Wing brings with it elements that cannot be matched by any other force. You will be challenged and you must remain flexible—the flexibility of Naval aviation was evident early in Operation Enduring Freedom. After the first two weeks of the war, the fixed targets were all but destroyed, leaving over 80% of the targets unknown to the aircrews prior to launch requiring them to quickly adapt mission plans enroute in order to perform time critical strikes. Mission accomplishment required the Presence, Power and Precision that only carrier aviation can provide. Persistence is another factor. On station 24/7, available on call when needed, the forward deployed carrier, with the latest in technology, stands ready, delivering precision guided ordnance to over 90% of her targets as opposed to the 10% rate used in Operation Desert Storm. This is a campaign where we measure targets per aircraft not aircraft per target. It is not about numbers of tons of bombs but about making every bomb count.

Carrier Aviation continues to excel. Commander, Carrier Air Wing 8, who returned in November aboard USS *Enterprise,* recently attributed training and preparation with the success his Air Wing experienced while deployed for Operation Enduring Freedom. He also noted that this training was essential for naval aviation to remain agile an adaptable.

Our operations require stalwart dedication from the entire Battle Group, not just the fighter/attack aircraft and crews. For example, the organic tanker capability of the S–3 Viking, which CAPT Logsdon and I are remotely familiar with, is more valuable than ever to the Air Wing and Battle Group Commanders and continues to be essential to mission accomplishment in Operation Enduring Freedom.

Logs, you would be interested to note that Viking squadrons deployed for Operation Enduring Freedom have flown about 4,000 hours and have passed over 5.5 million pounds of fuel . . . which contrasts significantly with the total of 2,400 hours and 2.5 million pounds for a typical peacetime deployment.

Many of the current flight schedules have been requiring 7 of 8 Vikings airborne at a time and they are enjoying the highest aircraft utilization rate in the Air wing.

Now let me focus on some of the wonderful things that Captain Logsdon and his crew have accomplished during his time in Command.

People talk about the character of a ship and I believe it starts with its namesake, but it doesn't end there.

The character of a ship transcends through the leadership and most importantly is represented by the men and women who comprise the crew.

As one leader relieves another, . . . as crew members come and go . . . the character stays, the pride, the energy the enthusiasm that makes the ship great comprise the character that embodies the ship.

All you have to do is walk aboard this great ship and you can feel it. This ship has character and that character is here to stay.

President Truman's favorite expression was: ''Always do right. This will gratify some people and astonish the rest.''

This principal applies well to what you do aboard this great ship and in fact gives our Navy a guiding principle, during this time of great challenge for our Navy and our nation.

*Truman ensured that our peacetime military was essential to our way of life in the future.

*In speaking of the need for a strong military he said, ''We must be prepared to pay the price of peace or assuredly we shall pay the price of war.''

I wonder what President Truman would think if he were in the audience with you today. How much would it have meant to him to have this great symbol of military might in his Navy?

Remember that this ship answered the call during Operation Southern Watch.

On her last deployment:

Logging 8,000 arrested landings;

84 days supporting;

869 missions flown;

supporting 2,700 flight hours;

the list of accomplishments for this ship during Operation Southern Watch is staggering, earning unprecedented recognition for a newly commissioned ship.

I know Captain Logsdon would quickly deflect any praise for himself onto all of you. However, we all recognize that his leadership was essential to the great things Harry S. Truman has attained and his legacy will be a part of this great ship for a long time to come.

Another great source of pride for Truman is your conduct as ambassadors for our nation overseas . . . you put our nation's best foot forward . . . and what a tremendous job you did as ambassadors . . . Since Captain Logsdon is a student of history and no doubt a student of Harry S. Truman, it is no coincidence that aboard his namesake vessel on your maiden deployment you made back to back port visits in Turkey and Greece . . . two of the nations center to the Truman Doctrine and I am sure that your crew now has experiences and memories that will last a lifetime.

Launching and recovering aircraft and projecting air power will always be the function of aircraft carriers and will continue to be the centerpiece of our Naval strategy for many years to come, this is of course your mission and our mission is always the primary focus.

Our number one resource by accomplishing our mission is our people . . . every one of you here today . . . without you we cannot accomplish our mission.

Do you know what the CNO's ''number one'' priority is for our Navy today? Manpower . . . our people . . . Since Admiral Clark became CNO, he has said we are in a battle for people to maintain the greatest Navy in history. Part of the reason for that is the ''type'' of people we must recruit and retain, we cannot operate aircraft carriers with just anyone, there are special traits that our people must possess.

''One of the most important things we do in our Navy is give people responsibility at very young ages. Some people, frankly, don't prosper in that environment and will not do well. Ours is a demanding profession—and we ask a lot. But the people who thrive on responsibility will always do well.''

Harry S. Truman is a leader in providing for the quality of life and quality of service . . . you are a crew that does thrive on the awesome responsibility you are entrusted with . . . and your record clearly reflects that.

Faced with a lengthy availability, the strength of your leadership and the determination of your crew were clearly demonstrated.

You set the standard for Aircraft Carrier availabilities you raised the bar for all the ships that will follow you, you completed your PIA millions of dollars under budget and ahead of schedule, a true testimony to the character of this great ship and you accomplished what many thought was impossible.

The leadership from Norfolk Naval Shipyard was unanimous in their praise for the ''Truman Team One'' concept employed from the beginning of the maintenance availability process.

In fact, the Shipyard Commander, an officer who has been involved with many outstanding aircraft carrier maintenance availabilities lauded your team in saying:

''I have never worked with a commanding officer who was more dedicated to the success of the mission. . . . His leadership and commitment were inspirational and contagious to everyone on the ship both Truman crew and Norfolk Naval Shipyard workers alike.''

The best thing of all is that because of your initiative, ingenuity and dedication . . . the ships that follow you will have an advantage, the whole carrier fleet benefits from the lessons learned from your successes.

It is abundantly clear to anyone that your leadership has been essential in these many accomplishments.

Captain Logsdon in addition to providing your people the tools to accomplish their mission:

You have provided the leadership needed in order to ensure that the men and women of the *Harry S. Truman* know the value of their contribution and feel pride in themselves and their service to country.

Among the records that Captain Logsdon must be most proud is to lead the CINCLANTFLT honor role for retention . . . *Harry S. Truman* retained almost 60% of its first term sailors and over 77% of second term Sailors . . . 3% and 10% higher than Navy averages and earned back-to-back Fleet Retention excellence Awards under his leadership.

The record speaks for itself, the crew has worked hard and clearly likes being part of the *Harry S. Truman* team and while your leadership Captain Logsdon is key, you didn't do it alone.

There is an unseen element of your leadership that no one can deny and that is of your wife Rise (Reece-uh). While you were out to sea leading sailors, she was back at home helping families, not only your two wonderful children, but supporting the entire family network of the *Harry S. Truman* a daunting task for anyone, a task deserving of a large salary for which she receives nothing, but I know she has your gratitude, let me add mine as well.

Sometimes leaders don't recognize things outside the skin of a ship or the walls of a building. But you do. You understand what an incredible part of your crew's success depends on the families back home and it shows.

Captain Logsdon, I'm sure it seems like a very short time ago that you were assuming command of this great ship. I know in my experience the time seems to just fly by, you are likely leaving here with a heavy heart, knowing that you will be saying farewell to this great crew.

But you will quickly become energized when you get back on campus at the University of South Carolina and back in the heart of NASCAR country what a homecoming that will be . . . and what a thrill to have an impact on those young people who will become leaders for our future Navy. It will certainly be a rewarding experience.

As you leave this great ship, I am sure there are many things you had hoped to accomplish, but simply ran out of time. That's hard to imagine with the success you have had here, but is still probably true.

Now let me turn to the future. Groot, you will be given many resources and with that you will be expected to produce that fruit called readiness. You are embarking on the

greatest professional experience and challenge of your life and I know you are up to it. You take the helm of this great warship today and will soon carry her forward to even greater heights and a place in our Nation's history books. To those of you who don't know Captain Mike Groothousen let me tell you a little about him: He is an accomplished aviator (A–7 F/A 18), Executive Officer aboard USS George Washington, Commanding Officer aboard USS *Shreveport*, dedicated professional and Champion of Sailors.

Captain Groothousen you will be fulfilling a dream and I know you will stay sharp, stay focused, stay safe and make us all proud.

You and Tricia are in for the ride of your lifetime. All the years of training, the dedication and sacrifice required of you and your family will be worth it. Command of an aircraft carrier is like nothing else on this earth and I know you will both walk away richer for the experience.

Always remember to trust in your faith, and in your shipmates. God bless you, the crew of this great ship and God Bless the United States of America.

HONORING CORPORAL ROBERT THOMAS

HON. JOSEPH M. HOEFFEL

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Mr. HOEFFEL. Mr. Speaker, I rise today to congratulate Corporal Robert Thomas. Corporal Thomas retired from the Lower Gwynedd Police Department in Montgomery County, Pennsylvania on August 12, 2001 after twenty-six years of service. Corporal Thomas has provided his community with outstanding service.

Corporal Thomas served in the U.S. Army Reserves from 1965 until 1967 when he was honorably discharged. In 1977 he was selected as Police Officer of the Year and he received an Exceptional Service Award and ribbon in 1978. Corporal Thomas also earned an Honorable Service Award. He was promoted to the rank of Corporal in 1984.

In addition, Corporal Thomas was a member of the Montgomery County Emergency Response Team and has many letters of praise from the community and area police departments. He was inducted into the American Police Hall of Fame and Museum in 1978.

I am pleased and honored to present this award to Corporal Robert Thomas.

INTRODUCTION OF ''SMALL BUSINESS INVESTMENT IN GROWTH ACT OF 2002''

HON. DONALD A. MANZULLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Mr. MANZULLO. Mr. Speaker, I rise today to applaud President Bush for recently releasing a comprehensive Small Business Agenda. The President's Small Business Agenda includes substantive and vital tax and regulatory reforms including, among them, provisions to amend the Internal Revenue Code of 1986 to provide for an immediate increase in expensing under Section 179. Accordingly, I rise today to introduce a bill, the ''Small Business Investment in Growth Act of 2002,'' identical to the President's expensing provisions and to legislation introduced in the Senate on Friday, March 15, 2002, by Senators SUSAN COLLINS of Maine and KIT BOND of Missouri.

As Chairman of the Committee on Small Business, I strongly welcome the Job Creation and Worker Assistance Act of 2002 Congress passed and the President signed last month to stimulate growth and promote prosperity for all Americans. Unfortunately, the final bill did not include small business expensing—a priority I believe would be crucial in increasing small business investment and growth in our economy. Accordingly, my bill would increase immediately the expensing and equipment cost limitations under Section 179 of the Internal Revenue Code to $40,000 and $325,000 respectively. Unambiguously, these simple and cost effective changes would boost small business spending and economic growth.

Small entrepreneurs strongly support the proposed changes because they understand that the current law limitations of $24,000 and $200,000 are woefully outdated and counterproductive. The majority of small entrepreneurs exceed these current annual cost limits in only three months. Increasing Section 179 expensing for America's small entities will lower their cost of capital and enable them to compete, to expand, and to create new jobs.

Mr. Speaker, I am proud to offer this bipartisan bill together with the Committee on Small Business Ranking Democrat NYDIA M. VELAZQUEZ of New York, Representative ROB PORTMAN of Ohio and of the Ways and Means Committee, and several other distinguished members. We urge its prompt passage in this Congress.

THE HAMMOND CARPENTER'S UNION LOCAL 599

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Mr. VISCLOSKY. Mr. Speaker, it is my distinct honor to congratulate some of the most dedicated and skilled workers in Northwest Indiana. On April 13, 2002, in a salute to their workers' durability and longevity, the Hammond Carpenter's Union Local 599 will recognize their members for 25 years or more of dedicated service. They will be recognized during a pin ceremony banquet held on Saturday at the Carpenter's Union Hall in Hammond, Indiana. These individuals, in addition to the other Local 599 members who have served Northwest Indiana so diligently for such a long period of time, are a testament to the prototypical American worker: loyal, dedicated, and hardworking.

The Carpenter's Local 599, which received its charter in 1899, will honor members for their years of devoted service. Those members who will be honored for 60 years for service include: Oscar Wahlstrom and Cecil Webb. The carpenters who will be honored for 55 years of service include: Fred Doppler, Michael Grimmer, Lawrence Hess, Joseph Hoadley, Joseph Lowry, Wayman Porter, John Sowinski, Walter Spencer, and George Wartsbaugh. Those members who will be honored for 50 years of service include: Daniel Deflorio, Jack Depew, John Grzych, Herman Nashkoff, and Joe Seneff. Those members being honored for 45 years of service include: Edward Bullock, Eugene Langel, and George Pooler. Those members being honored for 40 years of service include: Melvin Blaier, Richard Carnett, Ralph Graham, Aloysius Sajdyh, and Walter Scott. Those members being honored for 35 years of service include: Roger Benson, Jr., William Chick, Eugene Hartz, Steve Hudi, Pete Lolkema, and Ronald Webster. Those members of Local 599 who will be honored for 30 years of service include: Arthur Bach, Lewis Carver, and Anthony Vigil. The carpenters who will be honored for 25 years of service include: John Childers, Gregory Curtis, Larry Eckrich, Robert Emslander, Joseph Gacsy, William Hass, Daniel Hernandez, George Hudak, William Lowry, Rich McIlroy, Walter Sosnowski, Chris Staes, Matthew Stoffregen, and Leonard White.

Northwest Indiana has a rich history of excellence in its craftsmanship and loyalty by its tradesmen. These workers are all outstanding examples of each. They have mastered their trade and have consistently performed at the highest level throughout their careers. They have demonstrated their loyalty to both the union and the community through their hard work and self-sacrifice.

Mr. Speaker, I ask that you and my distinguished colleagues join me in congratulating these dedicated, honorable, and outstanding members of the Hammond Carpenter's Union Local 599, in addition to all the hardworking union men and women in America. The men and women of Local 599 are a fine representation of America's union workforce; I am proud to represent such dedicated men and women in Congress. Their hard labor and dauntless courage are the achievement and fulfillment of the American dream.

CELEBRATING THE 90TH ANNIVERSARY OF THE GIRL SCOUTS

HON. SAXBY CHAMBLISS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Mr. CHAMBLISS. Mr. Speaker, I would like to recognize the 90th Anniversary of the Girl Scouts of America. In 1912, Juliette Gordon Low founded the Girl Scouts in Savannah, Georgia with a membership of only 18 girls and the dream of giving the United States ''something for all girls.'' by the end of 1913, there were 535 members and 31 leaders. Today there are nearly 3.7 million Girl Scouts and the program continues to offer quality experiences for girls locally, nationally, and internationally. The Girl Scout program is girl-driven, reflecting the ever-changing ideas and interests of the participating girls. the program encourages increased skill building and responsibility, and also promotes the development of strong leadership and decisionmaking skills.

Throughout its history, the Girl Scouts have provided aid and assistance to our country in times of need. During World War I and II, Girl Scouts worked in hospitals, grew vegetables, and sold defense bonds. During the Great Depression, Girl Scouts troops around the United States joined the relief effort by collecting clothes, food, and toys, volunteering at hospitals, and working on community canning

projects. The Girl Scouts continue to offer enriching experiences through field trips, sports skill-building clinics, community service projects, cultural exchanges, and environmental stewardship.

The growth and achievements of the Girl Scouts would not be possible, without the dedication and guidance of more than 942,000 professionals, 99 percent of those being volunteers, Mr. Speaker, I hope you will join me today in celebrating 90 wonderful years of Girls Scouts USA.

GIRL SCOUTS

HON. JERRY MORAN

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Mr. MORAN of Kansas. Mr. Speaker, It is an honor to recognize the 90th anniversary of the Girl Scouts of the United States of America. From March 10 through March 16, 2002, this organization of approximately 3.7 million members celebrated their long and distinguished history.

Since the first Girl Scout meeting, on March 12, 1912, the Girl Scouts have successfully embarked upon their mission to help all girls grow physically, mentally and spiritually. This mission has been accomplished by empowering girls to develop their full potential, by relating positively to others, by teaching values that provide a foundation for sound decision-making, and by contributing to society. The Girl Scouts are remarkable in their ability to address contemporary issues affecting girls, while at the same time maintaining the core set of values that were adopted nearly a century ago.

There are approximately 50,000 Girl Scout members in the State of Kansas. They volunteer their time and energy to make their communities, the State of Kansas, and their Nation a better place. Through the Girl Scouts Program, these girls develop skills and values that will serve them well throughout their lives.

We also must not overlook the thousands of adult leaders and parents who volunteer their time to the Girl Scouts. It is the efforts and supervision of these adult leaders that ensure the success of these programs. These leaders provide an important influence upon the lives of young girls—an influence much greater than I will ever possess as their Congressman. I would like to personally recognize: J. Lynn Smith, Executive Director, Flint Hills Council, Emporia; Linda Mills, Executive Director, Sunflower Council, Hays; Susan Kendall, Executive Director, Wheatbelt Council, Hutchinson; Martha Fee, Legislative Volunteer, Wheatbelt Council, Hutchinson; Diane Oakes, Executive Director, Kaw Valley Council, Topeka; Cindy Frank, Executive Director, Golden Plains Council, Wichita; and Cynthia Stein, Board of Directors President, Golden Plains Council, Wichita; Girl Scout leaders who have donated countless hours of service to the Girl Scouts. Thank you for your dedication to improve the lives of the young girls.

Once again, congratulations on the 90th anniversary of the Girl Scouts. May you have many more years of success in mentoring our Nation's young women.

RECOGNIZING CLEAR FORK BAPTIST CHURCH

HON. ED WHITFIELD

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Mr. WHITFIELD. Mr. Speaker, I am pleased to rise today in recognition of Clear Fork Baptist church, located in Albany, Kentucky. Clear fork celebrated its 200th anniversary April 7th, 2002.

When our great nation was only 26 years old, Clear Fork Baptist church was founded on the banks of the Clear Fork Creek in what is now Clinton County. The founder, Pastor Isaac Denton, migrated to Kentucky from North Carolina in 1798 and, according to his calling, began to conduct a series of meetings in 1801, converting many settlers to Christianity. In April of 1802, Clear Fork Baptist Church was established with 13 charter members. The Church thrived under Pastor Denton's leadership for 46 years until his death in 1848. He was buried beside the Church, where his tombstone has since been restored and memorialized to honor his dedication. His son, Joseph Denton, also served Pastor for 33 years, becoming one of 24 men who have guided the Church throughout history until today.

Clear Fork Baptist Church has survived an astounding history. The original building was destroyed by fire during the Civil War. Three other structures have been erected through the years, including today's church building, which was built in 1995.

Several church members throughout history have also served the great State of Kentucky. Preston H. Leslie, Governor of the Commonwealth of Kentucky from 1871–1875, was a member of the Church. In addition, Major William Wood, a state legislator for 23 years, was one of the charter members. During his term in the Legislature, a bill for the Benefit of Religious Society in the Commonwealth was passed. This bill provided official recognition of trustees appointed by the church to act as legal representatives of their congregations.

Known as ''The Lighthouse in the Wilderness'' after a history book written about the Church, Clear Fork Baptist is the oldest in Clinton County and was the fountainhead for many churches in Kentucky and Tennessee. The first secular school was also established by and named after the Church.

Few churches in our region of the country have a longer or more colorful history than Clear Fork Baptist. Two hundred years after its birth, the Church continues to stand with a determination to fulfill her mission to proclaim the Gospel of the Lord Jesus Christ.

SALUTE TO ODESSA, TEXAS ON ITS 75TH ANNIVERSARY

HON. LARRY COMBEST

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Mr. COMBEST. Mr. Speaker, I would like to call the attention of my colleagues to a town in West Texas for which I am proud to serve in the U.S. House of Representatives.

On April 18, 2002, Odessa, Texas will mark the 75th anniversary of its incorporation. This will be a day to reflect upon the rich history and heritage of Odessa, and to look forward to at least 75 more years of prosperity.

While the origin of the name is not certain, one story is that the city was given its name by railroad workers. The terrain reminded them of the wide, flat prairies around Russia's city, Odessa, which was the wheat distribution center of the world at the time. but if that does not suit you, another story is that it was named of a beautiful Indian maiden who died in the area.

Cattle ranches were established in the area in the late 1800's, but the railroad really marked the founding of Odessa. A railroad construction campsite of the Texas and Pacific Railroad was organized in 1881. Odessa quickly became a major cattle shipping hub for the ranches in the area.

Situated in an area that was an ancient sea, Odessa has rich reserves of oil and natural gas. The town would become ever-tied to oil and gas production after the 1927 discovery of oil. Today, the Permian Basin is known throughout the world as one of the major oil field technology centers, and Odessa remains a vital segment to the Basin. Every even-numbered year, the City hosts the Permian Basin International Oil Show, celebrating its links to the industry with the world's largest inland exhibit of oilfield products and services.

Odessa is home to the University of Texas of the Permian Basin, a branch of Texas Tech Health Sciences Center, and Odessa College. It also has an excellent coliseum exhibit complex, a combined performing symphony with neighbor city Midland, the Ellen Noel Art Museum, a Presidential Museum, and two working playhouses. Some of you may know the group of volunteers known as the Odessa Chuck Wagon Gang, which has been in existence over 60 years and has fed barbeque to people all over the world, all the while promoting the City of Odessa. I am proud to be an honorary member of this terrific and hard-working group.

Known for football prowess, Odessa is home to the Permian High School Panthers and the Odessa High School Broncos, which each have captured numerous state titles. We also can claim to have the winners of minor league hockey's Governor's Cup, the Odessa Jackalopes.

Odessa is a thriving city, thanks to the petroleum business, and many other ranching, farming, industrial and enterprise developments. Today it is more than twenty times the size it was when oil was discovered, and she is Texas' 23rd largest city.

I am very proud to represent the citizens of Odessa here in the House of Representatives. I salute the City, her leaders, and her citizens on this very special occasion. I offer my sincere best wishes for at least another 75 years of prosperity and good fortune.

SUPERFUND PROGRAM

HON. CYNTHIA A. McKINNEY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Ms. MCKINNEY. Mr. Speaker, President Bush has already spent America from surplus to deficit, and now he wants to do the same thing with the Superfund program. But instead

of overspending, he wants to starve Superfund to death.

Now, I'd be the first to admit that Superfund hasn't been a perfect program. At first critics were right that it was a bonanza for everyone except the communities who were suffering from pollution and contamination. But that's all changed now, and the companies that are polluting our neighborhoods and communities, now want to get off scott free and President Bush is aiding and abetting them.

Sadly, President Bush named as his Secretary of Interior a woman who believes that companies have a constitutional right to pollute. Now, Bush is allowing that kind of thinking to leach into the Superfund program, thus shielding corporations from the responsibilities of cleaning up what they mess up. Now, President Bush wants teachers, and police officers, and America's working families to foot that bill.

By eliminating the Superfund tax, corporate polluters will no longer have to support the fund that protects me and you from the damage that they do.

Bush should stop rewarding his fat cat friends and represent America's working families.

A TRIBUTE TO THE FIRST DAY OF SCHOOL IN AFGHANISTAN

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Mr. FARR of California. Mr. Speaker, The first day of school is a memorable day for parents. The image of our daughters and sons, small packs on their backs, lunchboxes at their sides, leading us through the doors of their new classrooms is one not forgotten by any parents. The image reflects our hope for them as they embrace a new role in their communities and their nation.

The compact between a nation and a child is simple. The nation prepares the child to accept the mantle of its stewardship. The nation educates a child, providing the tools that the child will later use to further the progress of the nation.

The nation that does not honor this compact is a nation disgraced. The nation that establishes, expands, or renews this compact deserves recognition. This is what I seek to do today as I rise in tribute to the events of March 23, the first day of school for many of the girls of Afghanistan.

I offer my deep appreciation to all those who made this day possible. Their unwavering conviction that this compact would one day be honored in Afghanistan was realized March 23. These parents, teachers, and international aid workers labored tirelessly to provide books and supplies for schools in communities across Afghanistan.

Through their education, the children of Afghanistan will gain a greater understanding of the people within their nation's border and knowledge of the world beyond them.

On March 23, parents in Afghanistan heard the sound of doors swinging open and their children walking determinedly through them. Echoed in this, I can hear my daughter walking through the door of her elementary school many years ago. I join with parents around the world who share the joy and pride and overwhelming hope of the parents of Afghanistan to honor of this great occasion: their children's first day of school.

HONORING COLONEL BRENT W. MARLER

HON. DUNCAN HUNTER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Mr. HUNTER. Mr. Speaker, today I would like to commend the distinguished career of Colonel Brent W. Marler and congratulate him on his retirement from the United States Air Force and the California Air National Guard. Colonel Marler retired on April 1st of this year after 30 years of dedicated service to our country.

A native of Spring Valley, California, Colonel Marler graduated from the distinguished Air Force ROTC program at Brigham Young University. Immediately following graduation, he received an officer's commission in the Air Force.

While serving in the Air Force, Colonel Marler flew the F–4 in Germany and Korea, completing several successful missions. He was then promoted to be the Officer in Charge, Weapons Systems Command and Control in the 163rd Tactical Fighter Wing. With the introduction of personal computers, Colonel Marler volunteered his time to teach others, leading to the automation efforts in his squadron. He also served in the 58th Tactical Training Squadron at Luke Air Force Base in Arizona, making significant upgrades to course materials that improved training throughout the Air Force.

Colonel Marler's personal dedication has improved the quality of equipment used by the United States Air Force and California Air National Guard. Through his personal intervention, he successfully managed to acquire funding for critically needed replacement aircraft, which made it possible to save the C–22 program in the Air National Guard. Furthermore he introduced Commercial Video Cockpit equipment to the A–7, A–10 and F–16, giving the Air National Guard a price effective edge in video surveillance. Colonel Marler also led the effort to replace the retiring RF–4C with the F–16 for reconnaissance purposes.

Colonel Marler has led a zealous and patriotic career in the United States Air Force and California Air National Guard. These distinctive accomplishments in both operational and leadership roles of duty, culminate a long and distinguished career in the service of his country. With the retirement of Colonel Marler, our country loses a valuable member of the Armed Services and his dedication and commitment will surely be missed.

RECOGNIZING JOHN BROWNE

HON. SHERWOOD L. BOEHLERT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Mr. BOEHLERT. Mr. Speaker, I rise today to recognize John Browne, chief executive of BP for his distinctive leadership on the issue of climate change. In 1997, at Stanford University, John Browne took a bold step; he broke from his peers in the oil and gas industry and set a target to significantly reduce greenhouse gas emissions from company operations. The target he set was a ten percent reduction below a 1990 baseline by the year 2010.

Just last week this same man again stood before an audience at Stanford to announce that the company had achieved the target, and done so eight years ahead of schedule. Importantly, this was done at no net cost to the company. Mr. Browne further announced that BP would continue its quest to reduce the carbon intensity of its activities and stabilize carbon emissions at current levels while growing the company. This, he said would be achieved through focusing on technology improvements, gains in efficiency and through offering less carbon intensive products to customers.

Mr. Speaker, the actions on the part of John Browne and BP clearly demonstrate that a little bit of initiative can go a long way. This is leadership—we need more of it here in the US on the matter of climate change, because this issue is not going to go away.

I applaud the achievements of John Browne and the progressive company that he leads.

Attached is a copy of Mr. Browne's Stanford speech for my colleagues' consideration.

EXCERPTS FROM THE STATEMENT OF JOHN BROWNE, CHIEF EXECUTIVE, BP, STANFORD UNIVERSITY—11 MARCH 2002

Beyond Petroleum: Energy and the Environment in the 21st Century

Stanford is a place to which I first came twenty-three years ago to learn about business. And it's place to which I came back five years ago to talk about the issue of climate change and global warming.

Climate change is an issue which raises fundamental questions about the relationship between companies and society as a whole; and between one generation and the next. It is an issue which is about leadership as well as science.

It was clear that the issue was global, potentially affecting everyone. And it was equally clear that the only practical solutions would be ones which recognized the human desire for improved living standards.

To ask people to sacrifice the future would be unrealistic. To deny the basic aspirations of hundreds of millions of people to escape from poverty would be immoral.

It was clear too, that the immediate challenge couldn't be solved by a sudden magical transformation of the energy mix, through the replacement of oil and gas by alternative and renewable forms of energy.

In 1997 we accepted that logic. We set our own target—to reduce our own emissions of greenhouse gases by 10 per cent from a 1990 base line by the year 2010 That was broadly in line with the Kyoto targets, and based on the presumption that at some point in the future those target of something similar would be converted into mandated objectives. At that time, we didn't know precisely how we were going to achieve our target—but we had some initial ideas.

Now, five years on, I'm delighted to announced that we've delivered on that target.

That means our emissions of carbon dioxide have fallen to almost 80 million tonnes, 10 million tonnes below the level in 1990 . . . and 14 million tonnes below the level they had reached in 1998.

That achievement is the product not of a single magic bullet . . . but of hundreds of different initiatives carried through by tens of thousands of people across BP over the last five years. They deserve the credit . . .

and their achievement makes me very proud to lead the BP team.

The answer came through efficiency . . . and technology, and through better management of the energy we use ourselves. At the Texas City refinery alone that saved $5 million and 300,000 tonnes of CO_2 equivalent. It came through a reduction in the amount of energy we need to use. And by applying simple efficiency—stopping leaks. There are hundreds of examples.

In aggregate the net effect of all those actions is that we've met the target, seven years ahead of schedule. And we've met it at no net economic cost—because the savings from reduced energy inputs and increased efficiency have outweighed all the expenditure involved.

That's a particularly noteworthy point, a positive surprise—because it begins to answer the fears expressed by those who believed that the costs of taking precautionary action would be huge and unsustainable.

In the process of reaching that objective we've learned a great deal. We can now measure our emissions with much more precision than we could five years ago. We now have a verified inventory of emissions. That means we can track reductions in a way which simply wasn't possible before. We've learned a great deal about trading greenhouse gas emissions—through establishing the first global internal trading system which enabled us to apply the right resources in the right places and to reduce the costs involved. And we've learned a great deal about the potential to resolve the challenge of climate change through technology.

The quality of the products we sell has improved—with the development of cleaner fuels. That not only improves air quality in our cities, it also enables us to work with the auto manufacturers to produce significantly more efficient engines.

Taken together, those steps mean that we've not only reduced our own emissions but we've also reduced the carbon content of the energy products we supply to the world. So it is a good start. But it's not a place to stop.

There is no single solution . . . but there are many ways forward. What we and others have done show that there are rich and wide-ranging possibilities.

The compelling conclusion from the scientific work is that the ultimate objective must be to achieve stabilization—a maximum level of carbon dioxide in the atmosphere which is below the level of risk.

If stabilization is the objective, what is the appropriate contribution of an individual company? Clearly, we can't do everything. We supply just 1.5 per cent of the world's energy and around three per cent of the world's oil and gas.

But we play our part and take a lead. We can use our skills and technology and business process to set our own internal target in the context of the goal of stabilization, with a clear time scale over the next decade; in short to hold the emissions from our operations at 10% below 1990 levels, through 2012, with approximately half of that coming from improvements in internal energy efficiency, and half from the use of market mechanisms, generating carbon credits.

That is our next objective and our new commitment.

The scale of the challenge is clear. We're a growing business, and we want to create value for our shareholders by increasing our share of the world energy market over the next decade. We aim to continue to grow our production of oil and gas by more than five per cent per annum until 2005, and to keep growing beyond that.

We'll also be increasing the volume of refined products we produce. Precise predictions are impossible but we are moving to the point where we could be producing twice our current output. So we have to have the means to manage the possible volumes of CO_2 which that growth implies.

How then can we contribute to the objective of stabilisation? There are two principal ways. First, through efficiency—improving the productivity of the energy we use, and doing everything we can internally to reduce our emissions per unit of production.

By applying existing knowledge across the span of our operations, and selective new capital investment in areas such as cogeneration, we believe we can achieve a 10 to 15 per cent improvement in the efficiency of our energy use. That will include continued work to avoid leaks. In total we believe we can deliver around half the necessary reductions needed to sustain our internal emissions at current levels.

Secondly we have to continue to reduce the carbon content of the products we produce and sell. We'll continue to shift the balance of our business in favour of lower carbon energy sources and in particular natural gas. We'll also continue the development of key markets for fuels with a lower carbon content such as Compressed Natural Gas and Liquefied Petroleum Gas.

We'll offer refined products that are designed to enable improved efficiency, or greater emissions reductions. We'll continue to improve the quality of our refined products. Within the next three years 50 per cent of sales worldwide will be of clean fuels, including zero sulphur fuels, which we hope will catalyze the development of more efficient engines. We're working with engine manufacturers. We'll continue to develop our solar business which will grow by 40 per cent this year and which already has a 17 per cent world market share. And we'll explore other potential renewable sources of supply, and test the viability of other potential energy sources such as hydrogen.

At the same time we'll maintain the leadership we've secured over the last five years in carbon capture and geologic storage, a technology that may have applications across industry sectors.

Our growth will be cleaner than the average, as it has been over the last decade, and that means we will have earned the right to grow, because by taking action we've ensured that our growth is sustainable in every sense.

Of course, the offset I mentioned depends on the development of a system of credits which recognizes that emissions can be reduced in many different ways and which incentivises innovation and new thinking. That system of credits has not yet been established. The market mechanisms are not yet in place. But these are early days.

We, and others, have learned a great deal about the technology of trading emissions over the last five years. But to reach its full potential, and to go beyond the boundaries of individual companies, trading requires real incentives which are not yet in place. Nevertheless, I feel more confident now than I did in 1997 that such systems will eventually be established, and as they are developed we're determined to maintain our leadership position.

The acceptance of the risk and of the potential for progress is reflected in all the actions being taken by Governments around the world: in China—a shift from coal to natural gas, and an extensive national programme of investment in environmental protection; in the UK—the development of a creative and constructive trading system; and in the US, the important statement about reducing carbon intensity by President Bush four weeks ago builds on previous statements on stabilisation and opens new possibilities based on the fundamental American belief in technology—a belief founded on decades of achievement here in Stanford and in other great universities.

The differences of approach are to me a source of optimism—because they reflect reality. The most effective forms of action do vary from one country to another, just as they vary from one company to another. That creative diversity of response, combined with the common acceptance of the problem, means that a recognition of different advances in a common form through credits is more likely than it has been before.

Our aspiration then is to sustain the reduction in emissions we've made. And by doing that to contribute to the world's long term goal of stabilization. That is the route to creating a sustainable, profitable business. We can't do it alone. We need the help of partners. We need the help of the academic. And we need the help of Governments.

IN RECOGNITION OF 90TH ANNIVERSARY OF THE GIRL SCOUTS

HON. MIKE ROGERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Mr. ROGERS of Michigan. Mr. Speaker, today I rise in support and recognition of the 90th Anniversary of the Girl Scouts of the United States of America. Founded on the belief that all young women should be given the opportunity to develop physically, mentally and spiritually, Girl Scouts of the U.S.A. empowers girls to develop to their full potential.

The largest organization for girls in the world, Girl Scouting has a membership of 3.8 million. By establishing programs that are tailored to the needs and interests of girls, the Girl Scouts provides opportunities to develop strong values and life skills in our young women. The scouting experience allows American girls to take on responsibility, think creatively and act with integrity—elements essential to cultivating good citizenship.

The Girl Scouts dedication to the positive development of girls and young women is an essential contribution to American society. I am confidant that the hard work and dedication of the Girl Scouts, which has been an integral component of the last 90 years of our nation's history, will continue well into the future. I commend the Girl Scouts of the United States of America for their commitment to assisting girls and young women to grow strong in mind, body, and spirit and call on my colleagues to do likewise.

AFGHAN BACK TO SCHOOL DAY MARCH 23, 2002

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Ms. KAPTUR. Mr. Speaker, March 23, 2002 was a great day of celebration for women and girls in Afghanistan. March 23rd was the official first day back to school for children in Afghanistan. At least 1.5 million children of elementary school age attended the first day back to school across the country. Children returned to classrooms for the first time in five

years, and many stepped into classrooms for their first time ever.

When the Taliban government took control of Afghanistan in 1996, it immediately imposed a repressive interpretation of Islamic law, forbidding girls from attending school and women from teaching. For five years Afghan girls were denied the basic right to education. Only 32 percent of Afghanistan's 4.4 million children were enrolled in school in 1999. Almost all girls, 92 percent, were not in school.

We have all heard of the courageous stories of former female teachers operating illegal schools out of their homes, teaching young girls basic math and writing. Women all over the country refused to give up their right to be educated and to educate. A survey conducted by UNICEF at the end of last year found there were almost 600 home-based schools in Kabul alone. The women and girls that kept learning through illegal home schools must be commended for their courage and bravery.

This is a time of hope for women and girls in Afghanistan. Education is important to the life of all nations. March 23 marked a new beginning for Afghan women and girls, and a new beginning for the entire country.

IN HONOR OF THE GARFIELD HEIGHTS JUNIOR WOMEN'S LEAGUE

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Mr. KUCINICH. Mr. Speaker, I rise today to recognize the 50th anniversary of the Garfield Heights Junior Women's League. The league deserves the highest praise for its years of service to the citizens of Garfield Heights.

In 1952, thirteen women met to discuss the formation of an organization that would be dedicated to community involvement. The result was the Garfield Heights Junior Women's League which grew dramatically over the years. In the past five decades, long lasting friendships were created and civic engagement has been greatly enhanced as hundreds of women became involved in GHJWL projects. Founder Evelyn Hubert and several of the original charter members are still active participants.

The Garfield Heights Junior Women's League remains an invaluable resource today, assisting with countless civic activities. The League raised thousands of dollars to assist such projects as the G.H. Fire Department and the Boys and Girls Baseball League. It also awarded over $30,000 in scholarships to local high school graduates and provides monthly checks to needy families in Garfield Heights. In 2001, the league was recognized for its admirable work when it was selected as ''Organization of the Year'' by the Garfield Heights Chamber of Commerce.

My fellow Colleagues, I respectfully submit this tribute to the Garfield Heights Junior Women's League. For the past fifty years the League has lived up to its motto, ''The only happiness you keep is the happiness you give away.''

IN HONOR OF THE FIRST LATIN HEALTH MINISTRIES DEVELOPMENT PROJECT HEALTH FAIR

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Mr. MENENDEZ. Mr. Speaker, I rise today to honor the First Latin Health Ministries Development Project Health Fair, a great opportunity to promote and provide health care information to the Latino community. The event took place on April 6, 2002, at New Horizons International Church.

Latino churches have united to sponsor health care initiatives in communities throughout New Jersey, where health care disparities exist in minority populations. The health fair will help communities work towards a more effective and just health care situation for all citizens. Access to quality health care is a right, not a privilege, and I'm proud to support the project's efforts.

Under the leadership of the Community Development Center for the Planning and Actualization of Sustainable Programs and Projects, Inc.'s (PASP, Inc.) President, Reverend Jose C. Lopez, the First Annual Health Fair will become a reality, demonstrating a commitment to public health. This event was made possible through the sponsorship of the New Jersey Department of Health & Senior Services, Office of Minority and Multicultural Health, and the Community Development Center—PASP, Inc.

Today, I ask my colleagues to join me in honoring the First Latin Health Ministries Development Project Health Fair, working towards effective and quality health care for all.

HONORING DAIRY INDUSTRY OF CALIFORNIA

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Mr. RADANOVICH. Mr. Speaker, I rise today to honor the Dairy Industry of California on the occasion of being honored for their support of the Diabetic Youth Foundation. An event to honor the dairy industry will be sponsored by Rob and Jeannie Hilarides of the Sierra Cattle Company to benefit the Diabetic Youth Foundation.

Rob and Jeannie Hilarides have been touched by the cause on a personal level. Their daughter, Hannah, has Type I diabetes. Their pain and suffering has led them into taking an active role to battle the disease, not only for their daughter, but for other children as well. The Hilarides have given support financially and have also brought the cause to the attention of the dairy people. Through them, the industry has become very involved in support of the Diabetic Youth Foundation.

Recently, a study has found that the California Dairy Industry contributes 122,300 jobs and $17.5 billion to the State's economy. The industry has been very instrumental in creating opportunities for jobs within the state. The same study found that for every two jobs on a California dairy farm, three more jobs are created off the farm through the purchase of goods and services. Despite these economical contributions, the dairy industry has made numerous charitable contributions, specifically to the Diabetic Youth Foundation.

The Diabetic Youth Foundation provides year-round educational programs for families affected by diabetes. The financial assistance is advantageous to the foundation and has allowed them to accept children in spite of the child's financial situation.

Mr. Speaker, I rise today to honor the California Dairy Industry for its contributions to the community. I invite my colleagues to join me in thanking the Industry, and the Hilarides, for their continued support of the Diabetic Youth Foundation.

HONORING THE STATE CHAMPION LADY BLUE DEVILS

HON. BART GORDON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Mr. GORDON. Mr. Speaker, today I rise to recognize the Jackson County Lady Blue Devils, who recently won an unprecedented third straight Class AA girls basketball state championship.

Such a feat deserves much respect. The team of highly motivated players went 33–4 this season, capping a championship season with a resounding 47–28 win over a tough Giles County team. This season also marked the most successful in the program's history.

Despite having won back-to-back championships in the previous two years, the Lady Blue Devils were not expected to finish No. 1. But the team's determination and hard work proved to be a winning combination that no opponent could overcome in the state tournament.

Residents of Jackson County, Tennessee, can be proud of the accomplishments of the Lady Blue Devils, who became the first Class AA team to win three straight titles. I commend the team and its coach, Jim Brown, for an outstanding season and a remarkable achievement.

The following are the members of the 2001–2002 state champion Lady Blue Devils: Andrea Davidson, Emily Lane, Deanna Apple, Alyssa Bowman, Jennifer Harris, Ashley Hopkins, Megan Pepper, Courtney Childress, Sheena Hager, Marissa Hensley, Amanda Naff, Kayla Olson, Candace Stafford, Allison Richardson, managers Lucy Anderson, Dot Chambers, Stephenee Clayton, Andrea McMillan, Miles Stewart and trainer Shawn Moffitt. Kelly Coe and Barbara Brown also serve as the team's assistant coaches.

HONORING MONSIGNOR OSCAR A. ROMERO

HON. LUCILLE ROYBAL-ALLARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Ms. ROYBAL-ALLARD. Mr. Speaker, I rise to honor Monsignor Oscar A. Romero, El Salvador's patron of peace, justice and liberation, on the 22nd Anniversary of his assassination. Monsignor Romero, Archbishop of El Salvador, dedicated his life to the social and economic liberation of the poor. It is an honor for

me to pay my respects to the legacy of such a powerful community organizer and advocate.

Monsignor Oscar Arnulfo Romero was born on August 15, 1917 in San Miguel, a small neighborhood in the city of Barrios, El Salvador. After three years of public schooling and about four more years of private tutoring, Monsignor Romero was apprenticed to a town carpenter. Soon after his apprenticeship began, his strong faith and love for the Catholic Church led him to forsake his training as a carpenter to attend the seminary in the city of San Miguel. He continued his theological studies at the national seminary in San Salvador and completed them at the Gregorian University in Rome. On April 4, 1942, Monsignor Romero was ordained as a priest to his home country and began his journey as a crusader for the people of El Salvador.

A brilliant career in the Church soon followed, as Monsignor Romero became rector of the interdiocesan seminary of San Salvador, then general secretary of the Bishops' Conference and executive secretary of the Episcopal Council for Central America and Panama. He continued to move up within the Church hierarchy, and on February 22, 1977, he was appointed archbishop of San Salvador.

Monsignor Romero took over the archdiocese of El Salvador at a time of social conflict. A brutal civil war was taking the lives of 3,000 people a month. Monsignor Romero became personally acquainted with the bloodshed when two of his priests were murdered, He immediately demanded an inquiry into the events that had led up to the death of the priests and set up a permanent commission for the defense of human rights.

Monsignor Romero became an outspoken critic of the ruthless oligarchic state and a defender of liberty and justice for the lower class of El Salvador. Sunday after Sunday hundreds of people flocked to his masses to listen to his message. As the archbishop of San Salvador, he also sought to inform the world about all the people who had been tortured, slaughtered, and of those who had ''disappeared'' in El Salvador. As the civil war intensified and Monsignor Romero became a popular figure for the poor, he also became a target of attacks by the ruling class. However, his commitment to a peaceful resolution to the two-decade-old war was unfaltering and the world took notice. In 1979, Monsignor Romero was nominated for the Nobel Peace Prize for his outspoken defense of human rights.

Monsignor Oscar A. Romero demonstrated extraordinary courage and an unyielding determination to do what is right, true, and just. He demanded peace, a peace that could only be found in human rights and assurances of basic dignities. In the face of injustice, Romero took it upon himself to use the Church as a light of hope and to challenge the oppression of the Salvadoran military regime.

On Sunday, March 23, 1980, Monsignor Romero directed his homily to the military from the San Salvador cathedral where he pleaded with them to stop the killing and to cease the repression in the name of God. Sensing his imminent death, Monsignor Romero said,

> I have been the target of frequent death threats. I must say as a Christian, that I do not believe in death without resurrection. If they kill me, I will be reborn in the Salvadoran people . . . hence I offer God my blood for the redemption and for the resurrection of El Salvador . . . let my blood be the seed of freedom and the sign of hope that soon will be a reality.

Sadly on March 24, 1980, Monsignor Romero was killed by a bullet aimed to his heart, as he was giving mass in the chapel of the Carmelitas Nuns hospital in San Salvador. A single bullet transformed him into a martyr. His life was taken, but his voice could not be silenced. Monsignor Romero was and continues to be a beacon of hope in a country ravaged by poverty, injustice, and sorrow.

Today, I join the Los Angeles City Council, the Los Angeles County Board of Supervisors, the California State Assembly, Clinica Monsignor Oscar A. Romero, and the 22nd Anniversary Commemoration Committee, in paying homage to Monsignor Oscar A. Romero and to celebrate his life and legacy.

HONORING THE CONTRIBUTIONS OF WOMEN FROM NORTHWEST OHIO

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Ms. KAPTUR. Mr. Speaker, I would like to commend the following article to my Colleagues. Women from Northwest Ohio have been trailblazers in the fields of education, health, business and politics. Toledo has a rich history of strong women and I commend their achievements.

WHAT'S IN A NAME? AN HONOR FOR WOMEN OF ACHIEVEMENT

LOCAL PLACES NAMED FOR THOSE WHO MADE A DIFFERENCE

(By Ann Weber)

''You can use my name as long as you do a great job,'' longtime local volunteer Elizabeth Zepf is said to have told admirers years ago when they asked if they could name a community mental health center for her.

Members of the Lucas County mental health board and the board of the newly established center agreed to the deal, and apparently have lived up to it. Since 1974, the Elizabeth A. Zepf Community Mental Health Center, 6605 West Central Ave., has been serving the severe and persistently mentally ill.

Mrs. Zepf, who is in her 90s and living in Toledo, was prominent at the local, state, and national level of the March of Dimes, a member of the mental health board, and active in more than a dozen other organizations. The Zepf Center is one of numerous places in northwest Ohio that are named for women.

At least one person believes there should be many more such places.

''Maybe they're not as obvious as men, but there are a lot of women who have made major contributions to the community and have not been recognized,'' said Ann Hurley, chairwoman of the Women Alive! Coalition and a reference librarian in the local history and genealogy department at the Main Library.

But she noted that many of those women haven't worked in fields from which names usually have been plucked, such as high government office. Most of the places that are named locally after women are related to the fields of education, social service, and health—the ''invisible career fields,'' says Barbara Floyd, University of Toledo archivist.

Even an exception—Ella P. Stewart, the first African-American woman pharmacist—was hailed not for her business acumen but for her work in human rights, she pointed out. Toledo has a rich history of strong women.

''Toledo was a hotbed of the women's suffrage movement,'' Ms. Floyd said. ''A lot of those women are perhaps lost to history because their contributions have been forgotten.''

Today, ''one of the areas that is striking is our prominence in the political field,'' she said, citing U.S. Rep. Marcy Kaptur, State Sen. Linda Furney, Lucas County Commission President Sandy Isenberg, and State Reps. Teresa Fedor, Jeanine Perry, and Edna Brown. ''That's an amazing success for women in this area.''

Many of the area's prominent women have been profiled in a series of books written by the women's history committee of the Women Alive! Coalition. Volume I of In Search of Our Past: Women of Northwest Ohio was published in 1987; Volume VIII is in the works.

''We are a treasure trove of women's history. We don't ever see these volumes ending,'' said Susan Coburn, editor. She is the manager of the humanities department at the Main Library, and predicts that in the future women's names will be seen increasingly on government, professional, and technical buildings.

Here are just some of the places in the area named for women, with information on what inspired the honors:

MILDRED BAYER CLINIC FOR THE HOMELESS, 2101 JEFFERSON AVE.

Mildred Bayer (1908–1990) ''was always helping somebody,'' a classmate from the St. Vincent School of Nursing recalled in Volume III of In Search Of Our Past: Women of Northwest Ohio. From Mrs. Bayer's concern for others came medical clinics for migrant workers in Lucas County, Mobile Meals of Toledo, and mobile medical clinics in Nigeria. The Toledo clinic provides dental, vision, and primary health care to the homeless.

CATHARINE EBERLY CENTER FOR WOMEN, UNIVERSITY OF TOLEDO

The center was founded in 1978 and in 1980 was named in honor of Catharine Eberly (1922–1979), who served on the UT board of trustees from 1974 until her death in an automobile accident. Its services include career counseling, support groups, and leadership training for students and community women.

JOSEPHINE FASSETT MIDDLE SCHOOL, 3025 STARR AVE., OREGON

Every St. Patrick's Day, staffers at Fassett Middle School in Oregon put a green balloon on the office portrait of Josephine Fassett, born March 17, 1884. The school's namesake was appointed supervisor of schools in Oregon and Jerusalem townships in 1914 and later, when the districts were consolidated, was superintendent of Oregon schools until she retired in 1954. Miss Fassett died in 1975. The school has just over 500 students in sixth, seventh, and eighth grades.

GILLHAM HALL, UNIVERSITY OF TOLEDO

The University of Toledo had a library collection of about 8,100 volumes when Mary Gillham (then Mary Mewbom) joined the staff in 1921. When she retired in 1969, it had grown to 600,000. Gillham Hall, now used for classrooms and faculty offices, was the first free-standing library building at UT. Designed by Mrs. Gillham herself, it opened in August, 1953.

AURORA GONZALEZ COMMUNITY & FAMILY RESOURCE CENTER, 1301 BROADWAY

Aurora Gonzalez (1924–1991) was the first Hispanic woman elected to the Ohio Hall of Fame. The neighborhood outreach center

named for the activist hosted two presidents last year: George Bush and Mexico's Vicente Fox. It provides a food pantry, clothing locker, youth athletic and job-readiness programs, and family counseling.

A nearby stretch of South Avenue between Broadway and the Anthony Wayne Trail honors Aurora's sister, Ruth Gonzalez Garcia.

ELEANOR M. KAHLE SENIOR CENTER, 1315 HILLCREST AVE.

Eleanor M. Konieczka Kahle (1916–1995) was an advocate for seniors who was elected to Toledo City Council in 1987, 1989, 1991, and 1993. Until 1993 she was director of the West Toledo Senior Citizen Center, which was named for her after her death. The center offers a variety of programs and activities—from computer classes to line dancing, bingo to flu shots.

JOSINA LOTT RESIDENTIAL & COMMUNITY SERVICES, 120 S. HOLLAND-SYLVANIA RD.

Lott Industries, Inc.

Hers is a familiar name to area residents, since two organizations have honored Josina Jones Lott (1898–1973), an educator and advocate for children with mental and physical disabilities.

Lott Industries, chartered in 1955, serves Lucas County residents with mental retardation and other developmental disabilities through sheltered workshops and a vocational training center.

Josina Lott Residential & Community Services, a separate entity, also serves adults with mental retardation and other developmental disabilities. It includes group homes and life-skills training programs for people living independently.

CORDELIA MARTIN HEALTH CENTER, 905 NEBRASKA AVE.

Cordelia Martin (1915–1999) was devoted to providing health care to Toledo's poor. The center is one of 10 sites (including the Mildred Bayer Clinic for the Homeless) administered by the Neighborhood Health Association. Primarily serving low to moderate income, uninsured and underinsured people, the center includes doctors' offices, dental care, a lab, pharmacy, the federal WIC program, and social service education and referrals.

ANNA C. MOTT BRANCH, TOLEDO-LUCAS COUNTY PUBLIC LIBRARY, 1085 DORR ST.

Anna C. Mott (1835–1902) was a founder of the Toledo Woman Suffrage Association in 1869 and in 1884 was one of the founding officers of the Toledo Humane Society. The Mott Library opened in 1918. Originally 6,000 square feet, it now is almost 14,000 square feet. Circulation has increased 45 percent over the past five years.

SOFIA QUINTERO HISPANIC ART & CULTURAL CENTER, 1225 BROADWAY

Sofia Quintero (1948–1994), active in politics and public affairs, was the first Hispanic president of the Toledo board of education. The mission of the nonprofit organization is public education about Latino heritage through the arts and events such as the Day of the Dead celebration, when Latinos remember loved ones who have passed away.

ELLA P. STEWART SCHOOL, TOLEDO PUBLIC SCHOOLS, 707 AVONDALE AVE.

The school was named in 1961 for Ella Nora Phillips Stewart (1891–1987), civil rights crusader and Toledo's first African-American woman pharmacist. She and her husband, William, were the first African-Americans to own and operate a drugstore in Toledo. The school has 340 students in first through sixth grades, and a museum honoring Mrs. Stewart with items such as dolls from her collection, medicine bottles from her pharmacy, and a shirt signed by President John F. Kennedy.

WHITNEY ADULT EDUCATION CENTER, 1602 WASHINGTON ST.

Dedicated in 1941 as the Harriet Whitney Vocational High School for Girls, the building is named for Harriet Whitney (1814–1903), Toledo's first woman school teacher. The building was closed as a high school in 1991 and now houses Toledo Public Schools' Adult Education Center and the Center For Change.

Based there is the Adult Basic Literacy Program/GED and one of 22 local class sites, plus other services for adults such as vocational programs. There's also a night school for youths in day classes who need to make up credits and a program for at-risk students.

THE HISPANIC BUSINESS ASSOCIATION: HISPANIC CHAMBER OF COMMERCE FOR OHIO

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Mr. KUCINICH. Mr. Speaker, I rise today to recognize the 20th Anniversary of the Hispanic Business Association: Hispanic Chamber of Commerce for Ohio. The association has displayed tireless commitment and dedication to the Hispanic business community.

The association grew out of a task force of Hispanic business owners in 1981 and was incorporated as a non-profit organization in 1983. The motivation to create the association came from a core of Hispanic business owners who were alarmed over the low participation in the private and public sector. Functioning through its 15-member voluntary board and network of supporters, the association has successfully worked to advocate the economic development and expansion of Hispanic businesses.

By advocating consistently for the needs of the Hispanic business community and assisting other organizations with much needed services, the Hispanic Business Association: Hispanic Chamber of Commerce for Ohio, has served as an invaluable resource. It has sponsored and co-sponsored various events, featuring many distinguished speakers, such as the Mayor of the City of Cleveland, the National Director of Minority Business Development Agency, and the State Director of Equal Opportunity. In addition the association annually sponsors the ''Entrepreneur of the Year'' Awards Banquet, recognizing Hispanic entrepreneurs who, despite the odds, have succeeded in business and participated in community development.

My fellow colleagues, the Hispanic Business Association: Hispanic Chamber of Commerce for Ohio deserves the highest praise for its dedication to advancing the needs of the Hispanic Business Community. I commend this long standing organization.

HONORING VIDA EN EL VALLE

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Mr. RADANOVICH. Mr. Speaker, I rise today to honor Vida en el Valle for receiving the second-place award as an outstanding bilingual weekly newspaper from the National Association of Hispanic Publications. The newspaper received the award at the Association's 20th annual convention in Dallas.

Larger newspapers have recognized the weekly newspaper for its dedication and ability to cover many aspects of the community. Vida en el Valle, published by the Fresno Bee, is a free newspaper distributed to Fresno, Tulare, and Madera counties. The newspaper began publication in 1990, and in 10 years of competition has received 28 first-place awards and 49 second-place awards. The recognition the paper has received shows the amount of respect the paper has gained for itself in only a short time.

Among the many awards the newspaper received, the editor, Juan Esparza Loera, was also recognized. He received first place for best entertainment column for a piece he wrote about the ALMA Awards, which honors outstanding Latinos in the television and movie industry.

Mr. Speaker, I rise today to congratulate Vida en el Valle for receiving second-place as an outstanding bilingual weekly newspaper. I invite my colleagues to join me in thanking Vida en el Valle for its dedication to the community and wishing the paper continued success.

IN HONOR OF THE ANNUAL BAYONNE HOLOCAUST REMEMBRANCE DAY OBSERVANCE

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Mr. MENENDEZ. Mr. Speaker, I rise today to honor the Annual Bayonne Holocaust Remembrance Day Observance. Co-sponsored by the Inter-Faith Clergy and the Bayonne Jewish Community Council, the event will take place on April 10, 2002, at the City Hall Council Chambers.

On Tuesday, April 09, 2002, Jews around the world commemorated Holocaust Memorial Day, or Yom Hashoah. The colossal crimes against humanity and the unimaginable horrors that cost the lives of 6 million Jews and so many others, perpetrated by the world's most evil forces, shall never be forgotten, as we commit ourselves to fight bigotry, condemn hatred, and foster understanding among people.

Bayonne's annual observance will feature speaker Jay Sommer, 1981 National Teacher of the Year, and a Holocaust survivor.

Jay Sommer, who managed to escape from a Nazi labor camp in occupied Czechoslovakia, and arrived in the United States after more than two years in a displaced persons camp in Italy, has successfully established himself as a successful and well-respected educator in our nation. In 1981, he was appointed to the National Commission on Excellence in Education established by President Reagan, and traveled throughout the United States with the Commission, serving as an official spokesperson for the U.S. Department of Education. He is a specialist in foreign language instruction, and has taught Spanish, Russian, Hebrew, and French for over twenty years at New Rochelle High School.

Mr. Sommer graduated from Brooklyn College, and, in 1982, received a Distinguished Alumnus Award in recognition of his leadership in the field of education. He earned a Masters in Spanish language and literature from Hunter College in 1960, a second Masters in Russian language and literature from Fordham University in 1965, and completed his course work for a Ph.D. in comparative literature at New York University.

Chairing this event for the fourth time is Alan J. Apfelbaum, who has been an active and dedicated member of the Holocaust Remembrance Day Committee since its inception.

I ask my colleagues to join me in honoring the Annual Bayonne Holocaust Remembrance Day Observance, and honor those that lost their lives, especially during these most difficult times for the State of Israel and Jews across Europe subjected to a new wave of Anti-Semitic violence.

HAPPY VAISAKHI DAY TO THE SIKH NATION

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Mr. TOWNS. Mr. Speaker, on April 13, the Sikhs will be celebrating Vaisakhi Day, their most important holiday. I want to salute the Sikh Nation for its contributions to America and wish all the Sikh people a happy Vaisakhi Day.

Vaisakhi Day is the day when the Sikhs were formed by their guru into the Khalsa Panth. It is the anniversary of the founding of their order, and the Sikh Nation has been a very important contributor to every country in which Sikhs live. A Sikh named Dalip Singh Saund served in Congress in the late 1950s and early 1960s. Dr. Amarjit Singh Bhullar of Connecticut is an elected school board member. Sikhs have been very active and successful in this country in virtually every walk of life. They have also made important contributions to India, including giving about 80 percent of the sacrifices for India's independence. Yet India persecutes them. Over 250,000 Sikhs have been murdered by the Indian government since 1984, according to the book The Politics of Genocide. At least 50,000 were picked up, tortured, murdered, and then declared ''unidentified'' and their bodies were cremated. The Movement Against State Repression reports that India admitted to holding 52,268 Sikh political prisoners. Tens of thousands of Christians, Muslims, and other minorities are also being held. Our own State Department reported in 1994 that the Indian government paid more than 41,000 cash bounties to police officers for killing Sikhs. These are just a few examples of the oppression of the Sikhs by the Indian government. I could give a very long list, but I do not wish to take up too much of the House's time.

April 13 also happens to be the birthday of Thomas Jefferson, who wrote the Declaration of Independence. In that document he wrote that when a government becomes tyrannical, ''it is the right of the people to alter or abolish it and institute new government, laying its foundation on such principles and organizing its powers in such form as to them shall seem most likely to effect their safety and happiness.'' That certainly applies to the Sikh Nation today, as well as Kashmir, primarily Christian Nagaland, and the other nations living under Indian occupation. It is time for them to claim their own.

America should support these nations' right to self-determination by stopping aid to India and by supporting a free and fair vote on independence. Then the people of South Asia can finally live in freedom and enjoy stability, prosperity, and peace. That is something we should all work for.

Dr. Gurmit Singh Aulakh, President of the Council of Khalistan, put out an excellent and informative statement for Vaisakhi Day. It really lays out the issues well. With the consent of the House, I would like to insert it into the RECORD at this time.

[From the Council of Khalistan, March 25, 2002]

VAISAKHI MESSAGE TO THE SIKH NATION

(By Dr. Gurmit Singh Aulakh)

This is a time of celebration of our 303rd anniversary of the Khalsa Panth. It is also time to look back at our history. The Guru gave sovereignty to the Khalsa Panth. (''In grieb Sikhin ko deon Patshahi.'') Banda Singh Bahadur established the first Khalsa rule in Punjab from 1710 to 1716. Then there was a period of persecution of the Sikhs. Again Sikhs established a sovereign, independent rule from 1765 to 1849, when the British annexed the Sikh homeland, Punjab, into British India.

To regain freedom from the British, Sikhs were on the front line of the fight. The Sikh Nation gave about 80 percent of the sacrifices during this freedom struggle when they formed only 1.5 percent of the Indian population. At the time of the independence of India, Sikhs were equal signatories to the transfer of power from the British. Muslim leader Mohammed Ali Jinnah was very wise and well educated and he did not trust the majority Hindu leadership. He got an independent Pakistan for the Muslims. The Sikh leadership should have gotten an independent country for the Sikhs at that time, but they were fooled by the Hindu leadership of Nehru and Gandhi so Sikhs took their share and joined India on the promise that they would have the glow of freedom in the northwest part of India.

Khalsa Ji, we have seen this ''glow of freedom'' in the form of the attack on the Golden Temple in June 1984, when over 20,000 Sikhs were killed in Punjab in a single month. The next massacre of Sikhs occurred after the assassination of Indira Gandhi in Delhi. There was a mass murder of Sikhs throughout India, including Delhi. The Sikhs were pulled out of trains and burned alive. Sikh truck drivers were pulled out of their trucks. Tires were put around their necks by Hindu militants and they were burned to death. In Punjab, this genocide continued under Beant Singh's government. Sikhs were arrested, tortured, and then cremated and their bodies were declared ''unidentified.''

Since 1984, over 250,000 Sikhs have been murdered. 52,268 are rotting in Indian jails under TADA, which expired in 1995. Many of them have been in illegal custody since Operation Bluestar in 1984. Only last month, 42 Members of the U.S. Congress wrote to President Bush to get these political prisoners released. Jaswant Singh Khalra, who exposed the government killing of Sikhs in fake encounters, became a victim of the Indian police himself. He was kidnapped outside his house and murdered in police custody. He documented 6,018 Sikhs who were secretly cremated by the government in three cremation grounds, Patti, Tam Taran, and Durgiana Mandir. Subsequently, Punjab Human Rights Organization (PHRO) chairman Justice Ajit Singh Bains said that about 50,000 Sikhs were secretly cremated in this manner. Even Akal Takht Jathedar Sahib Gurdev Singh Kaunke was murdered by SSP Swaran Singh Ghotna and then his body was disposed of.

The Badal government was forced to conduct an inquiry into the killing of Jathedar Kaunke. It was done by three Punjab police officials under the leadership of DIG Tiwari. He submitted a report to the Badal government, which has not been made public as of today. How could a democratically elected Akali government hide the murder of the Akal Takht Jathedar by not releasing this report, which was conducted by its own order?

The Badal government was the most corrupt one in Punjab's history. They invented a new term for bribery: ''fee for service.'' If you didn't pay the fee, you didn't get the service. There was a fixed amount of money for government jobs. Bags of money were received by Mrs. Badal in return for these jobs. The Punjab economy deteriorated under Badal and the Punjab government its largest debt ever. It is bankrupt now. Badal made three promises to get elected. He promised to free the political prisoners, to punish the police officers who carried out atrocities against the Sikh Nation, and to appoint a commission to investigate atrocities. He did not keep any of them.

The Sikh leadership is completely under Indian government control, whether it is the Akali leadership of Badal, Tohra, Mann, and others or the Congress leadership of Punjab under Captain Amarinder Singh or former Chief Minister Mrs. Bhatthal. Changing parties and faces every election will not solve the problems of the Sikh Nation. Congress is no better than the Akalis and the Akalis proved to be the worst enemies of the Sikh Nation. How could an Akali government keep 52,268 Sikhs in jail without charge or trial for the last 16 years? It is shameful and a black mark on the present Akali leadership. They have cashed in on the sacrifices and good will of the pre-independence Akali leadership.

Khalsa Ji, the only solution to this quagmire is the formation of a Khalsa Raj Party under new, honest, dedicated, and committed leadership. The time is now to do it. Let's not waste time and prolong the suffering and agony of the Sikh Nation under the present corrupt Akali leadership which is controlled by the Indian government and is determined to wipe out the Sikh Nation and the Sikh religion. The only remedy is to sever our relationship with Delhi completely, once and for all, and declare the independence from India and start a peaceful agitation to free the Sikh homeland, Punjab, Khalistan.

The victory of the Congress Party was a massive rejection of the Akalis, who were elected five years ago to reject the Congress Party. However, the Congress Party remains the enemy of the Sikh Nation. In the last two elections, the Sikh Nation has soundly rejected both parties. Neither supports the interests of the Sikh Nation; neither can be trusted by the Sikh Nation. The time has come to discard the present Akali leadership that has betrayed the Sikh Nation.

We must press for action against the police officials who carried out the police kidnapping and murder of human-rights activist Jaswant Singh Khalra. These would be good first steps for the Sikh leadership and for the new government in Punjab. But we must continue to pursue our ultimate goal of freeing the Sikh homeland, Punjab, Khalistan.

The Sikh Nation is sovereign and it must have its sovereign, independent country.

Guru gave sovereignty to the Khalsa Panth. Remember ''Raj Kare Ga Khalsa.'' Sikhs can never forgive or forget the desecration of the Golden Temple. This is the history and tradition of the Sikh Nation. The time has come to form a Khalsa Raj Party to liberate Khalistan. The new Sikh leadership must launch a Shantmai Morcha to liberate our homeland. The only way the Sikh Nation can prosper is to free the Sikh homeland, Punjab, Khalistan. The freedom of the Sikh Nation will bring prosperity, stability, and peace to Punjab and to South Asia.

TRIBUTE TO MR. ASTIN JACOBO

HON. JOSÉ E. SERRANO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Mr. SERRANO. Mr. Speaker, I rise today to honor the life and accomplishments of Mr. Astin Jacobo, a dedicated and determined civic activist who recently passed away. Friends, family and community members gathered to honor his memory on March 23, 2002.

Mr. Jacobo spent the last thirty years of his life in service to his multi-cultural community. Crotona residents already feel the great gap Mr. Jacobo has left behind. As a native of the Dominican Republic, Mr. Jacobo came to the United States with defined goals and ample determination. He saw where his community was seriously in need of change and did not hesitate to roll up his sleeves and get involved. His sense of civic duty was difficult to match and that is just one reason why his passing is such a great loss to the South Bronx.

One look around the Crotona neighborhood, and you will see sufficient proof of Mr. Jacobo's impact on this community. While serving as president of the Crotona Community Coalition, he played critical roles in the launching of the Mary Mitchell Youth & Family Center and the Mapes Avenue ball field, to name a few things, Residents can also be grateful to him for the part he played in improving the Quarry Road Soccer Field and Belmont Park. Mr. Jacobo's accomplishments helped the community feel more like community and instilled a sense of pride in many residents. Throughout his career in public service, Mr. Jacobo was served on the Bronx Community Planning Board #6, and was involved with Save-A-Nation, Inter-Neighborhood Housing Corporation, the Mary Mitchell Youth & Family Center, the Northwest Bronx Community and Clergy Coalition, and various local sports teams. He has been honored by many of these organizations and others for his achievements.

Mr. Speaker, beyond Mr. Jacobo's ceaseless civic work, he managed to be a loving and involved husband, father of four, and grandfather of three. To be well-known as not only a giving and determined individual, but also as a devoted family man, is a remarkable honor. I am sure that his family is very proud of the wonderful life he led.

The civic organizations to which he belonged throughout his 75 years, like the honors and awards he has received, are almost beyond counting. Mr. Jacobo was a wonderful individual who showed us the beauty and power of dedication, leadership, and wisdom. He was truly an inspiration to all who knew him.

Mr. Speaker, I ask my colleagues to join me in commemorating the life of Mr. Astin Jacobo.

HONORING THE REVEREND AND MRS. JAMES (MARY) FUNCHESS

HON. RONNIE SHOWS

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Mr. SHOWS. Mr. Speaker, I rise today to honor the Reverend and Mrs. James (Mary) Funchess of Georgetown, Mississippi.

On April 13th, friends and relatives and parishioners of the Greater Mount Olive Baptist Church of Jackson, Mississippi, will turn out to celebrate the 13th anniversary of Rev. Funchess' being the Minister of that great church.

The son of John and Alpha Funchess, James Funchess has lived his whole life in Georgetown, Mississippi. He attended schools in Copiah County and theological seminaries throughout the Great State of Mississippi, He accepted the ministry more than 25 years ago and today is the Dean of the Copiah County Ministerial Alliance. He has established himself as an esteemed community leader in Copiah County and Greater Jackson.

It is quite an accomplishment, offering ministry to so many people for 13 years as Minister at Mount Olive Baptist Church. But the kindness, the wisdom, and the leadership of Reverend Funchess extend far beyond those 13 years. His family and friends are gathering to celebrate the blessings that James and Mary Funchess have bestowed upon thousands of people whose paths have crossed theirs during their lifetime of ministry throughout Mississippi.

Indeed, his favorite saying is ''I will let nothing mess up my day. This is the day the Lord has made me.'' These are words to live by, and give me great comfort. So I am happy to join the celebration honoring James and Mary Funchess, and to lend my voice in praising and thanking them for their good work.

HONORING DONALD CRIPE

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Mr. RADANOVICH. Mr. Speaker, I rise today to honor Donald Cripe on the occasion of his retirement as Stanislaus County Agricultural Commissioner/Sealer of Weights & Measures. A dinner will be held in his honor for his contribution to the community.

Donald Cripe attended Grace College in Winona Lake, Indiana, then traveled to California to attend CSU Chico, and received his A.A. Degree from Modesto Junior College in 1976. He started his career with Stanislaus County as an Inspector from 1969–1976, then became Agricultural Commissioner for Madera and Mariposa Counties. He gained much experience while working in these areas, and he brought what he teamed home with him to Stanislaus County. His main duties included pest management, fruit and vegetable quality control, crop statistics, petroleum program, and standards certification, among many others. Don believes that success will come by creating a mission, rather than rules, driven department in which the customer is the focus. He has strongly promoted teamwork and collaboration while working for Stanislaus County.

Donald has been married to his wife, Sharon, for 39 years and they have four children and eight grandchildren. Don has served his community, but has also led an active life with his family.

IN HONOR OF DR. DEBORAH MANDELL AND BERNARD KERIK

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Mr. MENENDEZ. Mr. Speaker, I rise today to honor Dr. Deborah Mandell, the National Police Defense Foundation's ''Woman of the Year,'' and Mr. Bernard Kerik, the National Police Defense Foundation's ''Man of the Year.'' Dr. Mandell and Mr. Kerik were honored on Thursday, April 4, 2002, at Russo's on the Bay in Queens, New York.

Dr. Deborah Mandell is the Director of National Police Defense Foundation Psychological Services. Following the tragic events of September 11, Dr. Mandell headed the National Police Defense Foundation's emergency response team. This team provided grief counseling and support to many survivors, family members of victims, and rescue workers. In addition to her tireless work with the National Police Defense Foundation, Dr. Mandell is also a psychologist in New Jersey and volunteers her time to United Way.

This year's ''Man of the Year'' is former New York City Police Commissioner Bernard Kerik. A New Jersey native, Mr. Kerik has dedicated his life to public service. His leadership and dedication proved invaluable following the World Trade Center disaster. As New York City Police Commissioner, Mr. Kerik coordinated the rescue efforts and ensured the City's safety. Prior to becoming the City's 40th Police Commissioner, Mr. Kerik served as a New York City police officer, an undercover detective, and a commissioner of corrections.

Today, I ask my colleagues to join me in honoring Dr. Deborah Mandell and Mr. Bernard Kerik for their dedicated service on behalf of our nation and the citizens of New York and New Jersey throughout these challenging times.

IN TRIBUTE TO PRIVATE FIRST CLASS MATTHEW A. COMMONS

HON. BOB CLEMENT

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Mr. CLEMENT. Mr. Speaker, I rise today to pay a special tribute to Private First Class Matthew A. Commons, an American hero.

PFC Commons died on March 4, 2002 in Afghanistan while trying to rescue another American soldier. He was one of eight servicemen killed that day during an intensive battle with the Taliban and al Qaeda. PFC Matthew A. Commons was a professional soldier, a man who had earned the respect of his fellow

soldiers, and he is remembered fondly by all who had the privilege of knowing him.

Matthew Commons was born in Fort Wayne, Indiana, raised in Indianapolis and also lived in Boulder City, Nevada and Alexandria, Virginia. In high school, Matthew was an accomplished honor student and class officer. He then spent a year at the University of Nevada at Reno, but decided in July 2000 to become an Army Ranger because he wanted to serve his country. He had planned to finish college after his four-year tour and become a history teacher like his father. In December 2001, he visited his father's history classes at Carl Sandburg Middle School in full battle fatigues to discuss his life as a Ranger. Matthew had also recently celebrated his 21st birthday with his Army buddies, a celebration that included hats and banners sent by his mother Patricia Marek, who had just moved to Alexandria, Virginia.

Matthew's Army unit had been sent to Afghanistan on a secret assignment in January. Though he frequently spoke by telephone with his father, he had not been allowed to disclose his location. In speaking of his son, Greg recently said, ''I'm real proud of him. He loved his family, he loved his country and he loved the Rangers . . . He gave his life to save the life of another Ranger.''

Military service is not new to the Commons family. Both of Matthew's grandfather's served in World War II, where his grandfather Marek earned a Purple Heart. Additionally, Matthew's father Greg served in the Marines in the Vietnam War.

Besides his mother and father, Matthew leaves his brother Aaron, his father's second wife Linda Chapman, and two half-brothers, Thomas and Patrick. Matthew, who was buried at Arlington cemetery, has been awarded the Purple Heart and the Bronze Star with V Device for Valor.

Mr. Speaker, I hold out the example of this fine young man, a great American, who paid the ultimate price in defense of freedom and liberty. I know I speak for the entire Congress when I extend sympathies to the entire Commons family and friends who are grieving during this difficult time. May they be comforted by the precious memories of their beloved son and brother.

As a veteran myself, I greatly appreciate the unique challenges faced by the men and women serving in our military today. It is the ultimate sacrifice when a soldier dies for his country. We are able to enjoy the freedoms we have today because of men like Matthew Commons and the hundreds of thousands of Americans who have given their lives in the fight for American principles over the past 226 years.

Matthew Commons answered the call of his country, and his death will forever place his name on the roll of heroes who sacrificed their own lives to protect the lives of others. His life and unyielding commitment to duty and honor should remind us all that the liberties we enjoy do not come without a price. Let us always remember these costs, and always remember Private First Class Matthew A. Commons.

TRIBUTE TO THE UNIVERSITY OF MARYLAND MEN'S BASKETBALL TEAM

HON. WM. LACY CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Mr. CLAY. Mr. Speaker, it is with much pride and satisfaction that I rise today to offer my warm congratulations to my alma mater, the University of Maryland, and its coach, Gary Williams and its men's basketball team, for winning the 2002 NCAA Men's Basketball Tournament and being crowned national champions.

The Terrapins basketball team, led by those heralded seniors, guard Juan Dixon, forward Lonnie Baxter, and guard Byron Mouton, secured the school's first national basketball title with a 64–52 victory over the Indiana Hoosiers earlier this month.

It was a magical tournament run for Maryland's leader and All-American, Juan Dixon, who averaged 25.9 points per game throughout the tournament and was named the tournament's Most Outstanding Player.

Dixon, the Terrapins' steadiest hand throughout the year, led Maryland to a record 32–4 season, with Terrapins winning 19 of their last 20 games.

And now Maryland has the first NCAA basketball championship in school history.

The University of Maryland has a rich basketball history and much to be proud of, even before this national title. Its men's basketball team has posted 20-win seasons 19 times. They have also been to the NCAA Tournament 19 times. Fourteen players have been named All-American.

But for various reasons, the school had never even reached a Final Four until this last season. And it had never won it all until last month.

In their ninth straight appearance in the NCAA tournament, this year the Terrapins finally went the distance. Before this year however, Coach Williams had been a victim of his own great success. The pressure for him to win was incredible.

Getting into the tournament wasn't good enough for Terps fans anymore. For Maryland, March had become maddening, and they wanted a championship. And Gary Williams delivered.

For Williams, this is the culmination of so many dreams. When he returned to his alma mater 13 years ago to take over a program struggling under probation and with an image problem, this goal seemed so far away. But he worked at it every day and now he has reached the pinnacle of college basketball.

For the joyous Terrapin fans, who danced through the streets of Atlanta and College Park, this was Maryland's time to be hailed as ''No. 1''. This was the year to ''Fear the Turtle.''

Once again, I congratulate Coach Williams, the Terrapins basketball team and the entire University of Maryland administration and student body for their school's exceptional basketball season.

TRIBUTE TO PETER COGAN

HON. JOSEPH M. HOEFFEL

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Mr. HOEFFEL. Mr. Speaker, I rise today to congratulate Peter Cogan of Amber, Pennsylvania. For twenty-five years Peter has served as the executive director of the Children's Aid Society (CAS) in Southeastern Pennsylvania. He has done an outstanding job for his community. CAS provides specialized, professional, family-focused social services to abused, neglected and delinquent children and youth within and outside of the context of their families.

Peter received his bachelor's degree from Georgetown and his master's degree in social work from the University of Pennsylvania. In 1977, the board of directors of CAS selected Peter to become the executive director of their organization. During his tenure, Peter brought CAS from an agency that operated primarily in one county to a regional organization serving Southeastern Pennsylvania. Through his diligence and vision, Peter has started programs that have maintained CAS as a reliable, high quality delivery system that protects children, empowers families, and achieves permanent homes for children.

Peter and his wife Donna reside in Ambler and are the proud parents of three children.

I am pleased to recognize Peter Cogan for his many years of dedicated work. Our community is fortunate to have someone of such distinction.

ON THE 90TH ANNIVERSARY OF THE GIRL SCOUTS

HON. TAMMY BALDWIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Ms. BALDWIN. Mr. Speaker, I rise today to extend my congratulations on two momentous occasions for an organization that has made a difference in the lives of girls and women around the nation. In the same year that the local Black Hawk Council chapter of the Girl Scouts in Madison, Wisconsin celebrates 75 years of scouting, the Girl Scouts of the USA are celebrating 90 years of ''helping girls grow strong.''

Girl scouting began on March 12, 1912, when Juliette Gordon Low assembled 18 girls from Savannah, Georgia for a local Girl Scout meeting. Low believed that all girls should be given the opportunity to develop physically, mentally and spiritually. Today, 3.7 million strong, the Girl Scouts continue to carry out their goal by encouraging girls to discover and develop their full potential. They focus on empowerment of girls by engaging in cultural exchanges, going on field trips, participating in community service projects, and learning about non-traditional fields for women such as science and technology.

The Girl Scouts emphasize that their mission is to help all girls grow strong. They emphasize that Girl scouting is available to every girl in every community, reaching beyond racial, ethnic, socioeconomic and geographic boundaries. I experienced this first-hand when

I was a girl scout in the Black Hawk Council as a girl in Madison. I continue to support the Girl Scouts as a member of ''Troop Capitol Hill.''

While the main focus of Girl Scouts is to help girls grow, there is something for everyone to learn from the Girl Scout Law, which states:

I will do my best to be honest and fair, friendly and helpful, considerate and caring, courageous and strong, and responsible for what I say and do, and to respect myself and others, respect authority, use resources wisely, make the world a better place . . .

I wholeheartedly congratulate the Black Hawk Council of Madison for 75 years of empowering girls, and the Girl Scouts of the USA for 90 years of community service, education, and leadership.

INTRODUCTION OF H.R. 4083, THE CORPORATE RESPONSIBILITY ACT OF 2002

HON. JOHN J. LaFALCE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Mr. LAFALCE. Mr. Speaker, today I introduce H.R. 4083, the Corporate Responsibility Act of 2002. This bill gives legislative substance and real teeth to meritorious portions of President Bush's 10-point plan unveiled several weeks ago regarding corporate disclosure and accountability. This bill supplements the important and comprehensive reforms in H.R. 3818, the Comprehensive Investor Protection Act, that I introduced with Minority Leader GEPHARDT and many other Democratic colleagues in the wake of the Enron collapse.

This bill would make it clear that the CEO and CFO are the gatekeepers of honest and understandable disclosure. To the extent that corporate officers violate their duty to shareholders, this legislation empowers the SEC to take action. My bill includes:

1. Disgorgement of Bonuses: Requires the SEC to adopt rules to require the disgorgement of bonuses and other incentive-based compensation obtained by an officer or director of an issuer who filed financial statements which were at the time they were filed misleading.

2. CEO and CFO Certification: The CEO and CFO certify in each annual or quarterly report filed that: such officer reviewed the support; the report does not contain any untrue statement of material fact; the financial statements fairly present the financial condition of the company; and the company has evaluated its internal controls and have disclosed to the auditors and the audit company (a) all significant deficiencies in such controls and (b) any fraud that involves management or other employees who have a significant role in the company's internal controls, among other things. In addition, corporate officers must indicate whether or not there were significant changes in internal controls subsequent to the day of the evaluation of internal controls and whether any corrective actions have been taken.

Violation of the certification provisions may be enforced by the remedies granted to the SEC under Securities Act of 1934, including criminal penalties for any willful violations of such certifications.

3. Officer and Director Removal: Reduces the SEC's burden in court for establishing unfitness to serve as an officer and director. In addition, the bill provides that the Commission in its own administrative proceeding may remove an officer and director (subject to judicial review). Current law requires that the SEC must go to court to seek officer and director removal.

I intend to seek the bi-partisan support of my colleagues by offering each section of this legislation as separate amendments at the upcoming markup of H.R. 3673. I hope to have the support of the White House and my Republican colleagues to make real the enhancement of corporate accountability.

IN HONOR OF TERRI GRAHAM

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Mr. MENENDEZ. Mr. Speaker, I rise today to honor Terri Graham for her outstanding contributions as a Visual Arts Teacher at Bayonne High School. She was honored at the ''Lifetime Presents Disney's American Teacher Awards'', on November 10, 2001, at CBS Television City in Los Angeles.

The entire Bayonne Public School community is proud of Terri's talent, commitment, and creativity that have had a profound and lasting impact on the students and community of Bayonne. Terri has provided a comfortable and safe learning environment in which her students thrive.

Her students have achieved statewide recognition in the past with the 2000 State of New Jersey Arts and Humanities Award (AH–HA), and the 2001 New Jersey State Department of Education Best Practice Award, ''An Interdisciplinary Puppet Show''. By collaborating with the school's German teacher, Mrs. Varda Wendroff, and her German students, Terri and her ceramics students created puppet performances of German folk tales.

Each year, her students are selected to participate in the Morris Museum ''Fresh Perspectives'' show for outstanding high school students in the state. Terri and her students have participated in a variety of community projects, such as the New Jersey Transit Hudson Bergen Light Rail Tile Mural, and they worked with the Bayonne Historical Society, ''History of Bayonne Architecture'', duplicating Bayonne's historic buildings in clay.

Today, I ask my colleagues to join me in honoring Terri Graham's selfless work in educating our nation's youth. She has provided and continues to provide an invaluable learning experience to the students of Bayonne.

''WE THE PEOPLE'' COMPETITION

HON. EARL POMEROY

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Mr. POMEROY. Mr. Speaker, on May 4–6, 2002, more than 1,200 students from across the United States will visit Washington, D.C. to compete in the national finals of the We the People . . . The Citizen and the Constitution program, the most extensive educational program in the country developed specifically to educate young people about the Constitution and the Bill of Rights.

I am proud to announce that the class from La Moure High School from the city of La Moure will represent the state of North Dakota in this national event. These young scholars have worked diligently to reach the national finals and through their experience have gained a deep knowledge and understanding of the fundamental principles and values of our constitutional democracy.

It is inspiring to see these young people advocate the fundamental ideals and principles of our government in the aftermath of the tragedy on September 11. These are ideas that identify us as a people and bind us together as a nation. It is important for our next generation to understand these values and principles which we hold as standards in our endeavor to preserve and realize the promise of our constitutional democracy.

The class from La Moure High School is currently conducting research and preparing for their upcoming participation in the national competition in Washington, D.C. Mr. Speaker, I would like to recognize these young scholars by name:

Emily Anderson, Michael Anderson, Derek Ardnt, Lacey Boehm, Justine Dathe, John Doehler, Sandra Eastley, Cassie Exner, Christina Hanson, Tonya Jacobson, Naomi Janke, Donald Ketterling, Levi Ketterling, Travis Ketterling, Michelle Koval, Kyle Kranda, Cody Larson, Lucas Larson, Loren Podoll, Aaron Potts, Spencer Potts, Ambra Premo, Bethany Roscoe, Clara Sandness, Savannah Sandness, Heather Schmidt, Casey Shockman, Michael Ulmer and Kyle Westgard.

I would also like to recognize and thank their teacher, Mr. Brian Ham, for his critical role in these students' success and their interest in American government. I wish Lamoure High School the best of luck in the national competition.

TAIWAN RELATIONS ACT

HON. MICHAEL N. CASTLE

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Mr. CASTLE. Mr. Speaker, I want to take this opportunity to recognize the 23rd anniversary of the Taiwan Relations Act (TRA) of 1979 and to reiterate the United States' strong friendship with Taiwan. This important legislation was signed into law by President Jimmy Carter on April 10, 1979 and gives Congress a statutory role in defining United States foreign policy toward Taiwan. We have the duty and the responsibility to see that peace, security and stability prevail in the Western Pacific region. Despite tensions with the Peoples Republic of China, Taiwan has prospered economically and politically. A member of the World Trade Organization, Taiwan is one of the richest countries in Asia. Politically, Taiwan is an evolving democracy, and at this moment every major public office on the island is democratically elected.

On the 23rd anniversary of the TRA, we must affirm that the United States will continue to support Taiwan according to the wording and spirit of the Taiwan Relations Act, which

requires the United States to ''make available to Taiwan such defense articles and defense services in such quantity as may be necessary to enable Taiwan to maintain a sufficient self-defense capability.'' It is essential that the United States continues to move forward and engage China, and it will be equally important that the Bush Administration continues to make a commitment to our ally in Taiwan.

RECOGNITION OF THE HADASSAH GROUP

HON. GEORGE R. NETHERCUTT, JR.

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Mr. NETHERCUTT. Mr. Speaker, I rise to pay tribute to the organization Hadassah—the largest women's and largest Jewish membership organization in the United States. Through its 300,000 members within the United States, this volunteer organization has demonstrated dedication to community service and assistance.

The organization was founded in 1912 and, since that time, has put forth exceptional effort to provide services to the community. In the United States, Hadassah has taken action to heighten the quality of American and Israeli life through its education and youth programs. It has also promoted health awareness, and provided personal enrichment and growth for its members. Beyond the national role that Hadassah plays, I would like to recognize the service of the local chapter in Spokane, Washington.

The Hadassah volunteers in my district have collected donations for the Red Cross to help with the charitable acts they provide; they assist the Ronald McDonald House in providing temporary homes for families with a hospitalized child; they have provided support for the AIDS walks in Spokane and Seattle which create awareness and reflect commitment to providing services to those living with HIV and AIDS; and Hadassah also provides outreach to local synagogues with support programs.

Throughout the organization's 90-year history, Hadassah has played a strong role in community improvement and support projects. In recognition of these outstanding achievements, I ask my colleagues to join me in recognizing the great contributions of this important organization.

TRIBUTE TO HONORABLE LOUIS CALDERA

HON. SILVESTRE REYES

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Mr. REYES. Mr. Speaker, I rise today to pay tribute to a true patriot and exemplary American, the Honorable Louis Caldera. Few individuals define the realization of the ''American Dream'' more perfectly than Louis Caldera. As the former Secretary of the Army under the Clinton Administration and current Vice-Chancellor for University Advancement for the California State University, Louis Caldera has achieved more in 45 years than most people do in a lifetime. What makes these achievements so remarkable is the story behind them.

Louis Caldera was born in El Paso, Texas to Mexican immigrant parents. At the age of four, his family moved to a housing project in East Los Angeles. As the son of working class parents, Caldera encountered the struggles of poverty at a young age, yet was instilled with a strong sense of patriotism, love of family, and profound appreciation of the importance of education. Louis had his first job at the age of ten, when he worked as a parking lot sweeper at a local shopping center. For two years, Louis and his parents woke up at 3 a.m. three nights a week to clean the parking lot in order to pay the rent for a small hair salon they operated in the shopping center. During high school, Caldera worked 40 hours a week at a fast food restaurant while taking a full load of college preparatory courses. Louis was only enrolled in college prep classes after persisting and even having his parents sign an approval. Advisors at his high school suggested that Louis pursue more 'practical' vocational training courses. His hard work and determination paid off. Louis was accepted to West Point upon graduation from high school.

After graduating from West Point in 1978, Caldera served as an Army officer and quickly rose to the rank of Captain. He then attended Harvard University, where he received both a Law Degree and a Master's in Business Administration. After a brief stint in the private sector as a corporate finance lawyer, Caldera returned to the public service as a State Representative in the California State Legislature, where he represented downtown Los Angeles. In 1997 he was appointed by President Clinton to serve as Managing Director and Chief Operating Officer of the Corporation for National and Community Service, which administers the AmeriCorps program. One year later Caldera was appointed by Clinton to serve as Secretary of the Army.

At the young age of 45, Caldera has accomplished more than many individuals do in a lifetime. Throughout every phase of his career, he has achieved the unimaginable while never losing sight of his roots. Louis Caldera truly understands both the unique challenges and incredible opportunities confronting Hispanics in the United States on a daily basis. Caldera is a true community servant and his dedication to the Hispanic community and especially Hispanic youth are highly commendable.

As Secretary of the Army, Caldera was a ''Soldier's Soldier'', visiting troops all over the globe and working day and night to provide enlisted soldiers with the education and skills they need to succeed within the Army and beyond. Thanks to Caldera's leadership, the Army overcame a recruiting deficit, giving a renewed sense of honor and duty to military service. Caldera created the Army University Access Online distance education program that enables soldiers to earn college and graduate degrees while serving. In addition, he directed the expansion of the Junior ROTC program to hundreds of high school campuses nationwide and spearheaded Army sponsorship of ''Operation Graduation,'' a three-year public service advertising campaign designed to increase high school graduation rates among at-risk youth.

Caldera's unceasing commitment to education is reflected in his current position as Vice Chancellor of University Advancement at the California State University. Caldera is an excellent role model and phenomenal leader. His ability to understand the struggles and needs of students from diverse backgrounds sets him apart from others, and Louis's own struggle to overcome adversity is truly inspirational. Louis possesses a unique knowledge of government affairs, the private sector, and the challenges that Hispanics in the U.S. face on a daily basis. Caldera's accomplishments speak highly of his character, intelligence, and dedication to the Hispanic community and our Nation. These qualities and countless others make Louis Caldera a truly remarkable man and an invaluable asset to our community. It is a privilege and an honor to recognize Louis Caldera in the company of my fellow members of Congress. Thank you Mr. Speaker. I yield back the balance of my time.

IN HONOR OF SERGEANT ALEX SAAVEDRA

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Mr. MENENDEZ. Mr. Speaker, I rise today to honor Sergeant Alex Saavedra for over 25 years of dedicated service to the public. He retired from the Bergen County Prosecutor's Office on March 1, 2001, and was recognized for his many contributions to New Jersey on April 3, 2002, at The Empire Club in Little Ferry, New Jersey.

Starting out as a patrolman for the Union City Police Department in 1974, Mr. Saavedra quickly climbed through the ranks; in 1977, he served as President of the Policeman's Benevolent Association (PBA) Local 67. In 1983, he worked as an investigator in the Bergen County Prosecutor's Office in the Grand Jury Section; in 1984, he was transferred to the Sex Crime/Child Abuse Section; in 1988, he became Senior Investigator; and in 1989, he was transferred to the Criminal Investigations Section. From 1990 through 1992, Mr. Saavedra served as Vice President of the PBA Local 221, and, in 1991, returned to the Grand Jury Squad; in 1997, he was appointed Sergeant, and, in 1998, was transferred to the Narcotics Task Force. In 2000, he began his last assignment in the Fugitive Squad of the Bergen County Prosecutor's Office.

Over the course of his law enforcement career, Alex Saavedra received the following notable distinctions: Silver Life Member Award, Exceptional Duty Medal, Certificate of Commendation, and Certificates of Appreciation from the Kiwanis Club International, The Lions Club International, The Bergen County Police Academy, and The Bergen County Board of Chosen Freeholders.

Today, I ask my colleagues to join me in honoring Alexander Saavedra for a career devoted to the safety and well being of the citizens of New Jersey. His selfless service will never be forgotten.

BESTOWING ''AMERICAN SPIRIT AWARDS'' UPON WESTERN NORTH CAROLINIANS FOR THEIR RESPONSE TO THE SEPTEMBER 11TH, 2001 ATTACK UPON AMERICA

HON. CHARLES H. TAYLOR

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Mr. TAYLOR. Mr. Speaker, I rise to honor these residents of the Eleventh Congressional District of North Carolina, whose actions in response to the September 11, 2001 terrorist attacks provided aid and relief to the victims, boosted morale and patriotism, and demonstrated the best of the American Spirit. Hundreds of their fellow citizens joined in honoring them at our annual Prayer and Patriotic Breakfast in Asheville on Saturday, March 16th, 2002. It was with a great deal of pride that I bestowed upon each of them the American Spirit Award for 2002.

Kermit Tolley, Jr.; Buncombe County; Battling liver failure, he helped load Hearts with Hands goods being shipped to NYC and inspired many others by his determination to help others in need.

Hendersonville High School Student Government, Henderson County; Brad Phillis and Lauren Rogers accepting on behalf of Hendersonville High School and 16 Henderson County Public Schools who raised money for victims; The Hendersonville High School Student Council raised $8,555 for relief efforts.

Carolina First Mortgage; Henderson County; Elizabeth Plaisance accepted the award on behalf of the business, which raised $37,500 on the street corners of Hendersonville for the Red Cross.

Manual Woodworkers and Weavers; Henderson County; The company donated $355,000 from sale of a special 9–11 throw blanket which it designed, produced and marketed; Teresa Hutchinson and Molly Oates accepted the award on behalf of their coworkers.

Sandra Pitts; Henderson County; As the operator of a dry cleaning business, she showed America's gratitude to servicemen and veterans by dry cleaning thousands of military uniforms at no charge.

Mike West; Buncombe County; This Hearts With Hands Field Services Director was instrumental in collecting, packing and delivering supplies to New York and remained on station as a member of the Operation Heavy Heart team.

Sunshine Elementary School Fifth Grade; Rutherford County; Students organized a patriotic program, honored local firefighters, and raised $250 for the Points of Light Foundation; Accepting the award on behalf of the school were Principal Wayne Litaker and Melanie Smith.

Jerry VeHaun, Buncombe County; Jerry worked at Ground Zero in NYC for 12 days on the 7PM to 7AM shift helping with the recover of bodies from the collapsed Twin Towers.

Madison High School Student Government; These students held a Spirit Chain fundraiser and raised $600 for the Red Cross New York Relief Effort.; Sara Cooley, sponsor, and Josh Harder, president of the student council, accepted the award on behalf of the school.

Mars Hill Elementary School, Madison County; Mrs. Davis' class wrote support letters to President Bush in the wake of the tragedy; student Cody Splain and teacher Caroline Davis accepted the recognition on behalf of the class.

Chuck Davis, Polk County; He initially helped in NYC with Red Cross kitchen, then helped set up a respite center at Ground Zero at which recovery workers could recuperate.

Tanner Companies Foundation, Rutherford County; The company matched employee relief contributions resulting in $160,000 in gifts; David Owens accepted the award on behalf of the company.

Columbia Carolina Corporation, McDowell County; Employees sold tee shirts, which lifted spirits and raised $2,400 for relief efforts; General Manager Jeff Tuckey and Human Resources Manager Steve Franklin accepted the award on behalf of their coworkers.

Pisgah Forest Rotary Club, Transylvania County; The club donated $600 from proceeds of their Blues Concert to the relief efforts in NY, PA, and Washington, DC, and also contributed an additional $347 to the Transylvania County Sheriff's Department; Club members Terrell West and Harry Hafer accepted the award on behalf of the club.

Lisa Waters and Ida Stafford, Clay County; Mountain Home Nursing Service spearheaded a fundraiser for the children of the victims of the 9–11 attacks on the World Trade Centers. They organized a ''God Bless America'' youth rally which raised $600.

South Macon Elementary School 4th Grade, Macon County; Teacher Vickie Hubbs' class adopted the aircraft carrier USS Kitty Hawk and sent patriotic letters and pictures to the servicemen and women stationed on the ship, which is involved in Operation Enduring Freedom. Students Chelsea Powell and Mariah Cousineau accepted the award for the class.

Tim Radford and Shane Curtis; Cherokee County; Radford, of radio station WKRK in Murphy, in conjunction with Curtis, of Circuit World, raised money for World Trade Center victims, delivered the money personally to New York, and broadcast a live remote back to the citizens of Murphy.

Lew Aabye, Polk County; Lou helped as a Red Cross volunteer in NYC kitchens; Accepting for Lew Aabye is Elizabeth Daniel, Chapter Chairperson of the American Red Cross.

Muggs Corpening, Polk County; He served as a volunteer delivering meals in NYC after the 9–11 attacks.

Clyde Volunteer Fire Department, Haywood County; The department served as a collection site for relief goods donated to Hearts With Hands and helped raise over $12,000 for that organization as well as for the 9–11 Relief Fund. Accepting on behalf of the department were Fire Chief Joey Webb, Sr., and Capt. Bennie Coleman.

Murphy Volunteer Fire Department, Cherokee County; These volunteers raised $20,000 for the families of fallen New York City Fire Department firefighters; Chief Al Lovingood and assistant chiefs WC King and Mark Thigpen accepted the award on behalf of the department.

Patricia Pirog for ''Operation Toasty Toes,'' Henderson County; Volunteers make knitted socks to warm the feet of servicemen and women stationed overseas. This past Thursday, the Henderson County Chapter shipped off a huge box of sox to the NC 211th and 210th MP Units now serving in Afghanistan.

Kelly Robertson and Beth McIntosh, Yancey County; These two ladies set up a drop-off point for Yancey County at the Rescue Squad Building and collected and organized two weeks worth of donated goods.

East Rutherford Middle School, Rutherford County; The students at the school raised $4,100 for relief efforts. Libby Sears and Judy Gettys accepted the award on behalf of the school.

PAYING TRIBUTE TO THE RICKENBAUGH FAMILY

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Mr. McINNIS. Mr. Speaker, it is with profound sadness that I pay tribute today to an incredible family, whose lives were so tragically cut short, but whose spirit will remain with us for eternity. Kent Rickenbaugh, his wife Caroline and his son Bart, were not only successful in their business and philanthropic endeavors, but were also pillars of the Denver community who garnered the undying admiration and respect of so many through their unquestioned integrity and unparalleled morality. Each of them will be sorely missed by the multitudes of people whose lives they have touched, and as we mourn their loss, I believe it is appropriate to remember each of them and pay tribute to them for the extraordinary contributions they have made to their city, their state and their country.

Kent began working at his father's Cadillac dealership shortly after graduating from Dartmouth College at the age of 22. He rotated through each division of the dealership before being named assistant to his father, Ralph, who founded the Denver Better Business Bureau in 1951. Kent dedicated himself and his career to protecting commerce in downtown Denver. Even as other businesses and car dealerships fled downtown for the roomier suburbs, Kent vowed to remain in the same neighborhood where his father had started the dealership. He truly believed in supporting the socio-economic interests of downtown Denver, and argued that it was not good business to abandon downtown. While his business always remained downtown, Kent's love of the outdoors and of the West often allowed him to escape to his other life, as a rancher on his 1,100 acre ranch outside Gunnison. He truly loved everything about our great state—both the beauty and the commerce—and his passion for each will be greatly missed.

Caroline, Kent's wife of 40 years, was an exceptional woman in her own right. After the death in 1963 of their infant daughter Selby, who suffered from a heart defect and was cared for at Children's Hospital, Caroline devoted herself to the hospital, helping to raise millions of dollars for its betterment. In 1999, Caroline and Kent endowed a chair in cardiology in her name, and from 1995 to 1997, Caroline co-chaired the campaign to build a new wing for the hospital. The endeavor turned out to be the largest fundraising effort in the hospital's history, raising over $15 million. In addition, she was instrumental in the effort to move the Children's Hospital to the University of Colorado's new health sciences center campus in Aurora. Caroline's deep love for children and for humanity touched the lives of innumerable families who, because of her

philanthropy, were able to receive top-notch medical care from one of the finest children's hospitals in the nation.

Bart Rickenbaugh, the only son of Caroline and Kent, followed in his parents footsteps as a caring and selfless man, who enriched the lives of everyone around him. As a husband, father and son, his deep love of family was the hallmark of his life. He was an avid sportsman and outdoorsman who loved to play hockey, ski, hunt and run. He was a four-year rugby player at Dartmouth College, and a former saddle bronc rider with the Professional Rodeo Cowboys Association. He moved from Denver to Bozeman two years ago, where he became a real estate lawyer. Bart is survived by his wife, Lisa, and children, Sam and Lila.

The Rickenbaughs are survived by their two daughters, Anne Rickenbaugh of Aspen and Katherine Rich of Carbondale, who will undoubtedly carry on the traditions of selflessness and love that have long been the hallmark of this extraordinary family.

Mr. Speaker, we are all terribly saddened by the loss of Kent, Caroline and Bart Rickenbaugh, but take comfort in the knowledge that our grief is overshadowed only by the legacy of courage, success and love that each of them left with all of us. Their lives are the very embodiment of all that makes this country great, and I am deeply honored to be able to bring each of them to the attention of this body of Congress. The memories and manifestations of the Rickenbaugh family's many contributions to the people of Denver will never fade, and I, along with each and every person whose lives were touched by this extraordinary family, will forever appreciate all that they have done for our great State.

INTRODUCTION OF THE CORPORATE AND CRIMINAL FRAUD ACCOUNTABILITY ACT OF 2002

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Mr. CONYERS. Mr. Speaker, today I am introducing the "Corporate and Criminal Fraud Accountability, Act of 2002," legislation that imposes tough criminal and civil penalties on corporate wrongdoers and helps protect employees and shareholders against future acts of corporate fraud. I am joined by Minority Leader GEPHARDT along with Representatives FRANK, JACKSON LEE, BERMAN, WATERS, LAFALCE, ENGEL, DINGELL, JACKSON, Jr. (IL), CHRISTENSEN, DAVIS (IL), CUMMINGS, SANDERS, SOLIS, CLAYTON, BROWN (FL), LYNCH, HOEFFEL, GUTIERREZ, and SCHAKOWSKY.

As you know, the past several months have revealed widespread incidences of corporate fraud and abuse committed by Enron and its advisers. With each passing day, a new revelation concerning the dissemination of misinformation, evidence shredding, obstruction of justice, and insider trading has been unveiled. And, as more companies file for bankruptcy, I am convinced that we may very well learn of additional instances of fraud occurring across corporate America.

One step we can take to prevent corporate wrongdoers from preying on innocent investors and employees is to enact legislation that increases the penalties that companies face for engaging in such rapacious acts. The bill that I am introducing, the "Corporate and Criminal Fraud Accountability Act of 2002", does just that. Among other things, it creates a new 10-year felony for defrauding shareholders of publicly-traded companies; clarifies current criminal laws relating to the destruction or fabrication of evidence, including the shredding of financial and audit records; provides whistleblower protection to employees of publicly-traded companies, similar to those currently available to many government employees; and establishes a new bureau within the Department of Justice to prosecute crimes involving securities and pension fraud.

In the wake of the Enron debacle, I believe the time is now ripe to protect American investors once again. The Enron case has established beyond a shadow of a doubt that white collar fraud can be incredibly damaging, in many cases wiping away life savings and costing innocent Americans billions of dollars of their hard earned money. There can be no conceivable justification for shielding corporate wrongdoers from criminal prosecution for their outrageous behavior. I am hopeful that Congress can move quickly to enact this worthwhile and timely legislation.

The following is a section-by-section analysis of the bill:

Section 1. Title. "Corporate and Criminal Fraud Accountability Act."

Section 2. Criminal Penalties for Altering, Destroying, or Failing to Maintain Documents—provides two new criminal statutes which would clarify and plug holes in the current criminal laws relating to the destruction or fabrication of evidence, including the shredding of financial and audit records. Currently, those provisions are a patchwork which have been interpreted in often limited ways in federal court. For instance, certain of the current provisions make it a crime to persuade another person to destroy documents, but not a crime to actually destroy the same documents yourself. Other provisions have been narrowly interpreted by courts, including the Supreme Court in United States v. Aquillar, 115 S. Ct. 593 (1995), to apply only to situations where the obstruction of justice can be closely tied to a pending judicial proceeding.

First, this section would create a new 5 year felony which could be effectively used in a wide array of cases where a person destroys or creates evidence with the specific intent to obstruct a federal agency or a criminal investigation. Second, the section creates another 5 year felony which applies specifically to the willful failure to preserve audit papers of companies that issue securities.

Section 3. Criminal Penalties for Defrauding Shareholders of Publicly Traded Companies—creates a new 10 year felony for defrauding shareholders of publicly traded companies. The provision would supplement the patchwork of existing technical securities law violations with a more general and less technical provision, comparable to the bank fraud and health care fraud statutes. The provision would be more accessible to investigators and prosecutors and would provide needed enforcement flexibility and, in the context of publicly traded companies, protection against all the types schemes and frauds which inventive criminals may devise in the future.

Section 4. Review of Federal Sentencing Guidelines for Obstruction of Justice and Extensive Criminal Fraud—requires the United States Sentencing Commission ("Commission") to consider enhancing criminal penalties in cases involving the actual destruction or fabrication of evidence or in fraud cases in which a large number of victims are injured or when the injury to the victims is particularly grave—i.e. they face financial ruin.

This provision first requires the Commission to consider sentencing enhancements in obstruction of justice cases where physical evidence was actually destroyed. The provision, in subsections (3) and (4), also requires the Commission to consider sentencing enhancements for fraud cases which are particularly extensive or serious. Specifically, once there are more than 50 victims, the current guidelines do not require any further enhancement of the sentence, so that a case with 51 victims may be treated the same as a case with 5,000 victims. In addition, current guidelines allow only very limited consideration of the extent of financial devastation that a fraud offense causes to private victims. This section corrects both these problems.

Section 5. Debts Non-dischargeable if Incurred in Violation of Securities Fraud Laws—amends the federal bankruptcy code to make judgments and settlements arising from state and federal securities law violations brought by state or federal regulators and private individuals non dischargeable. Current bankruptcy law may permit wrongdoers to discharge their obligations under court judgments or settlements based on securities fraud and securities law violations. This loophole in the law should be closed to help defrauded investors recoup their losses and to hold accountable those who perpetrate securities fraud.

Section 6. Increased Protection of Employees' Wages Under Chapter 11 Proceedings—increases the amount in unsecured claims (wages, commissions, etc.) an individual could claim in bankruptcy proceedings from $4,300 to $10,000. This change would aid employees who are usually only paid their priority wage claims early in the case. The rest of the employee's wage claim is a general unsecured debt and may not be paid except on a pro rata basis at the end of the case, which could be several years later. In the Enron case, employees were paid only their priority wage claims while certain individuals were given generous "retention bonuses." This change would make it possible for the court in similar cases to provide a more realistic buffer to employees who have been laid off or who have not been paid in the period leading up to the bankruptcy.

Section 7. Statute of Limitations for Securities Fraud—sets the statute of limitations in private securities fraud cases to the earlier of 5 years after the date of the fraud or three years after the fraud was discovered. The current statute of limitations for private securities fraud cases is the earlier of three years from the date of the fraud or one year from the date of discovery. In the Enron state pension fund litigation, the current short statute of limitations has forced some states to forgo claims against Enron based on securities fraud in 1997 and 1998. Victims of securities fraud should have a reasonable time to discover the facts underlying the fraud.

The Supreme Court, in *Lampf v. Gilbertson*, 501 U.S. 350 (1991), endorsed the current short statute of limitations for securities fraud in a 5–4 decision. Justices O'Connor and Kennedy wrote in their dissent in the *Lampf* decision: "By adopting a 3-year period of repose, the Court makes a §10(b) action all but a dead letter for injured investors who by no conceivable standard of fairness or practicality can be expected to file suit within three years after the violation occurred. In so doing, the Court also turns its back on the almost uniform rule rejecting short periods of repose for fraud-based actions."

Section 8. Whistleblower Protection for Employees of Publicly Traded Companies who Provide Evidence of Fraud—provides whistleblower protection to employees of publicly traded companies, similar to those currently available to many government employees. It specifically protects them when they take lawful acts to disclose information or otherwise assist criminal investigators, federal regulators, Congress, supervisors (or other proper people within a corporation), or parties in a judicial proceeding in detecting and stopping fraud. Since the bill's provisions only apply to ''lawful'' actions by an employee, it does not protect employees from improper and unlawful disclosure of trade secrets. In addition, a reasonableness test is also set forth under the information providing subsection of this section, which is intended to impose the normal reasonable person standard used and interpreted in a wide variety of legal contexts. *See generally Passaic Valley Sewerage Commissioners v. Department of Labor*, 992 F. 2d 474, 478. Certainly, although not exclusively, any type of corporate or agency action taken based on the information, or the information constituting or leading to admissible evidence would be strong indicia that it could support of such a reasonable belief. If the employer does take illegal action in retaliation for lawful and protected conduct, subsection (b) allows the employee to elect to file an administrative complaint or to bring a case in federal court, with a jury trial available in cases where the case is an action at law. *See* United States Constitution, Amendment VII; Title 42 United States Code, Section 1983. Subsection (c) would require both reinstatement of the whistleblower, double backpay, compensatory damages to make a victim whole, and would allow punitive damages in extreme cases where the public's health, safety or welfare was at risk.

Section 9. Establishment of a Retirement Security Fraud Bureau—establishes a Bureau within DOJ that, among other things, will advise the Assistant Attorney General of the Criminal Division on matters pertaining to pension and securities fraud, and assist federal, state and local law enforcement authorities in combating pension and securities fraud-related activities.

JOHN BRADEMAS ON SCIENCE ADVICE TO CONGRESS

HON. TIM ROEMER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Mr. ROEMER. Mr. Speaker, one of my distinguished predecessors in Congress was the Honorable John Brademas, who represented Indiana's Third Congressional District in the House for 22 years from 1959–81. During his service here, John established himself as one of our leading experts in the fields of education, the arts and humanities, and serving the needs of our nation's children, the elderly and the disabled.

From 1981–92, John served as President of New York University, our nation's largest private university. He is the former chairman of the President's Committee on the Arts and Humanities and the National Endowment for Democracy. John also served as a member of the Carnegie Commission on Science, Technology and Government and chaired the Commission's Committee on Congress.

John recently wrote a very interesting and provocative article entitled: ''The Provision of Science Advice to Policymakers: a US Perspective,'' which appears in the December 2001 issue of The EPTS Report, a publication of The Institute for Prospective Technological Studies, published by the Joint Research Center of The European Commission. I am pleased to offer this article for your review and consideration.

THE PROVISION OF SCIENCE ADVICE TO POLICYMAKERS: A U.S. PERSPECTIVE

(By John Brademas, President Emeritus of New York University)

The horrific attacks of September 11, 2001, on the World Trade Center in New York City and the Pentagon outside Washington, D.C., demonstrated how products of Western science and technology—Jet aircraft and avionics—could be employed to assault citadels of American economic and military power.

Clearly, the consequences of September 11 for makers of U.S. policy—economic, foreign and military—are deep and wide-ranging. The nation's intelligence and law enforcement agencies, for example, have come under criticism for weaknesses in tracking the September terrorists, who were obviously not technologically illiterate.

In Washington, D.C., an envelope containing anthrax was targeted at the Majority Leader of the U.S. Senate, Tom Daschle (D–SD), while in both Florida and New York City, anthrax was apparently aimed at leading television and newspaper journalists, one of whom, Judith Miller, is co-author, with her New York Times colleagues, Stephen Engelberg and William Broad, of a new book, Germs: Biological Weapons and America's Secret War (Simon & Schuster). A recent study by the General Accounting Office found the Federal government as well as state and local health departments unprepared for this latest threat. Meanwhile Senators and Representatives are holding hearings in Washington on the challenge of bioterrorism.

Although in office only a year, President George W. Bush is confronted with decisions he surely did not anticipate. But if reacting effectively to September 11 must now be his overriding concern, there are other judgments the new president and his team must make that are, like making war, also laden with scientific and technological dimensions.

Here is only a partial list of such issues: global warming, missile defense, stem cell research, wireless technology proliferation, energy, AIDS epidemics in Africa and India.

Not only are the policy challenges the Bush Administration must face complex and contentious but to meet them, the President of the United States lacks the decision making authority of a British Prime Minister. For in the American separation-of-powers constitutional system characterized as well, in contrast to European arrangements, by relatively undisciplined political parties, in making national policy, Congress counts! This is a lesson President Bush is learning every day.

All the more is the power of the elected Senators and Representatives in Congress to shape policy made obvious by the current political configuration in Washington, D.C: a Republican in the White House, a Republican majority (narrow) in the House of Representatives, and a Democratic majority (one vote) in the Senate.

INSTRUMENTS OF CONGRESS

In influencing policy, the U.S. Congress has three principal instruments: writing the laws that authorize the activities of the government, appropriating (or not appropriating) funds necessary to carry out the laws, and overseeing their implementation.

Although Senators and Representatives wield great and often decisive authority in setting policy, and despite the ballooning relevance of scientific and technological factors to more and more of the questions on which Congress votes, very few legislators have been educated as scientists or engineers. Given the kinds of persons attracted to campaigning for election to public office, this observation should surprise no one.

Nearly thirty years ago, in 1972, Congress responded to its perceived need for science and technology advice by creating the Office of Technology Assessment (OTA).

Governed by a Technology Assessment Board, consisting of six Senators and six Representatives, evenly divided between Democrats and Republicans, OTA was advised by, in addition to its professional staff, a group of ten experts from the public. During its lifetime, OTA produced evaluations requested by Congress to help the legislature ''understand and plan for the short-and long-term consequences of the applications of technology. . .''

In 1995, however, following the elections of 1994, with Republican victories in both Senate and House of Representatives, Congress, by refusing it funds, killed OTA. Said Lord (Wayland) Kennet, a British leader in technology assessment, ''The Office of Technology Assessment (OTA) was the trailblazer for all the later European institutions. . .''

''The disappearance of OTA has not only been of sad importance to all who work in parliamentary technology assessment in Europe: it has been a bit baffling. That the leading technological state in the world, a democracy like us, should have abolished its own main means of democratic assessment left us aghast. . .''

The demise of OTA has obviously not resolved the question of how Congress gets S&T advice. Indeed, last June, a group of scholars, Congressional staffers and leaders of industry met in Washington to explore prospects for filling the knowledge gap left by the death of OTA.

A NEW OTA?

Suggestions for enabling Congress to obtain S&T advice developed at the June meeting as well as from other quarters are even now under consideration on Capitol Hill. Congressman Amo Houghton (R–NY); John H. Gibbons, former Science Advisor to President Clinton and former director of OTA; and M. Granger Morgan, Professor and head of the Department of Engineering and Public Policy at Carnegie-Mellon University, Pittsburgh, joined recently to propose in effect a new OTA, also bipartisan and bicameral, but in response to criticisms of the old OTA, one with ''strategies'' to perform studies more rapidly, to ensure that the needs of the minority are well served, and to supply technical advice . . . to other congressional support organizations. . .''

Representative Rush D. Holt (D–NJ), one of two physicists in Congress, has introduced legislation to re-establish OTA; since September 11, prospects for action have dimmed. Senator Jeff Bingaman (D–NM), however, is still pressing for $1 million for a technology assessment pilot project in the General Accounting Office.

Given that Members of the House of Representatives serve terms of but two years, some lawmakers had charged that OTA took too much time to complete its studies. Many Republicans also criticized OTA analyses of defense and environmental issues as too ''liberal''.

Conversations with former OTA leaders cast a different light on such complaints. Requests for rapid response reports were, indeed, answered but with caveats. On the allegation of ''liberal'' bias, OTA directors countered that the objections were often to the substance of OTA's conclusions, for example,

to OTA's skepticism about the technological feasibility of missile defense proposals.

''People want science-based decisions, and they're all for that until the scientific consensus is politically inconvenient,'' House Science Committee Chairman Sherwood Boehlert (R-NY), has observed.

Certainly the issues Congress confronts that are freighted with scientific or technological considerations are often politically volatile—stem cell research, genetically produced foods, alternative energy sources, missile defense policy, global warming, nuclear power.

THE CARNEGIE COMMISSION

A revived-and-reformed-OTA is not the only vehicle to which Congress could turn for S&T counsel. Ten years ago, while serving on the Carnegie Commission on Science, Technology, and Government and, having previously been a member of the House of Representatives (D-IN) for twenty-two years (1959–1981), the author chaired the Commission's Committee on Congress. The Carnegie Commission produced a series of reports on how all three branches of the Federal government—executive, legislative and judicial—could more wisely and effectively deal with issues with scientific or technological dimensions. This article will only cover the aforementioned committee concerning Congress.

One of our reports addressed the question of expert S&T advice from outside Congress while another focused on the analysis and advice Congress received from OTA, the Congressional Research Service of the Library of Congress, General Accounting Office and Congressional Budget Office.

The third report focused on organizational and procedural reforms, with particular attention to long-range planning and goal setting, committee structure and the budget process.

Although recommending several reforms in its operation, our Committee found the activity of the Office of Technology Assessment resulted in a product, ''full-scale assessment . . . that is widely used and appreciated by Congress, the scientific contmunity, the public, and individuals and organizations in other nations.''

We also pressed the National Academy of Sciences complex to communicate more regularly, and deeply, with members of Congress and their staffs.

We said, too, that scientists and engineers should become more active in policy making and that Federal agencies, academic institutions, corporations and professional societies should encourage such involvement.

FEDERAL FUNDS FOR S&T

Just one indicator of the S&T universe to which the President and Congress today direct their decisions is that in the Fiscal Year 2001, the Federal government will spend over $90 billion on Research and Development (R&D), a figure some observers estimate could next year easily exceed $100 billion.

With expenditures of tax dollars of such magnitude, it is not surprising that in his recent book, Science, Money and Politics, the nation's leading science journalist, David S. Greenberg, has written a brilliant, irreverent but powerfully documented study of the ties that bind American science to money and politics.

Greenberg's sharply critical analysis demonstrates how the ability of American scientists to win Federal funds is brought to bear with great effectiveness not only on the executive branch but also on Congress.

Indeed, Greenberg warns:

''. . . Science is too powerful, too potent in its effects on society, and too arcane to be entrusted to the expanding alliance between a profession that has retreated into a ghetto and the commercial sector, with their shared focus on making money. While this relationship flourishes, a deadening complacency has settled over the institutions that should be protecting and advancing the public interest in science: the research agencies of the executive branch of government, Congress, the press, and, within science, leaders who should be stewards of scientific tradition, rather than apologists for its neglect. Science finds advantage and claims virtue in its detachment and aloofness from politics. But politics is the medium through which a society decides upon and implements its values and its choices. That the political system frequently goes awry and fails to work to its full potential of beneficial effects is a reason for involvement, not withdrawal. And this is especially so for an enterprise that draws heavily on the public purse and radiates powerful effects in all directions and on all things . . .''

One obvious example of Congressional muscle is the practice of Senators and Representatives taking advantage of appropriations bills to earmark funds for specific institutions and facilities in their own constituencies. This practice, under which Congress votes monies for buildings and research projects without peer-reviewed competition, spurred President Bush's Director of the Office of Management and Budget, in the hope of ending the phenomenon, a few weeks ago to bring together science policy and university leaders to discuss the question.

Most observers, however, agree that achieving success in persuading politicians no longer to look to the interests of their own constituencies is an unlikely development.

A dramatic demonstration of congressional power to affect science is the response of the Senate and House of Representatives to the call in 1992 of Nobel Laureate Harold Varmus, former Director of the National Institutes of Health, to double the funds for science in over a decade—and that's happening. For, as a former OTA director told me, ''When individual citizens believe that basic research and science can lead to life-saving cures, Senators and Representatives will continue to vote to increase appropriations for the National institutes of Health''.

It may be tempting to throw up one's hands in despair or acknowledge with cynicism that elected politicians engage in politics. Yet experience demands that we keep pressing the case for finding ways and means of making it possible for legislators, especially those who serve in assemblies that are more than rubber stamps for the Executive, to have effective access to the best possible information, intelligence and counsel on issues crucial to the future of their country, indeed, to the future of all humankind. This means advice on issues of science and technology.

10TH ANNUAL LABOR AWARDS DINNER HONORING GOVERNOR JAMES MCGREEVEY, STEVE ROSENTHAL AND AL KOEPPE

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Mr. PALLONE. Mr. Speaker, I rise today to join the New Jersey State AFL–CIO in honoring three individuals who have demonstrated extraordinary leadership in labor relations. NJ Governor James McGreevey, AFL–CIO Political Director Steve Rosenthal, and PSE&G CEO Al Koeppe have dedicated their lives to ensuring that New Jersey's workers are provided fair compensation, benefits and safe working conditions. It is individuals like these who allow working families in the State of New Jersey to continue to thrive during these tough economic times.

Governor McGreevey. As the mayor of Woodbridge, the Senator and Assemblyman for the 19th legislative district and now as our Governor, Jim McGreevey has been one of the best friends NJ labor has ever seen. Throughout his tenure in public service Jim McGreevey has been a persistent fighter for the rights of workers, their families, and the labor movement.

While Governor McGreevey has a long list of accomplishments and accolades, none can surpass that of his first executive order as Governor. Before even moving into the Governor's mansion, Jim McGreevey made it one of his first official acts to declare that all large public construction jobs must use unionized labor.

By requiring that all state funded large construction jobs enter into project labor agreements (PLAs), New Jersey is assured that all work is done by qualified individuals, who are receiving a fair wage and quality benefits. PLAs have long been proven an effective way to get work done in a timely fashion, without work stoppages.

By making Project Labor Agreements one of his first official acts, Jim McGreevey once again proved his utmost commitment to the working men and women of our state. His outstanding record and commitment to working families should be applauded and viewed as a model for all public servants. I look forward to continuing work with our newly elected Governor in furthering the labor movement and the rights of all workers.

Steve Rosenthal. As political director of the AFL–CIO, Steve Rosenthal has taken the labor fight to the political spectrum and has fought to ensure that the issues of utmost concern of working families are heard by the American political establishment. Steve has worked long and hard in making workers rights a focus of Congressional, State, County and Local races for office.

Steve Rosenthal was appointed to the position of political director soon after John Sweeney was elected president of the AFL–CIO in 1995. Steve has been tasked to direct the AFL–CIO, and the greater labor movement's, political organization. He has been instrumental in recruiting pro-labor candidates, organizing national voter registration drives, and mobilizing their grassroots campaigns. Steve has been taking an active role in building a long term political infrastructure that not only elects officials that are supportive of labors issues but encourages union members to take active roles in all levels of government.

I am also proud that Steve Rosenthal cut his teeth in our great State of New Jersey. Steve is a member of Communication Workers of America (CWA) Local 1032 and served as the New Jersey CWA Legislative/Political Coordinator. In these roles and currently as the national political director, Steve Rosenthal has truly provided an invaluable service to all working families in the state of New Jersey.

Al Kolppe: For the past 13 years I have had the pleasure and honor to work with a businessman that epitomizes how our public utilities should do business. As the current CEO

of Public Service Electric and Gas (PSE&G) and past president and CEO of Bell Atlantic-New Jersey, Al Koeppe has been a friend to working families and organized labor as a whole.

In his official capacity at PSE&G and Bell Atlantic and as a former member of the NJ Commission on Higher Education, Al Koeppe works hard to ensure good relations with his workforce, providing workers quality benefits, the opportunity to organize and collectively bargain, and a quality work environment.

In the mid-1990's, as a member of the NJ Commission on Higher Education and chairman of the commission's labor management committee, Al Koeppe's committee recommended that the state's nine colleges be required to collectively bargain with their more than 5,000 employees. This statewide bargaining would cover contract talks with classified clerical, security and maintenance workers who were members of the CWA and the International Federation of Professional and Technical Engineers. While this decision was not a popular one with the nine college presidents, it was hailed as a huge victory by the workers and their representative unions.

Al also worked very closely with organized labor, including NJ AFL–CIO President Charles Wowkanech and members for the IBEW, in crafting New Jersey's Energy Deregulation law passed in the late 1990's. Al took significant steps in ensuring that not only consumer concerns were met but also the concerns of the men and women who work for our public utilities throughout the state.

Al Koeppe has obviously demonstrated his leadership on behalf of working families in the state of New Jersey throughout his long and distinguished career. Business and industry should look to Mr. Koeppe as an example of how to conduct labor-management relations.

TRIBUTE TO CLIFFORD STANFIELD

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Ms. ESHOO. Mr. Speaker, I rise today to pay tribute to a distinguished American and longtime resident of San Mateo County, Clifford Stanfield, who passed away on March 3, 2002, at the age of eighty-four.

He leaves his beloved wife Ruth of thirty-one years, his son Raphael and his daughter Sue Spackman, as well as five grandchildren, two brothers and a sister.

A graduate of the Illinois Institute of Technology, Clifford Stanfield worked as an architect until his retirement in 1984. A distinguished veteran of the U.S. Navy, he worked as a ship's painter during World War 11, serving on the destroyer-tender USS *Dixie* in the South Pacific.

A native of Iowa, in 1971, Clifford Stanfield moved with his wife Ruth to California's Coastside where he gave generously of his time and talents to the community. An ardent environmentalist, Clifford Stanfield volunteered as a docent with the Fitzgerald Marine Reserve and the Coyote Point Museum. Utilizing his considerable expertise in architecture and construction, Mr. Stanfield volunteered with the occupational therapy department at Mills Hospital, designing objects for patients to use in their therapy.

Service was a way of life for Clifford Stanfield. Even on his regular strolls through Half Moon Bay, he was known to pick up trash left in the streets and deliver newspapers to the doorsteps of his neighbors.

Mr. Speaker, I ask my colleagues to join me in paying tribute to this great and good man and offer the condolences of the entire House of Representatives to his family. We are a better community, a better country and a better people because of Clifford Stanfield.

PAYING TRIBUTE TO DON PEACH

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Mr. McINNIS. Mr. Speaker, I would like to take this opportunity to pay tribute to Don Peach and thank him for his extraordinary contributions to the town of Rangely. His dedication as Mayor to both his job and the people of Rangely is matched only by the level of integrity and honesty with which he has conducted himself each and every day while at his post. As Mayor, he will always be remembered as a man with the utmost dedication and talent, and will continue to be known as a leader in the community. As he celebrates his retirement, let it be known that I, along with each and every person with whom he has worked and the people of Rangely, are eternally grateful for all that he has accomplished in his distinguished tenure.

When Don arrived in Rangely, the town was mired in financial difficulties, and he quickly set out to turn things around. He effectively reduced property taxes, implemented numerous successful grant programs and tightened the accounting reins by emphasizing strict financial administration. Also upon his arrival, plans were already in the offing to build the Desperado Mine, which was projected to bring an additional 35,000 people to the town. At the time, Rangely was ill prepared to accommodate such a massive influx of people, but Don successfully built up the infrastructure to handle the increased population. In order to house the new workers, he acquired land from the Bureau of Land Management for the La Mesa Development, and subsequently began a number of housing programs. He also initiated a program of utility plant expansions in order to provide the necessary power and infrastructure for the town.

Don was also a strong advocate of bolstering community pride. He succeeded in changing residents' attitudes toward their town through the implementation of a town-wide beautification project. Through numerous grants and support from the town council, a Center Square was built, downtown facades were refurbished, an adopt-a-tree program was put in place, and street, curb and sidewalk improvements were initiated. He was also a strong advocate of community development, creating the Rangely Development Agency and the Rangely Development Corporation, as well as putting in place a number of development regulations in the town. He also established the Foundation for Public Giving and has worked tirelessly on the Rangely Museum Project.

Don is presently working on the Rangely School Foundation, which he helped to create and fund, and is also active in a number of other organizations. He serves on the Northwest Colorado Resource Advisory Council, which he has chaired for several years, is a board member of the Rangely Area Chamber of Commerce, the CNCC Foundation and the Rangely Museum Society, and serves on the University of Colorado Business Community Council. I have personally had the opportunity to work with Don in his capacity as Mayor and as chair of the Northwest Colorado Resource Advisory Council, and have always been astounded at his hard work and dedication. Needless to say, Don is a genuine philanthropist and an extraordinary public servant.

Mr. Speaker, it is clear that Don Peach is a man of unparalleled dedication and commitment to his professional endeavors, his philanthropic endeavors and to the people of his community. It is his unrelenting passion for each and every thing he does, as well as his spirit of honesty and integrity with which he has always conducted himself, that I wish to bring before this body of Congress. He is a remarkable man, who has achieved extraordinary things in his career and for his community. It is my privilege to extend to him my congratulations on his retirement as Mayor of the town of Rangely, and wish him all the best in his future endeavors.

FALUN GONG

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Mr. UDALL. Mr. Speaker, I rise today to speak out against the religious persecution of Falun Gong practitioners in mainland China. Falun Gong representatives believe that over 100,000 Falun Gong practitioners have been arrested. Tens of thousands have been thrown into labor camps without trial, and at least 1,000 healthy practitioners have been put into mental hospitals and have suffered illegal psychiatric abuse. It has also been reported that between 365 and 1,600 people have been killed in police custody.

It is thought that there are as many as 100 million Falun Gong practitioners worldwide. Falun Gong believers hold that this spiritual practice instills the three principles of truthfulness, compassion and tolerance. They would merely like the opportunity to peacefully practice their beliefs without fear of torture or imprisonment.

Mr. Speaker, I ask my colleagues to join me in supporting Falun Gong and its practitioners' quest for peace and tolerance.

A TRIBUTE TO CULTURAL FEST 2002

HON. MIKE McINTYRE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Mr. McINTYRE. Mr. Speaker, it is with great pleasure that I rise today to acknowledge Cultural Fest 2002, hosted by Harold Collins. This event, which will be held in Robeson County,

North Carolina from April 17–21, will bring together ethnic and cultural groups from this area to celebrate the diversity and strength of our region, state, and nation. Robeson County, as confirmed by the latest census, is the most culturally diverse of all one hundred counties in North Carolina.

Robeson County is an area rich in heritage and history. This heritage and history will be on display during a Grand Parade uniting individuals from the numerous cultures represented within the county. Each cultural group will demonstrate its distinctive heritage during the event, providing individuals of all ages the opportunity to learn about the unique blend of cultures surrounding them. Furthermore, the event hopes to be a positive influence on the lives of the youth of Robeson County and surrounding areas, steering them away from drugs and violence and towards more benign outlets.

Cultural Fest 2002 could serve as a model for other communities to emulate as a means of positively promoting the great diversity of our nation. The organizers of Cultural Fest 2002 should be commended for their efforts.

My fellow colleagues, please join me in saluting the organizers of Cultural Fest 2002 for their efforts. May God's blessings shine upon this event.

IN MEMORY OF RON CAWDREY

HON. JANE HARMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Mr. HARMAN. Mr. Speaker, I rise today to honor the memory of Ron Cawdrey, a close friend and driving force in the City of Redondo Beach, California, who died last month.

In addition to being a two-term councilman, Ron served his community in so many other ways, including on the North Redondo Beach Business Association, the Redondo Beach Chamber of Commerce and the local Little League. He also was vice president of the Communications Workers of America, Local 9400, representing 10,000 members in California, and was actively involved in local Democratic politics.

But listing Ron's affiliations does not come near to describing the contributions he made to our community and the impact he had on the individuals he touched. A quick glance at the tributes his friends and colleagues have written reveals a man who was inspirational, loving, nonconfrontational and deeply devoted to his family. People just liked being around him.

In short, Mr. Speaker, Ron was well deserving of his 1992 Redondo Beach Man of the Year award, and his recent Redondo Beach Mayor's Lifetime Community Service Award.

I am uncertain when I first met Ron, but believe it was at a meeting of local labor leaders. Ron ''adopted'' me, and became a tireless worker on my behalf. He was always there for me, and for so many others.

The last time I saw Ron was at a regional Chamber of Commerce breakfast, hosted by the Redondo Beach Chamber. I hadn't seen him in some time, but he bounded up to me with his magnetic smile, gave me a big hug, and asked how I was doing.

Mr. Speaker, my heart goes out to Ron's wife Punky, his four children and four grandchildren, for I know the next few weeks and months will be difficult. But as they grieve, I hope they find comfort in knowing what a wonderful contribution Ron made to the world around him.

IN HONOR OF DR. L. JAY OLIVA, PRESIDENT, NYU

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Mr. RANGEL. Mr. Speaker, I rise today to honor a New Yorker who has done a great deal for higher education in America, and for the City of New York. As a proud alumnus of this great university, I wanted to share with Members of Congress some of the accomplishments of this fine leader, and to take this opportunity to salute Dr. Oliva. New York University is the largest private university in this nation with more than 50,000 students, many of them first-generation college attendees. I know because I was one such first-generation college graduate in my family. NYU is clearly one of this country's premier universities.

Dr. Oliva has been its president since 1991, but he has been a leader of NYU for many decades, four decades, in fact. He has provided distinguished leadership of young men and women as its Chancellor, as a Dean, a Provost, and as an Executive Vice President. Yet, I want to recognize him for a role he has played continuously throughout these 40 or so years, and still plays—a teacher. He still personally carries a teaching load; he believes in that role above all. NYU has been at the heart of this man's life.

NYU's motto is a ''private university in the public service.'' These were not just words for Jay Oliva, for, indeed, he was one of the very first university presidents in the nation to lead the fight for Americorps. He helped shape a university that is dedicated to community service and volunteerism. Over 4,000 NYU students participate in volunteer efforts. President Oliva assembled his own President's C-Team that involves over 200 students working directly with him on public service initiatives. NYU is now home to the largest America Reads program in this country. Under his leadership, NYU has distinguished itself as a provider of services for the underprivileged, through its dental clinics providing healthcare to the indigent, low-income and minority populations, to its social work, education, nursing and medical school and initiatives, to its highly distinguished legal and business leadership and assistance. NYU provides tutoring and training for schools throughout the region, leaving a mark on many people's lives.

September 11th 2001 was no exception, when NYU was not only directly hit, but it was a time when its doctors, nurses, dentists, social workers and staff immediately answered the call to provide services to those in New York in need.

Dr. Oliva certainly saw a global vision and mission for NYU, but it was his local vision that has provided a blanket of services over New York City and State. For all of these and many more reasons, I stand now to applaud his leadership of NYU, his dedication to this great institution, and to the principles on which it was founded, and which he did so much to shape.

AFGHANISTAN EDUCATION FOR GIRLS AND WOMEN

HON. TAMMY BALDWIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Ms. BALDWIN. Mr. Speaker, I rise today to recognize an event that is on its way to the world's history books an event that, last month, changed the lives of girls and women in Afghanistan forever. On March 23rd, Afghan schools went back into session, meaning that, for the first time in five years, girls began to attend school legally.

During the reign of the Taliban regime, women all over Afghanistan refused to give up their right to be educated. Some set up illegal schools in their homes at risk of being severely beaten. Others hid books and pencils under their clothing in fear of being killed if they were found out. But even during these horrific times, Afghan girls remained resolute. ''We want to go to school even more,'' they said. For many Afghan girls, this is the first time they can walk down the street with a book, without the risk of being killed.

The Taliban regime was the most repressive regime in the world with regard to the status of women. The systematic exclusion of women from all positions of status in all aspects of government and society not only marginalized women, but it undermined Afghanistan's entire civic society. Prior to Taliban rule, 40% of Afghanistan's doctors, over half the university students, and two-thirds of Afghanistan's teachers were women, It is clear that for the rebuilding of Afghanistan to be successful, there must be educated and informed women in all walks of life.

I would like to commend the United States Children Fund for their extremely hard work and aid in helping with the ''Back to School'' campaign. In cooperation with the Afghan Interim government, UNICEF has a goal of bringing more than 1.5 million Afghan children into a safe learning environment. In a country where the literacy rate is just four percent—the lowest in the world—UNICEF has dedicated countless hours to ensuring that each child has access to basic school supplies. The kind of dedication to humanitarian relief that UNICEF has shown in Afghanistan is essential not only to the future of Afghanistan, but to women and children around the world.

I wholeheartedly thank UNICEF for their support of Afghan children. I commend the Interim Afghan government for making education a key priority. Most of all, I thank the teachers and children of Afghanistan who have had the courage and the will to educate and be educated after years of fear, insecurity and oppression.

PAYING TRIBUTE TO ELIZABETH MOORE

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Mr. McINNIS. Mr. Speaker, it is with profound sadness that I pay tribute today to Elizabeth Moore, an incredible woman who recently passed away, but whose dedication to the

people and animals in her community was both extraordinary and inspirational. Elizabeth selflessly gave her time and energy to her community through her intense love of all living creatures, and was a woman of unquestioned integrity and of unparalleled morality. She will be sorely missed by each and every person whose life she touched, and as her family mourns her loss, I believe it is appropriate to remember Elizabeth and pay tribute to her for her incredible contributions to her city, and her state.

Elizabeth and her husband John first came to Colorado's San Luis Valley in 1995 after riding on the Cumbres & Toltec Scenic Railroad. They decided to make the beautiful valley their home, and immediately embarked upon a mission to make it a better place for all to live—even the animals. After arriving in the San Luis Valley, Elizabeth served as the President of the Humane League, dedicating her time to organizing fundraisers for spay and neuter clinics and finding homes for stray cats and dogs. She had a strong conviction that the best way to help the plight of animals in the community was to control the population by spaying and neutering. Her efforts were critical in procuring funds from the Max Fund to assist with low-cost spay/neuter clinics in the community. In addition, she loved the outdoors, and had climbed most of Colorado's highest peaks, inspiring her husband to take up the sport as well. Elizabeth's extraordinary selflessness and dedication to all living things will be sorely missed by everyone that knew her, and by all that benefited from her incredible deeds.

Mr. Speaker, we are all terribly saddened by the loss of Elizabeth Moore, but take comfort in the knowledge that our grief is overshadowed only by the legacy of courage, selflessness and love that she left with all of us. Elizabeth Moore's life is the very embodiment of all that makes this country great, and I am deeply honored to be able to bring her life to the attention of this body of Congress.

HONORING THE UNIVERSITY OF CONNECTICUT WOMEN'S BASKETBALL TEAM ON A PERFECT SEASON AND A NATIONAL TITLE

HON. NANCY L. JOHNSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Mrs. JOHNSON of Connecticut. Mr. Speaker, I rise to pay tribute to the outstanding accomplishments of the University of Connecticut Women's Basketball Team, who on Sunday March 31st defeated the Oklahoma Sooners to win the NCAA tournament. They finished the season with a perfect record of 39–0.

I would like to offer special congratulations to Head Coach Geno Auriemma who won his third national title, and to Seniors Sue Bird, Swin Cash, Asjha Jones, and Tamika Williams who have had a most remarkable four years.

Mr. Speaker, these extraordinary young women do not need me to tell them that they are champions, or that their accomplishments are appreciated. Surely all the sold-out games, the sea of blue and white that filled the Alamo dome during the Final Four and the 150,000 fans who turned out for the team's victory parade made that clear.

Mr. Speaker, I rise today to point out that although they are young adults themselves the outstanding achievements of the this team offers a fine example to our nation's young people. I applaud them for all of their achievements both on and off the court.

IN RECOGNITION OF HOLOCAUST REMEMBRANCE DAY

HON. E. CLAY SHAW, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Mr. SHAW. Mr. Speaker, I rise today in recognition of Yom Ha Shoah, Holocaust Remembrance Day. We recall now not only the more than six million Jews who lost their lives, but the human potential that was also extinguished during the dark days of World War II. We remember not just the mothers and fathers, the sons and daughters, the brothers and sisters, but also their descendents who never got to make their contributions to mankind. And we remember the heroes who gave their lives in the greatest fight for freedom and democracy the modern world has ever known.

By pausing today, we join in a solemn bond with the victims of the Holocaust to ensure that the world will never suffer such a horrific tragedy again. It is through our reflection that we acknowledge our loss and through our actions that we build a world free of such hatred and despair. Our greatest tribute to the millions who suffered at the hands of the Nazis will be to ensure that their memory will never be extinguished. By recognizing Holocaust Remembrance Day, we do just that by educating today's and future generations.

Yet the fires of hate, which burned so brightly in Europe from 1939 through 1945, never really burned out. They were smoldering in the hearts of the terrorists who flew their planes into the Twin Towers, the Pentagon and into the ground of rural Pennsylvania on September 11th. And those same fires are ablaze even today, in actions of the suicide bombers on the West Bank and in Gaza. We pray, Mr. Speaker, for a soothing rain to extinguish forever the fires of hatred.

With these examples fresh in our minds, we marvel at the strength and character of the Jewish people. Their steadfast determination to rebuild their lives following the Holocaust has given the world a remarkable model of resolve. Through their example, we can glimpse the extraordinary human spirit that rises above the fruitlessness of anger and resentment. With this day and with our deeds we honor that spirit. Mr. Speaker, we observe Yom Ha Shoah to always remember and never forget. I am proud to recognize Yom Ha Shoah and I urge my colleagues, and all Americans, to do the same.

TRIBUTE TO JULIE ROCHE ON HER U.S. CITIZENSHIP

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Mr. UDALL of Colorado. Mr. Speaker, I rise today to congratulate Julie Roche, a dedicated member of the community and of my campaign staff for officially becoming an American citizen on February 22, 2002.

Julie graduated from the University of California in San Diego in 1992 with a degree in political Science and lived for 6 years in Washington, DC, before settling in Colorado, which is now her permanent home. Though Julie has lived in the United States for almost her entire life, she had retained her Irish citizenship until earlier this year. Giving up her Irish citizenship was a hard decision to make. Like most Americans who have come from abroad, Julie is very proud of her heritage. However, her dedication to public service, her interest in politics and her love for the United States persuaded her to make the choice.

While she is a new citizen, Julie is not a newcomer to our country or our democratic system of government. In addition to working for both my colleague, Representative DIANA DEGETTE, and for me, Julie also works for the Colorado Democratic Party. She has decided—rightly—that American citizenship would allow her to even more fully participate in public affairs and to work for the betterment of what is now fully our common country. In her free time, Julie plays on a soccer team in Denver, runs marathons and is a volunteer for the Colorado Red Cross, where she is on call one week of every month and helps victims of disaster. She is a shining example of the spirit and promise of American democracy and the diversity that makes our country so special.

On behalf of her fellow citizens of Colorado and the United States, I congratulate Julie on her becoming an American citizen.

A TRIBUTE TO SERGEANT MIKE HUMPHREY, NORTH CAROLINA HIGHWAY PATROL

HON. MIKE McINTYRE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Mr. McINTYRE. Mr. Speaker, it is with great pleasure that I rise today and honor Sergeant Mike Humphrey of the North Carolina Highway Patrol. On March 31, 2002, Sergeant Humphrey retired after serving the people of North Carolina for over twenty-eight years.

Mike Humphrey was a decorated officer, who spent his career ensuring that the people and the roads of North Carolina were safe. In 1977, Sergeant Humphrey was honored with the Law Enforcement Officer of the Year Award. In addition, Sergeant Humphrey serves on the North Carolina Seventh Congressional District Law Enforcement Advisory Committee, where he is a positive voice for the law enforcement community. Protecting lives and patrolling our communities were not only the passion of Sergeant Humphrey, but also that of his father. The Humphreys were the first father and son to serve simultaneously in the history of the North Carolina Highway Patrol.

We owe Sergeant Mike Humphrey our sincere appreciation for his twenty-eight years of committed service to our state. His determination, devotion, and dedication to the people of North Carolina should serve as an example to us all. May God bless him and his family, and may God bless the great state of North Carolina.

IN CELEBRATION OF THE CAREER OF HON. DEE HARDISON

HON. JANE HARMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Ms. HARMAN. Mr. Speaker, I rise to celebrate the distinguished career of a spectacular individual—the Honorable Dee Hardison, who steps down today as mayor of the City of Torrance.

Mayor Hardison, whom I fondly and proudly call my ''sister,'' and I have worked together closely over the last decade to serve the citizens of Torrance and the greater South Bay community of Los Angeles County. Whether it was fighting to keep the Los Angeles Air Force base right where it is, to prevent a geographic split in the 310 telephone area code, or to support the Torrance public school system, I have always treasured Dee's advice, passion, dedication and, most importantly, her hands-on approach. And speaking of dedication, Mr. Speaker, how many mayors do you know who would continue a 40-mile bike ride after tumbling off her bike during the first leg? Well, that is exactly what Mayor Hardison did one year during my biannual campaign bike ride!

But besides biking, being a good friend, and reaching the ''gold standard'' of wife, mother and grandmother, Mayor Hardison has devoted so much of her energy to her community. For nearly three decades, Dee shepherded thousands of young people through the Torrance Unified School District, including many years as a special education teacher. While a teacher, she was appointed to the City of Torrance's Planning Commission and Parks and Recreation Commission. In 1986, she successfully ran for a seat on the City Council and served there for eight years. Having reached the limits on terms of service, she then successfully ran for Mayor, a post she has held with distinction and grace.

While holding all these ''day jobs,'' Dee still found time to devote to many important community organizations, including—but certainly not limited to—the Torrance Cultural Arts Center Foundation, the Torrance Education Foundation, the Torrance Sister City Association, the Rose Float Association, and the Torrance League of Women Voters. Finally, Dee distinguished herself as a regional leader, recently completing a tour as Chair of the South Bay Cities Council of Governments, which has been instrumental in developing regional solutions to the area's transportation challenges.

Mr. Speaker, I will miss having Dee as the Mayor of the largest independent city in my district. But I know she will continue to be an active leader in the community be a ready source of advice and counsel. With more spare time, I hope she is improving her biking skills and will join me again this fall on the bike trail.

MURLI DEORA JOINS INDIA'S UPPER HOUSE

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Mr. McDERMOTT. Mr. Speaker, one of the architects of the growing diplomatic relationship between the United States and India received some long overdue recognition last weekend when Murli Deora was elected to the Raja Sabha, the Upper House of India's National Parliament.

As our colleagues may recall, relations between the United States and India went through difficult times during the 70's and 80's because of the Cold War. We were, as former Ambassador Dennis Kux declared, ''estranged democracies.'' Yet, even during the weakest of times in our relationship with India, Murli Deora worked hard to bring our two nations together. His views were often times at odds with the foreign policy establishment in his country. Only during the past decade did the United States' democracy finally draw close to the world's largest democracy. In the process, Murli Deora was vindicated.

Mr. Speaker, Murli Deora has a long and distinguished career as a politician in India. Murli began his career in public service more than twenty-five years ago as the Mayor of Mumbai, India's largest city. Although Murli's public life has taken him to all parts of the world, he has never forgotten his roots or his love of this city of more than twelve million people. A long time member of the Congress Party, Murli remains President of the Mumbai Regional Congress Committee, a grassroots party organization renowned in Indian politics.

Upon completing two terms as Mumbai's mayor, Murli was elected repeatedly to the Lok Sabha, the Lower House of India's parliament. During his many years as a Parliamentarian, Murli distinguished himself as a skilled legislator. Among his many accomplishments was passage of landmark legislation to open India's insurance market to foreign investment. Murli also used his tenure in the Lok Sabha to become a tireless advocate for stronger India-U.S. ties. He founded the India-U.S. Interparliamentary Forum and headed the Indo U.S. Initiative. When members of this body decided to band together to create the Congressional Caucus on India and Indian Americans, Murli offered his encouragement and support. As the current Co-Chairman of the Caucus, I can attest first hand to Murli's dedication, energy and foresight.

Mr. Speaker, the world has always been Murli's forum. A former President of the Parliamentary for Global Action, Murli has spent the last three years working as a senior official of the Indian Red Cross and as International Vice President for the Red Cross in Geneva. Therefore, it is both fitting and appropriate that Murli has been elected without opposition to the Raja Sabha. All of us who know Murli congratulate him and welcome his induction into this senior most legislative body in India. I am confident that Murli will continue to immerse himself in the pressing problems of hunger, disease, the underclass and economic development. And, I am certain that relations between our two countries will also continue to occupy a central place in Murli's busy world. As a result, we have much to look forward to, and relations between our two countries will be the clear beneficiary.

PAYING TRIBUTE TO TED DIAZ

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Mr. McINNIS. Mr. Speaker, I would like to take this opportunity to honor an extraordinary man whose passion for life and incredible human spirit is an inspiration to us all. Ted Diaz, a native Coloradan whose passion for our great state is as constant and unyielding as any I've ever known, recently passed an impressive milestone, celebrating his eightieth birthday with a gathering of his friends and family.

Ted was born on April 1st, 1922 in Delta, Colorado, as one of twelve siblings. He attended school in Silt, Colorado, and later moved to Rifle, where he currently resides. Throughout his life, he has been the consummate athlete and good citizen, winning accolades in basketball, softball, bowling and horseshoes, while always giving his time and energy to the community as a mentor and a friend. He coached the town's American Legion baseball team, as well as the girls' town team, and umpired high school games in both the spring and summer. For 27 years, he selflessly gave his time to the community by marking the football field for high school games, and by volunteering to run the yard marker. In addition, he valiantly served in the U.S. Army from his station in the Philippines.

While working for Re-2 for 27 years, Ted was also involved in a number of philanthropic activities. He is a member of the Elks, Knights of Columbus and American Legion, and served as commander of American Legion and VFW. In addition, he volunteers his time at preschool in Rifle and in Glenwood Springs. Perhaps his greatest accomplishment, however, was marrying Jo, his lovely wife of 52 years, and raising their son.

Mr. Speaker, it is with great pleasure that I bring to the attention of this body of Congress, the life and spirit of such an incredible man, who is always able to brighten and invigorate the lives of those around him. He is truly an inspiration to all of us, and I, along with the many people whose lives he has touched, am honored to recognize his tremendous accomplishment in reaching his eightieth birthday, and more importantly, his passion for life and indomitable spirit.

50TH ANNIVERSARY OF THE KOREAN WAR COMMEMORATION—THANKING KOREAN HOSTS OF U.S. KOREAN WAR VETERANS

HON. CIRO D. RODRIGUEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Mr. RODRIGUEZ. Mr. Speaker, I would like to thank you for the kindness and hospitality you showed our Korean War veterans during their visit to Korea. This commemoration is an important reminder of the difficult time when the United States helped Korea fight Communist aggression, and celebrates the victory of democracy over an authoritarian dictatorship. Since that terrible war, many Americans have had the privilege of serving in Korea,

and I appreciate the outstanding support your country has shown them.

The Korean people and the United States have been strong allies since the Korean War, and this visit is symbolic of the many years of friendship between our countries. A friendship that was forged on the battlefield is now a partnership based on freedom, and you are helping maintain the good relations between Korea and the United States. I am grateful for the important part you played in making the 50th Anniversary of the Korean War Commemoration a great success.

TRIBUTE TO INTELLIGENCE SPECIALIST SECOND CLASS PAUL EUDALY

HON. GARY G. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Mr. GARY MILLER of California. Mr. Speaker, I rise today to commend Intelligence Specialist Second Class Paul Eudaly.

This week, IS2 Eudaly completes a two year assignment at the Naval Strike and Air Warfare Center (NSAWC) at Naval Air Station (NAS) Fallon, Nevada. His next duty station assignment will be on the island of Diego Garcia located in the Indian Ocean. Since April 2000, IS2 Eudaly has served as the library night shift supervisor at NSAWC. He has performed his demanding duties in an exemplary and highly professional manner. Petty Officer Eudaly meticulously created the exercise QUIVER target/threat database, which was used to train over 500 naval personnel and 10 carrier air wings. He also volunteered to deploy onboard the USS CONSTELLATION for the Composite Training Unit Exercise, where he trained 30 additional intelligence personnel on QUIVER's application.

IS2 Eudaly has also served as the lead enlisted intelligence instructor at NAS Fallon for air wing personnel recovery and combat search and rescue events. As the only enlisted instructor during the annual joint exercise Desert Rescue IX, he provided quality support and accurate mission briefs for participants from 42 different commands. As the NSAWC Division Training Petty Officer, his mentoring and innovative training methods have resulted in 100 percent passing and a 73 percent advancement rate during the last examination cycle. He has been a great mentor to the junior enlisted personnel and has taken time to help many of the new sailors adjust to their duties at NSAWC.

Petty Officer Eudaly's professionalism and devotion to duty reflected credit upon himself and were in keeping with the highest traditions of the United States Naval Service.

Mr. Speaker, IS2 Eudaly is a model, sailor and the U.S. Navy needs more young men and women like him. Therefore, I ask that this 107th Congress join me in sincerely wishing IS2 Eudaly ''fair winds and following seas'' as he moves to his next duty assignment.

EMPLOYEE-LEASING ORGANIZATION ACT OF 2002

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Mr. CRANE. Mr. Speaker, I rise to announce introduction of the Employee-Leasing Organization Act of 2002. I'm pleased to note that two very distinguished members of the Ways and Means Committee, Congressman BILL JEFFERSON and Congressman RON LEWIS have agreed to join me in introducing this important legislation.

Too many small businesses lose valuable time each day attending to administrative headaches. Likewise, many of those same small businesses are unable to provide benefits to their employees due to their size. In recent years, the employee leasing industry has evolved to provide cost effective administrative payroll/tax services and health and retirement benefits to small businesses and their full-time employees. The bill I'm introducing will clarify the status of employee-leasing companies ability to provide these services.

I encourage all of my colleagues to join me in supporting this important legislation and taking a stand to help America's small business owners and employees.

INTRODUCTION OF THE WORKING TOWARD INDEPENDENCE ACT OF 2002

HON. HOWARD P. ''BUCK'' McKEON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Mr. MCKEON. Mr. Speaker, today, I am pleased to introduce the ''Working Toward Independence Act of 2002'' to reauthorize the work-related provisions of the Temporary Assistance for Needy Families (TANF) block grant, and the Child Care and Development Block Grant (CCDBG).

This legislation will build upon the historic welfare reform law passed in 1996—a law that made a fundamental shift in policy by encouraging personal responsibility and promoting work. For the first time in the history of social welfare policy, benefits were tied to work. Because of the principle of ''work first'' and a purpose to help people better themselves, a whole new culture of personal responsibility was created within the program.

The results have been nothing short of dramatic. For example, there has been an historic decline in the welfare rolls; increases in employment for low-income single mothers, who comprise the population most likely to need assistance; and a sustained decline in child poverty. Even with the robust economy of the late 1990's, recent studies confirm that welfare reform is largely responsible for the declining caseload and increase in work. The law's promotion of work made the crucial difference in maximizing opportunities for welfare recipients.

But there is work remaining for us to do. Too many families receiving assistance are not engaged in activities that will lead to self-sufficiency. This year, Congress must build upon the success of the 1996 law by providing additional options for families on welfare to move into productive jobs, become self-reliant and obtain independence. I am proud to say that the bill that I am introducing today will do just that.

The legislation, based on the Administration's proposal, strengthens work rules to ensure that all families are engaged in a full week of work and other activities that will lead to self sufficiency. Families will be permitted to combine real work with education and training to help recipients advance in their jobs. In addition, states will need to have plans achieving the work related goals of TANF. States will be encouraged to coordinate their TANF work programs with the One-Stop Career Center system created through the Workforce Investment Act of 1998, so that former recipients will continue to have access to additional training resources.

However, we know that families cannot maintain employment without reliable, safe child care for their children. That is why this bill will also maintain the unprecedented commitment of federal support for child care by authorizing $2.1 billion annually for CCDBG for state child care programs. In addition, the bill improves the program by helping target funds set-aside for quality activities and encouraging states to address the cognitive needs of young children so that they are developmentally prepared to enter school. The bill also provides states maximum flexibility in developing child care programs and policies that best meet the needs of children and parents.

Finally, the bill will provide significant new waiver authority for states to design programs that improve services to needy families. This provision will encourage states to continue the experimentation at the state and local level that preceded the federal welfare reform action in 1996.

Mr. Speaker, I urge my colleagues to support this important legislation that enhances opportunities for families to move up the economic ladder and access quality child care for their children.

BELIEVING THAT PEACE IN THE MIDDLE EAST IS INEVITABLE

HON. DARRELL E. ISSA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Mr. ISSA. Mr. Speaker, I rise this evening, along with so many of my colleagues, to express my frustration and disgust with the situation that is currently boiling over in the Middle East. How long can we allow this bloodbath to continue? How long will we have to witness Israeli families blown apart by maniacal, suicidal murderers; Palestinian children lying dead on the street; young Israeli men and women buried alive in collapsed buildings; or Palestinian families huddling inside their homes, terrified to step out even to buy food? The latest news of more people—human beings with friends and family—who have been killed today is heartbreaking. The Israeli and Palestinian people are on a downward spiral, heading quickly toward that state of nature conceived by Thomas Hobbes, where Palestinian and Israeli children born into the world can expect only one thing: a life that is ''nasty, brutish, and short.'' This situation is an outrage.

I am outraged that Hamas and other Palestinian groups are spreading their poisonous lies of suicidal ''martyrdom.'' I am outraged that some members of the Palestinian leadership are apparently using suicide attacks as a tactical weapon against the Israeli people. This cult of martyrdom is disgusting and I vigorously condemn it. As President Bush stated so accurately last week, suicide bombers ''are not martyrs, they are murderers.'' I call on the Palestinian leadership to understand this fact and acknowledge that these attacks are an assault on civilization itself. We cannot hope to see progress in the Middle East until suicide bombings stop. As the elected and recognized leader of the Palestinian people, Yasser Arafat must unequivocally denounce this barbarism and crack down on those who are unwilling to cooperate.

At the same time, we cannot expect to see an end to this horror until the Israeli government ends its military assault in the West Bank. Too many Palestinian civilians have needlessly suffered over the past few weeks. I am horrified at reports of Palestinian families having their homes bulldozed over their heads, children being shot on their way to buy bread, and families being forced out of their homes because their houses are being used as Israeli military outposts. Palestinian children have been witness to scenes that we can hardly bear to watch 6,000 miles away on television—scenes of their homes and homeland destroyed, their friends and family killed in crossfire, their brothers and fathers taken away by the Israeli military, not knowing when or if they will return. This new generation of Palestinian youth will grow up with these images burned into their psyches. They will never forget them. This military assault may bring short-term results, but it tears down the long-term prospects for true reconciliation between Palestinians and Israelis.

Mr. Speaker, peace between these two proud peoples has seemed an impossible goal for so many decades. But I refuse to believe that peace is impossible. Over the past half-century, we have been witness to incredible historical reconciliation between people who we thought would always hate each other. I stubbornly believe that peace in the Middle East is inevitable. It may be elusive and it may be complicated, but it will happen and I, along with so many of my colleagues tonight, will rejoice when it does.

PAYING TRIBUTE TO DR. ERIN ELSTER

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Mr. McINNIS. Mr. Speaker, I would like to take this opportunity to congratulate an outstanding individual from my state whose hard work and dedication to her field has produced awards and accolades throughout her medical community. Dr. Erin Elster, a chiropractic researcher from Boulder, Colorado, has just received perhaps the highest honor in her field, as she has been named the World Chiropractic Alliance's 2001 Researcher of the Year. Erin's research will produce extraordinary advances throughout her medical community and I am honored to bring forth her accomplishments before this body of Congress and this nation.

For the last several years, Erin has conducted research that could have momentous possibilities for those who suffer from Multiple Sclerosis. Erin found that certain corrections in upper neck injuries may be able to reverse the progression of Multiple Sclerosis. Her findings were published in the Journal of Vertebral Subluxation Research, a trade magazine available to the medical community discussing advances and techniques in specific medical fields. The publication has created worldwide interest for her research into vertebrae difficulties and how they affect the nervous system. Her findings are so impressive and remarkable that as a result, the World Chiropractic Alliance has decided to honor her for her breakthrough findings.

Mr. Speaker, it is clear that Dr. Erin Elster is a woman of unparalleled dedication and commitment to her professional endeavors and to the people of her medical community. Her research efforts have the potential to alter and improve all of our lives and I am honored to bring forth her accomplishments before this body of Congress and this nation. She is a remarkable woman who has achieved extraordinary things in her career and it is my privilege to extend to her my congratulations on her selection as Researcher of the Year, and wish her all the best in her future endeavors.

TRIBUTE TO DOLORES HUERTA

HON. ZOE LOFGREN

OF CALIFORNIA

HON. MICHAEL M. HONDA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Ms. LOFGREN. Mr. Speaker, today we rise to recognize the achievements of Dolores Huerta, co-founder and first Vice President Emeritus of the United Farm Workers of America, AFL–CIO (UFW). Dolores Huerta continues to be a leader in the labor movement and works tirelessly to achieve social change.

In 1955, she was a founding member of the Stockton, CA chapter of the Community Service Organization (''CSO''), a grass roots civil rights organization. Recognizing the needs of farm workers at this time, Ms. Huerta organized and founded the Agricultural Workers Association in 1960.

It was through her work with the CSO that Ms. Huerta met Cesar Chavez. Recognizing the need to organize farm workers, they formed the National Farm Workers Association (''NFWA''), the predecessor to the UFW.

Together, Dolores Huerta and Cesar Chavez founded the Robert F. Kennedy Medical Plan, the Juan De La Cruz Farm Worker Pension Fund, the Farm Workers Credit Union, the first medical and pension plan and credit union for farm workers. They also formed the National Farm Workers Service Center, Inc., a community based affordable housing and Spanish language radio communications organization with five Spanish radio stations.

Dolores Huerta also continued to lobby, and in 1963 was instrumental in securing Aid for Dependent Families and disability insurance for farm workers in California.

In 1966, over 5,000 grape workers walked off their jobs in what is now known as the famous ''Delano Grape Strike,'' and The United Farm Workers Organizing Committee (''UFWOC'') was formed. That same year, Ms. Huerta negotiated the first UFWOC contract, marking the first time in U.S. history that a negotiating committee comprised of farm workers negotiated a collective bargaining agreement with an agricultural corporation.

In 1975 she lobbied against federal guest worker programs and spearheaded legislation granting amnesty for farm workers that had lived, worked, and paid taxes in the U.S. for many years, but were unable to enjoy the privileges of citizenship. These efforts eventually resulted in the Immigration Act of 1985.

Dolores Huerta has worked to better the lives of migrant workers using non-violence. ''I think we showed the world that nonviolence can work to make social change,'' said Ms. Huerta.

We wish to thank Dolores Huerta for her tireless efforts to achieve justice and dignity for migrant farm workers. ''Si se puede!''

IN HONOR OF THE MADNA FAMILY

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Mr. WAXMAN. Mr. Speaker, it is with great pleasure that I rise today, Holocaust Remembrance Day, to share a remarkable story and honor two true heroes of the Holocaust. On April 14, Congregation Adas Israel, a synagogue here in Washington, D.C., will add the name of the Madna family to its Garden of the Righteous Monument honoring people who rescued Jews during the Nazi occupation. Rob Madna will represent his family at the ceremony.

During the war, the Madna family took in a nine-month old Jewish infant, Alfred Munzer, who was born November 23, 1941 in The Hague, capital of the then Nazi-occupied Netherlands, two weeks before Pearl Harbor, and two weeks before the United States declared war on Japan and Germany declared war on the United States.

By September 1942, when it had become apparent that the Munzer family must go into hiding, baby Alfred was taken in by Indonesian neighbors, the family of Tole Madna. The Madna family cared for him when his parents and older sisters were deported. Their nanny, Mima Safna, cared for Alfred and three Madna children. Mima, a woman who could not read or write and who hardly spoke any Dutch, became Alfred's mother. She kept a knife under her pillow and vowed that if ever the Germans came to get the boy, she'd kill him and then herself. They called him Bobby, his ''schullnaam''—his name in hiding.

Dr. Munzer's memories of life in the Madna house are happy ones. His toddler's view of the outside world was limited to what he could see by peaking through the mail slot in the front door. Even so, he found adventure hiding quietly in a small cellar under the stairs while the house was being searched by Nazi soldiers.

Although his sisters tragically died in concentration camps and his father died a few months after the war ended, Alfred and his mother were reunited in August 1945 when he was just three and-half years old. Nanny Mima

stayed with them for a short time until her death and Alfred and his mother came to the United States. He is currently is a physician specializing in diseases of the lung and is Director of the Pulmonary Medicine Department at Washington Adventist Hospital in Takoma Park, Maryland. He is also a past president of the American Lung Association.

Little is known about Tole Madna and Mima's religious beliefs. Madna adopted Catholicism very late in life and Mima probably was Muslim. Neither had an advanced education. Neither had any great material wealth. But both had the ability to hear and answer a human need.

They exemplified the meaning of righteousness. They were unwilling to ignore the cry of a nine month-old child.

Mr. Speaker, please join me in honoring the memory of Tole Madna and Mima Saina, two true heroes of the Holocaust. Their story is a testament to the very best in human values.

HOLOCAUST REMEMBRANCE

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Mr. SCHAKOWSKY. Mr. Speaker, I rise today in solidarity with Jews across this nation and around the world to pay tribute to those who perished at the hands of the Nazis during the Holocaust. Today in the nation's Capital, we gather to pay our respects with our Days of Remembrance ceremony. My district, the 9th Congressional District of Illinois, is home to perhaps the largest concentration of survivors in the country and certainly in the state, and this day holds deep meaning for those individuals and the entire community.

Recent events in the Middle East and around the world underscore the importance of this day. Anti-Semitic and anti-Israel rhetoric and demonstrations continue in numerous countries. And while we respect the right of every person to be heard, the hateful displays throughout the world that are directed at the Jewish people remind us that ''Never Again'' is not a guarantee, but a promise that we must uphold through education, dialogue, and determination. It also reminds us that we must continue to strengthen the U.S. commitment to the security of Israel. Moreover, we must redouble our efforts to bring lasting peace to the Middle East.

''Never Again'' means that we must combat hate wherever it exists. We must never turn a blind eye to terror or discrimination. We must demand that our government hold those who carry out acts of needless brutality accountable.

While we must honor those who were lost during the Holocaust by carrying on and living honorable and productive lives, we must also honor them by carrying out measures to bring to justice those who were implicated and who profited from their suffering. And we must do everything within our power to provide the utmost measure of restitution for those who survived the Nazi's evil plan.

The Holocaust was the most horrific human atrocity the world saw during the last century and perhaps in the history of the planet. Millions of Jews and others were brutalized, raped, beaten, dehumanized, enslaved, robbed, and murdered. While it is hard to grasp how terrible those events must have been, what all of our children, and us must do is to listen to the stories of those few remaining survivors of the Holocaust and ensure that their stories and their suffering are a permanent part of history.

The Holocaust was not only the worst murder case in history, but it was also the biggest exploitation and theft. Jews and others were enslaved-worked literally to death for various companies. The Nazis liquidated millions of insurance policies with the assistance of insurance companies, and millions of bank accounts were seized. I am sad to say that, to this date, there has been no restitution for the bulk of those crimes. Every year we observe Yom Ha-shoah, we are also reminded of those survivors of the Holocaust who have passed away during the previous year.

Negotiations to repay stolen assets are ongoing. But, unfortunately, the process is slow and many have been deprived of at least some measure of justice after enduring so much. Real and overdue progress on this front requires the complete cooperation of foreign governments and multinational corporations, who have yet to own up to their role in the crime of the last century. The fact that some still deny responsibility or refuse full compliance with negotiations only adds to the suffering and prolongs the justice those survivors deserve.

As members of Congress, a critical responsibility we have this year is to closely evaluate the status of efforts to gain restitution for insurance policies that were sold to victims and survivors of the Holocaust but were never paid.

There are still some 10, 000 survivors in Illinois and roughly I 100 of them have filed claims for insurance. To my knowledge, only a handful, 14 have received offers for payments.

This is an issue that is beyond urgency. There are serious problems that need to be resolved and Congress has a responsibility to make sure that is done so that those who have lived to recall the Holocaust may also have some measure of justice and dignity paid to them while they are still alive.

We can not even attempt to repay them for the suffering and the loss. What we can do is honor holocaust victims and survivors first, by never allowing our children and future generations to forget what happened and by denouncing in the strongest of terms, rhetoric and behavior that are tainted with the reminiscence of the Nazi era.

Today we honor and mourn those who perished. We vow to live our lives in a way that pays tribute to their memory and ensures others will not suffer their fate.

MURLI DEORA ELECTED TO RAJA SABHA

HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Mr. ACKERMAN. Mr. Speaker, one of the newest members Raja Sabha, the Upper House of India's national parliament is Murli Deora, who has been one of the United States' strongest advocates and closest friends for many years. Murli's election to the Raja Sabha is a well deserved honor which some might say is long overdue.

Murli has enjoyed a distinguished career as a public servant in India and throughout the world. A former mayor of Mumbai, India's largest city, Murli served for many years in India's Lower House, the Lok Sabha, where he rose to prominence in a number of areas, including India-U.S. relations. Murli worked tirelessly to bring the world's oldest democracy closer to the world's largest democracy. Murli carried on this effort even when relations between our two countries grew distant during the Cold War. Because of Murli's foresight, countless politicians and business leaders in the United States have long sought his counsel and advice on matters in India.

Mr. Speaker, as a former Chairman of the Subcommittee on Asia and the Pacific, as well as a former Co-Chairman of the Congressional Caucus on India and Indian-Americans, I can attest to the generous time and energy Murli has given to fostering ties between our two countries. I have also had the privilege of working with Murli when he served as International President of Parliamentarians for Global Action, a worldwide inter-parliamentary organization focusing on many critical issues facing the world today. I also have watched with great interest and much pride as Murli built a series of computer training centers in many Indian cities to provide underprivileged children with free computer education.

Mr. Speaker, for the last several years Murli has immersed himself in the activities of the Red Cross in India, where he has served as Vice-Chairman. A legendary fund raiser, Murli secured critical funds to bring much needed relief for the victims of the devastating earthquake which rocked Gujurat last year. His important work in India earned Murli the second highest position at the Red Cross's international headquarters in Geneva.

Mr. Speaker, Murli Deora's uncontested election to the Raja Sabha is a crowning achievement for a long and distinguished career in Indian politics. I am certain that all of our colleagues who are active in promoting stronger ties between the United States and India join me in extending congratulations and best wishes to Murli and his family. I am confident that, as Murli ascends to this important legislative body, that the citizens of India will once again benefit from his longstanding advocacy for democracy, economic development, social welfare and secularism.

PAYING TRIBUTE TO VERNIE E. ENSTROM

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Mr. McINNIS. Mr. Speaker, it is with profound sadness that I rise today to pay tribute to a matriarch and true friend of the Grand Junction, Colorado community. Vernie E. Enstrom recently passed away at the age of 97, and as her family mourns the loss, I would like to take this moment to bring forth her good deeds and accomplishments before this body of Congress and this nation. Vernie was a remarkable woman and I am honored to tell her story.

To many Coloradans, Vernie E. Enstrom will forever be remembered as the co-founder of

Enstrom's Candy Company, a company she started along with her late husband Chet in 1960. Vernie and Chet arrived in the City of Grand Junction in 1929 to originally establish the Jones-Enstrom Ice Cream Company. Using their combined knowledge from the business, the two started Enstrom's Candy, which today serves as a local icon and model company in the State of Colorado.

Throughout her life, Vernie was well known through her community as a leader and dedicated matriarch of her family. During her life, Vernie enjoyed the pleasure of her dearest passion, music, and was often found singing, as well as playing the piano and organ. In her time with Chet, who later became a state senator, she was always his loyal companion who supported and prodded him to success in his business, political, and personal endeavors. She was the dedicated mother of her daughter Ann and son Emil whose daughter Jamee and husband Doug today are the proud operators of Enstrom's Candy. She is further survived and remembered by six grandchildren, 13 great-grandchildren, and three great-great grandchildren.

Mr. Speaker, it is my privilege to pay tribute to Vernie E. Enstrom for the great strides she took in establishing herself as a valuable leader in the Grand Junction community. Her dedication to family, friends, work, and the community certainly deserves the recognition of this body of Congress and a grateful nation. Although Vernie has left us, her good-natured spirit lives on through the lives of those she touched. I would like to extend my regrets and deepest sympathies to Vernie's family and friends during their time of bereavement and remembrance. She was a remarkable woman and she will be greatly missed.

IN MEMORY OF GORDON N. CHAN

HON. MICHAEL M. HONDA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Mr. HONDA. Mr. Speaker, it is with great sadness that I rise today to remember an old and dear friend of mine, Mr. Gordon Nom Chan, who passed away suddenly on December 24, 2001. Gordon's life was distinguished by his service to others, and his contributions to the community will be greatly missed. Coming from a family that has been exemplary in community service for three generations, Gordon was a longtime community and political leader in Santa Clara County, and one of the most prominent Chinese American leaders in the California Bay Area.

Gordon Chan immigrated to the United States from Macau in 1947 at age twelve, to help his father in Northern California. While growing up, Gordon worked forty hours a week at the family farm while attending school. He attended Menlo-Atherton High School, the College of San Mateo, and California Polytechnic University in San Luis Obispo, where he met the love of his life, Anita. He graduated from Cal Poly in 1959 with a B.S. degree in ornamental horticulture, and he married Anita on December 27, 1959.

Gordon began serving his fellow Americans when he was drafted into the United States Army in 1959. Following two years of service, he joined the family flower business, T. S. Chan Nursery. After more than 30 years as a leader in the chrysanthemum and rose growing business, Gordon's entrepreneurial interests turned to real estate development, property management, and the Mayflower Restaurant Group.

Gordon was a true community leader. Not only was he a long-time member and multiple-term president of the Bay Area Chrysanthemum Growers Association, he also served on the Santa Clara County Farm Bureau, the Santa Clara County Planning Commission, the 1990 Redistricting Commission, the Open Space Commission, the California Cut Flower Commission, and the County Fair Board. He was a founding member of the Chinese Historical and Cultural Project of San Jose, and served as chairman and interim director of Asian Americans for Community Involvement.

Gordon was an active member of the First Chinese Baptist Church of San Francisco for over 40 years, and he was also quite active in the San Francisco Chinatown, where he served on many Chinese benevolent associations. He was particularly active in the Hee Shen Benevolent Association, where he served as college scholarship chairman. Gordon was a state guest at the 50th anniversary of the People's Republic of China, where he was awarded an honorary doctorate.

All in all, Gordon N. Chan was a remarkable man whose contributions to American society were invaluable. He lives on in our collective memory, providing a true role model for young minorities in this country, and especially in the California Bay Area. And the groundwork he has laid for members of the Chinese American community in the American political realm will continue to serve as an enduring foundation for years to come.

HONORING MAJOR PETER CLEARY OF CONNECTICUT

HON. JOHN B. LARSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Mr. LARSON of Connecticut. Mr. Speaker, I rise today to honor and pay tribute to Major Peter McArthur Cleary, United States Air Force Reserves, of Connecticut, who had been missing in action in North Vietnam since October 10, 1972. As a boy growing up I knew Peter and his family. In February 2002, his family was provided a report from the United States Army Central Identification Laboratory, which concluded that the crash site and remains of Major Cleary have been positively identified. The crash site is located in the vicinity of Dan Hoa Hamlet, Y Leng Village, Minh Hoa District, Quang Binh Province, Socialist Republic of Vietnam. The grid coordinates are 48Q WE 83141/60666. The family of Major Cleary has accepted the report and Major Cleary will be buried in Arlington National Cemetery on April 12, 2002.

Major Cleary was a pilot attached to the 523rd Tactical Fighter Squadron at Udom Airfield, Thailand. Major Cleary flew Fast Forward Air Control (Fast FAC) missions in F–4 Phantoms over North Vietnam. His tour was from March 1972 to October 10, 1972.

The mission of the Laredo Fast FACS was to fly alone over North Vietnam and identify and direct air strikes on enemy targets. According to Major Cleary's commander, Richard B. Corbin, the Fast FAC was one of the most demanding and productive missions in Southeast Asia, and ''the hand-picked aircrews that fly them are the most respected and highest qualified personnel from each unit.''

On October 10, 1972, Major Cleary was assigned as a Laredo Fast FAC over Quang Binh Province on the coast of North Vietnam. He had directed an air strike consisting of two F4 Phantoms on a coastal 130mm antiaircraft site. He had completed an air-to-air refueling and was flying on station awaiting a second air strike when he was cleared to return to base. He was tracked on radar going inland in the vicinity of the city of Ron. Major Cleary did not return and was declared missing in action.

Major Cleary is a highly decorated flyer. He earned three Distinguished Flying Crosses, ten Air Medals, and the Purple Heart. Major General Robert Marsh, United States Air Force, provided the citations to accompany the award of the Distinguished Flying Cross (basic through second Oak Leaf Cluster), the Air Medal (first through ninth Oak Leaf Cluster), and the Purple Heart during an awards ceremony at Hanscom Air Force Base in Bedford Massachusetts on November 2, 1979:

''The Distinguished Flying Cross is awarded for extraordinary achievement while participating in aerial flight as an F–4D Aircraft Commander over hostile territory on July 26, 1972. On that date, Major Cleary controlled six flights of strike aircraft in the heavily defended Quang Khe area of North Vietnam. In spite of nearly unworkable weather conditions and heavy antiaircraft fire from the region, he directed the destruction of one petroleum pumping station, two ferry landings, one river craft storage area, and one large river craft.

The Distinguished Flying Cross (First Oak Leaf Cluster) is awarded for heroism while participating in aerial flight as an F–4D Aircraft Commander deep within hostile territory on October 7, 1972. On that date, Major Cleary was assigned to an extremely hazardous and important forward air controller mission in an F–4 Phantom aircraft over Quang Khe, North Vietnam. He successfully located and directed the destruction of a hostile surface-to-air missile site. With complete disregard for personal safety, in the face of numerous rounds of antiaircraft fire, Major Cleary intentionally exposed himself in order to offer more protection to other flyers as they expended their ordnance.

The Distinguished Flying Cross (Second Oak Leaf Cluster) is awarded for extraordinary achievement while participating in an aerial flight as an F–4D Aircraft Commander over hostile territory on June 18, 1972. On that date, Major Cleary flew an important and extremely hazardous strike mission directed against a heavily defended hostile military supply depot deep within hostile territory. Despite intense antiaircraft artillery fire and the constant threat of lethal surface to air missiles, Major Cleary delivered all ordnance precisely on target, resulting in the destruction of vast quantities of military supplies and equipment of critical value to the opposing armed force.

The Air Medal (First through Ninth Oak Leaf Cluster) is awarded for meritorious achievement while participating in aerial flight from March 19, 1972 to October 1972. During this period, the airmanship and courage exhibited by Major Cleary in the successful accomplishment of these important missions, under extremely hazardous conditions, demonstrated

his outstanding proficiency and steadfast devotion to duty.

The Purple Heart is awarded for wounds received in action on October 10, 1972.''

Major Peter McArthur Cleary, the oldest of four children, was born on June 27, 1944 at Hartford Hospital in Hartford, Connecticut. His parents, John McArthur Cleary and Helen Fifield Cleary lived in East Hartford, Connecticut at the time of Peter's birth. In the late 1940s, they moved to Higbie Drive in Mayberry Village in East Hartford. It is here that I first met Peter. Major Cleary had two brothers William and Tom, who were my age, as well as a sister Maureen (now known as Cleary M. Donovan). Mayberry was a small community teeming with baby-boomers, many of Irish decent. Flanagan, Grady, Kelly, Dagon, and Shaughnessey, all made up the neighborhood I recall with great fondness. In fact, John Cleary wrote a piece about Mayberry for the Hartford Times. Its focus was family life in the Mayberry neighborhood. In 1956, the family moved to Colchester, Connecticut. John and Helen Cleary lived in Colchester until their deaths in 1984 and 2001, respectfully. Major Cleary attended grade school in Colchester. He spent his high school freshman and sophomore years at St. Bernard High School in New London, Connecticut. Major Cleary then attended Mother of the Savior Seminary in Blackwood, New Jersey. Upon graduation in 1962, he began studying to be an Edmundite priest at St. Edmund's in Mystic, Connecticut. Major Cleary left after one year and transferred to St. Michael's College in Winooski, Vermont. He graduated in 1967 with a Bachelor of Arts Degree in English. Although Major Cleary moved many times in his young life, he considered Colchester, Connecticut his hometown.

Major Cleary married Barbara Kingsley of Yantic, Connecticut in 1967. They had two beautiful children, a son Sean and a daughter Paige.

I would urge my colleagues to join me today in recognizing and honoring the sacrifices of Major Cleary and his family, and in welcoming him home. It is a great honor for me to record in the Congressional Record the achievements of this American Hero, and salute his family. Arlington National Cemetery is a long way from Mayberry Village and Higbie Drive, and while Major Peter Cleary will lie at rest with the nation's heroes, we who remain will forever carry his memory in our hearts.

INTRODUCTION OF HOUSE RESOLUTION ON UNITED STATES ENERGY INDEPENDENCE

HON. GEORGE W. GEKAS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Mr. GEKAS. Mr. Speaker, I rise today to announce the introduction of legislation addressing an issue of longstanding concern to me: America's dependence on foreign sources of oil.

The resolution I am introducing tonight calls on President Bush to remind those oil exporting nations who are our allies that decisions they have made recently to restrict crude oil supply in the world market, in accordance with requests made by the OPEC cartel, adversely affect the national security of the United States and the world economy. These countries must be informed of the affects of their oil export cutbacks.

As OPEC and non-OPEC countries collude to boost oil prices they actually harm the world economy and, in the long run, their own bottom lines. It is estimated that every 10-cent a gallon increase of gasoline at the pump in the United States costs motorists $13 billion annually. This spring, gasoline prices have jumped from an average of about $1.00 to over $1.30 nationwide. This price spike alone is putting a drag on the U.S. economy. If some estimates hold true, the price Americans face at the pump may rise to an average of $1.60 per gallon this summer. This economic burden will hit Americans in the wallet like a new $78 million tax! Oil producers must be reminded that any slowing of the U.S. economy will simply lessen the demand for their product and will negatively impact their corporate bottom line in the end.

I am troubled most that many of the oil-producing countries that collude to boost prices at the American gas pump are actually close American allies. Countries like Mexico, Norway, Saudi Arabia, the Unites Arab Emirates and Venezuela have gotten together and collectively bargained to reduce their output to boost prices. Furthermore, these countries had the audacity to do this at precisely the time that the United States economy was struggling to recover from the effects of the September 11, 2001 terrorist attacks. To those Arab allies we fought to defend and liberate a decade ago, we must say, ''stop gouging us at the pump.'' Moreover, we expect you to make up any shortfall in oil exports to our country resulting from Saddam Hussein's latest political gimmick—a 30 day boycott of exports. To our non-OPEC allies around the world, such as Mexico, we say the path to your country's economic progress lies with us and not with OPEC. We also ask you to desist in oil output restrictions in which you recently engaged at the request of the OPEC cartel and that you help make up any shortfall from Iraq oil restrictions as well.

Mr. Speaker, I urge the House of Representatives to pass my resolution in order to send a message to OPEC that this body will not accept practices that hold our economy hostage.

My resolution also urges the Senate to act and pass comprehensive energy legislation, such as H.R. 4, which was agreed to by the House of Representatives on August 2, 2001. A comprehensive national energy policy like that proposed in H.R. 4 will help make the United States more energy self-sufficient and less dependent on foreign sources of oil.

Mr. Speaker, this country's best course of action lies in becoming independent of foreign oil. The OPEC foreign cartel has operated beyond the scope of our law and has worked in contravention of free market forces for decades. The Senate can help to get us closer to the goal of energy independence by passing H.R. 4. In the meantime, our allies must become independent of OPEC. I urge our allies to recognize the fact that it is in their best interest to have a strong U.S. economy and that reducing production or boosting petroleum prices only acts to hurt that economy. The oil-producing countries of the world have an obligation to stabilize the world price of oil so that there is a continued demand for their product. If they do not do this, their economies will suffer along with ours.

TERRORISM RISK PROTECTION ACT

HON. JUDY BIGGERT

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Mrs. BIGGERT. Mr. Speaker, I rise today in support of H.R. 3210, the House-passed terrorism insurance legislation. As President Bush noted in a press conference yesterday, without a terrorism insurance bill, there will continue to be a significant drag on our economy.

Without coverage, the economic impact of another terrorist attack would be very serious. The U.S. could face a string of bankruptcies, loan defaults and layoffs that would intensify the blow of the attack.

One segment of the economy that can least afford to live without terrorism coverage is our public self-insured risk pools. These risk pools—more than 125 operating in forty-one states—help local governments, school districts, housing authorities, and other public entities to provide necessary insurance protection. These entities would be hurt the most by layoffs due to lack of prevention prior to an unforeseen terrorist attack.

These risk pools provide coverage to those most often at greatest risk—police officers, firefighters, and emergency medical personnel—as well as teachers and students, municipal employees, and many others. We all know that these public entities cannot absorb the costs of terrorism risk across their membership base. I have heard from several risk pools in my state that are desperate for help. In Illinois, the Assisted Housing Risk Management Association (AHRMA) no longer has coverage for an act of terrorism. That self-insured pool covers public housing authorities across my state.

The Illinois School District Agency (ISDA), a self-insured risk pool covering public school districts in Illinois, has been told that its July 1st renewal will have a terrorism exclusion. And the Department of Insurance in Illinois is now allowing the exclusion of terrorism coverage in new and renewal policies. So my state becomes one of 45 states that are allowing such exclusions to be written into policies.

The need for Congress to act has never been greater. Large, self-insured pools and individual self-insurers such as the City of Chicago will pay as much as four times their expiring premium to buy the additional coverage necessary in the coming year. Make no mistake—public self-insured risk pools are more vulnerable than other entities. They provide enormous savings to taxpayers.

I am hopeful that Congress will pass this bipartisan legislation soon and send it to the President's desk as he has requested.

TRIBUTE TO FRANCISCO PANCHO MEDRANO

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise to commemorate the passing of a great American, a mentor and a friend, Mr. Francisco ''Pancho'' Medrano. The nation has lost a legendary civil rights pioneer with the death of Mr. Medrano, who dedicated his life to eradicating prejudice and intolerance in this country and fought mightily for fairness and equality for America's working men and women.

Mr. Medrano rose to great heights from humble beginnings, defying discrimination at every turn along the way. He was a native to Dallas, born in 1920 to Mexican immigrants who taught their young son the value of hard work as they headed northward to Michigan each year as migrant laborers. When Mr. Medrano was able to return to Dallas, he came back to a community that refused to let him swim in a public swimming pool or watch an evening movie in the park because he was Hispanic. At the age of 16, he was told by a school principal he was ''too poor'' to attend public schools, so he went to work at a rock quarry for 25 cents an hour.

Soon after, he became one of only a handful of minority workers on the line as an aircraft jig builder, where he often had to do a two-person job by himself because no one would work with a Mexican-American. And, while at the aerospace plant, he fought prejudice—literally—as a champion prizefighter who used his notoriety to integrate sporting events in Dallas.

Mr. Medrano had an illustrious five-decade career as a union organizer and civil rights representative with the United Auto Workers. During his tenure with the UAW, he became a national leader. He marched alongside Dr. Martin Luther King, Jr. during the civil rights movement, fought for fair labor standards on the farms of Texas and California with Cesar Chavez, worked tirelessly to advance workers' rights in the automobile industry, and spent decades promoting civic activism in the Dallas area.

Yet, for as much as he achieved in his life, Mr. Medrano never forgot the inequities of his childhood. He fought for the rights of all workers to peaceably demonstrate, broke racial membership barriers in labor unions, worked to defeat the poll tax and fostered civic participation in the minority community. His keen sense of justice caused him to work on behalf of African-Americans with as much fervor as he worked on behalf of Mexican-Americans, and his inspirational legacy is a challenge to all of us to continue to fight for social and economic justice for people of all races.

Mr. Medrano shared with me a fervent belief in the importance of voting rights and civic participation, and it is important that we strive to emulate the work that he has done in this area. Just last week, though he was desperately ill with the cancer that ultimately took his life, Mr. Medrano went to the polls and cast his ballot in the Texas Democratic Senate runoff election. He fought to get Dallas residents of all races and backgrounds more involved in the political process, and he provided support to people like me who dared to cross the color lines of Texas politics. Pancho Medrano offered his support and counsel when I decided to run for the Texas House of Representatives in 1972, he stood by my side when I ran for Texas Senate in 1986, and he was a tremendous friend to me when I made my run for Congress a decade ago. I couldn't have come this far without him.

Mr. Speaker, when we think about Pancho Medrano, we think about justice, courage and civic activism. His work to end discrimination and prejudice has had a profound and lasting effect on the lives of millions of Americans, and we will miss him dearly. His death on Thursday, April 4th, at the age of 81 is a great loss for the city of Dallas, and a great loss for the nation.

WE MUST STAND BY OUR ALLY ISRAEL

HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Mr. ISRAEL. Mr. Speaker, over the past few weeks, columnists and pundits have taken to the airwaves to proclaim the Middle East crisis as complex and complicated. Analysts have discussed the difficulties our government has in balancing conflicting interests and equities that have polarized a historic conflict between two peoples.

Mr. Speaker, I couldn't disagree more.

Indeed, I view this controversy in basic terms.

On September 11, a line was drawn in the sand.

In the sands of the Middle East and in the rubble of the World Trade Center and the Pentagon.

The line does not divide religious groups. It does not divide cultures.

It does divide values. It divides extremists and fanatics from the civilized world.

On one side are those who deliberately and carefully target innocent civilians for death—whether they were reading memos at their desks in the World Trade Center in Manhattan; or reading from the Hagaddah at a Passover table in Netanya, Israel.

When terrorists crossed that line on September 11 and attacked our people, the full military might of the United States government was dispatched to retaliate against those attacks and prevent future attacks. We routed out terrorists in caves and tunnels. Similarly, when terrorists crossed that line on seven different days in seven different places in Israel, the same standard applied. There simply is no moral difference. Targeting innocent men, women, children and elderly for a savage attack is terrorism pure and simple. It doesn't matter where it occurs, when it occurs, or under what circumstances it occurs. It has no ethical defense. It has no other definition. In the interests of our own place in the world, in the interests of our own security, in the interest of our own defense, we must combat and work with others to combat terrorism without equivocation.

On one side of the line are those who teach their children to hate. Who feed their children a steady diet of intolerance. Who use classrooms to poison minds, to reject compromise, to fuel extremism. Only on that side of the line do mothers celebrate the suicides of their children. Only on that side of the line did men and women cheer in jubilation when the World Trade Center towers collapsed.

On that side of the line, Mr. Speaker, are governments who embrace tyranny. On our side, are governments that cherish democracy. On one side are those who invest power in bombings, on our side are governments who invest power in voting. On one side are those who leave their people behind in squalor and despair; on our side of the lines are governments, comprised of all religions, who promote literacy, job expansion, economic development, education, technology, and an ability for their citizens to compete in a global economy.

On one side of the line are those who violently reject religious freedom, diversity, pluralism, a respect for different opinions, or room for different faiths. On the other side are those who believe that a diversity of ideas and beliefs makes us a better civilization. Indeed, America's great gift to the world was the revolutionary notion that freedom and liberty prohibits religious tests.

Earlier today, I gathered in the Capitol Rotunda with members of the President's Cabinet and our colleagues in the House and Senate, to commemorate and remember those who perished in the Holocaust. During the ceremony, Elie Wiesel said: ''Those who kill in the name of their god make God a killer.'' He is right.

Mr. Speaker, it is time to return to basics. Through thick and through thin, we only have one truly democratic ally in the Middle East. Only one nation there shares our fundamental values of elections, education, economic opportunity, women's rights, and religious freedom.

At a critical time, our role should be to stand firmly with our ally while encouraging Arab and Palestinian leaders to resume negotiations rather than bombings to reach the ultimate goal of stability, autonomy, peace, and a place on the civilized side of the line that was drawn in the sand on September 11.

WE MUST CONTINUE TO SUPPORT ISRAEL

HON. JOE KNOLLENBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2002

Mr. KNOLLENBERG. Mr. Speaker, the situation in the Middle East has deteriorated dramatically in recent weeks. Secretary of State Colin Powell is now on a mission to the region. President Bush made the right decision to send him there, and now we must be very clear about the cause of the current conflict, now it its nineteenth month. As difficult and complex as the Middle East is, what's needed most is very simple: an end to Palestinian terrorism.

Despite the commitments Yasir Arafat has made to fight against terror, his actions have not met his words. Time and time again he's passed up opportunities, betraying the people he's supposed to lead. Because he has failed to join the fight against terror, Israel has been forced to fight it for him. As Secretary Powell heads to the region, he has another chance.

I, along with my colleagues in Congress, will be watching closely to see if Arafat has changed his ways.

We must also remember, not all Palestinians support terrorism. The problem is with the Palestinian leadership. There are plenty of Palestinians that, like Americans and Israelis, want to go to work, earn a living and build a family. We need to work with these people and find ways to support them, so we can hope for a new generation of Palestinian leadership that realizes the only way to achieve a Palestinian state is to fight terrorism and embrace peace with Israel.

Every Arab government must step forward and do everything in their power to stop the Palestinian terrorism, and terrorism around the world. Stop encouraging, stop inciting, stop financing. Governments such as Iraq that reward parents for convincing their children to kill innocent people is one of the most horrible things imaginable. Suicide bombers are not martyrs, they're murderers. When Iran uses Hezbollah to ship 50 tons of weapons to Palestinian terrorists, it's obvious they're only paying lip service to the idea of stopping terrorism. Iraq, Iran, Syria, and all the countries in the region must choose and act decisively in word and deed against terrorist networks and terrorist acts.

As President Bush has said, time and again, the nations of the world must decide: they're either with us or they're with the terrorists. But every day we see suicide bombers killing innocent Israelis. Israel has rightfully taken action to stop the bombing of innocent Israeli citizens. America has asked the world to join us in the fight against terrorism. Israel is on the front lines. We must continue to support Israel, financially, diplomatically, and by whatever means are necessary.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S2375–S2423

Measures Introduced: Six bills and three resolutions were introduced, as follows: S. 2075–2080, S.J. Res. 34, and S. Res. 232–233. **Pages S2412–13**

Measures Passed:

Congratulating the University of Connecticut Women's Basketball Championship: Senate agreed to S. Res. 232, congratulating the Huskies of the University of Connecticut for winning the 2002 NCAA Division I Women's Basketball Championship. **Pages S2381–82**

Congratulating the University of Maryland Men's Basketball Championship: Senate agreed to S. Res. 233, congratulating the University of Maryland Terrapins for winning the 2002 NCAA Basketball Championship. **Pages S2418–20**

Energy Policy Act: Senate continued consideration of S. 517, to authorize funding for the Department of Energy to enhance its mission areas through technology transfer and partnerships for fiscal years 2002 through 2006, taking action on the following amendments proposed thereto: **Pages S2389–S2402**

Pending:

Daschle/Bingaman Further Modified Amendment No. 2917, in the nature of a substitute. **Pages S2389–S2402**

Feinstein Modified Amendment No. 2989 (to Amendment No. 2917), to provide regulatory oversight over energy trading markets and metals trading markets. **Page S2389**

Kerry/McCain Amendment No. 2999 (to Amendment No. 2917), to provide for increased average fuel economy standards for passenger automobiles and light trucks. **Page S2389**

Dayton/Grassley Amendment No. 3008 (to Amendment No. 2917), to require that Federal agencies use ethanol-blended gasoline and biodiesel-blended diesel fuel in areas in which ethanol-blended gasoline and biodiesel-blended diesel fuel are available. **Page S2389**

Lott Amendment No. 3028 (to Amendment No. 2917), to provide for the fair treatment of Presidential judicial nominees. **Page S2389**

Landrieu/Kyl Amendment No. 3050 (to Amendment No. 2917), to increase the transfer capability of electric energy transmission systems through participant-funded investment. **Page S2389**

Graham Amendment No. 3070 (to Amendment No. 2917), to clarify the provisions relating to the Renewable Portfolio Standard. **Page S2389**

Reid Modified Amendment No. 3081 (to Amendment No. 2989), in the nature of a substitute. (By 40 yeas to 59 nays (Vote No. 60), Senate earlier failed to table the amendment.) **Pages S2389–S2402**

A unanimous-consent-time agreement was reached providing for further consideration of the bill at 9:15 a.m., on Wednesday, April 10, 2002, with a vote on the motion to close debate on Feinstein Modified Amendment No. 2989 (listed above), to occur at 9:45 a.m. Further, second degree amendments to Feinstein Modified Amendment No. 2989 (listed above), may be filed until 9:30 a.m. **Page S2402**

Messages From the President: Senate received the following messages from the President of the United States:

Transmitting, pursuant to law, a report detailing the progress of spending by the executive branch during the last two quarters of Fiscal Year 2001 in support of Plan Columbia; to the Committee on Foreign Relations. (PM–79) **Page S2410**

Transmitting, pursuant to law, a report prepared by the National Science Board entitled "Science and Engineering Indicators–2002"; to the Committee on Commerce, Science, and Transportation. (PM–80) **Page S2410**

Nominations Received: Senate received the following nominations:

Sharon Brown-Hruska, of Virginia, to be a Commissioner of the Commodity Futures Trading Commission for the remainder of the term expiring April 13, 2004.

John Peter Suarez, of New Jersey, to be an Assistant Administrator of the Environmental Protection Agency.

Steven J. Simmons, of Connecticut, to be Member of the Broadcasting Board of Governors for the remainder of the term expiring August 13, 2003.

Ned L. Siegel, of Florida, to be a Member of the Board of Directors of the Overseas Private Investment Corporation for a term expiring December 17, 2003.

Jack C. Chow, of Pennsylvania, for the rank of Ambassador during his tenure of service as Special Representative of the Secretary of State for HIV/AIDS.

Stuart D. Rick, of Maryland, to be a Member of the Merit Systems Protection Board for the term of seven years expiring March 1, 2007.

Lillian R. BeVier, of Virginia, to be a Member of the Board of Directors of the Legal Services Corporation for a term expiring July 13, 2004.

Robert J. Dieter, of Colorado, to be a Member of the Board of Directors of the Legal Services Corporation for a term expiring July 13, 2002.

Robert J. Dieter, of Colorado, to be a Member of the Board of Directors of the Legal Services Corporation for a term expiring July 13, 2005. (Reappointment)

Thomas A. Fuentes, of California, to be a Member of the Board of Directors of the Legal Services Corporation for a term expiring July 13, 2002.

Thomas A. Fuentes, of California, to be a Member of the Board of Directors of the Legal Services Corporation for a term expiring July 13, 2005. (Reappointment)

Michael McKay, of Washington, to be a Member of the Board Directors of the Legal Services Corporation for a term expiring July 13, 2004.

Frank B. Strickland, of Georgia, to be a Member of the Board of Directors of the Legal Services Corporation for a term expiring July 13, 2004.

Ray Elmer Carnahan, of Arkansas, to be United States Marshal for the Eastern District of Arkansas for the term of four years.

Walter Robert Bradley, of Kansas, to be United States Marshal for the District of Kansas for the term of four years.

Theresa A. Merrow, of Kentucky, to be United States Marshal for the Middle District of Georgia for the term of four years.

6 Navy nominations in the rank of admiral.

Routine lists in the Air Force, Army, Marine Corps, Navy. **Pages S2420–23**

Executive Communications: **Pages S2410–12**

Additional Cosponsors: **Pages S2413–14**

Statements on Introduced Bills/Resolutions: **Pages S2414–18**

Additional Statements: **Pages S2407–10**

Amendments Submitted: **Page S2418**

Authority for Committees to Meet: **Page S2418**

Record Votes: One record vote was taken today. (Total—60) **Page S2397**

Adjournment: Senate met at 10 a.m., and adjourned at 6:03 p.m., until 9:15 a.m., on Wednesday, April 10, 2002.

Committee Meetings

(Committees not listed did not meet)

DEFENSE POLICIES AND PROGRAMS

Committee on Armed Services: Committee concluded hearings to examine Department of Defense policies and programs to transform the Armed Forces to meet the challenges of the 21st Century, after receiving testimony from Paul D. Wolfowitz, Deputy Secretary of Defense; Gen. Peter Pace, USMC, Vice Chairman, Joint Chiefs of Staff; VAdm. Arthur K. Cebrowski, USN (Ret.), Director of Force Transformation, Office of the Secretary of Defense; Gen. William F. Kernan, USA, Commander-in-Chief, United States Joint Forces Command; Andrew F. Krepinevich, Center for Strategic and Budgetary Assessments, Washington, D.C.; and Loren B. Thompson, Lexington Institute, Arlington, Virginia.

DEFENSE AUTHORIZATION

Committee on Armed Services: Subcommittee on SeaPower concluded hearings on proposed legislation authorizing funds for fiscal year 2003 for the Department of Defense, focusing on Navy equipment required for fielding a 21st century capabilities-based Navy, after receiving testimony from Adm. Vernon E. Clark, USN, Chief of Naval Operations, Maj. Gen. William A. Whitlow, USMC, Director, Expeditionary Warfare Division, Office of the Deputy of Chief of Naval Operations for Warfare Requirements and Programs, RAdm. Phillip M. Balisle, USN, Director, Surface Warfare Division, RAdm. Paul F. Sullivan, USN, Director, Submarine Warfare Division, N77, Office of the Deputy Chief of Naval Operations, and RAdm. Michael J. McCabe, USN, Director, Air Warfare Division, all of the Department of the Navy.

REPUBLIC OF CONGO

Committee on Foreign Relations: Subcommittee on African Affairs concluded hearings to examine United States policy options in the Democratic Republic of the Congo, focusing on humanitarian and HIV/AIDS crises, and the promotion of democratic and economic development in Africa, after receiving testimony from Mark Bellamy, Principal Deputy Assistant Secretary of State for African Affairs; Fabienne Hara, International Crisis Group, Brussels, Belgium;

and Learned Dees, National Endowment for Democracy, and Anne C. Edgerton, Refugees International, both of Washington, D.C.

NATIONAL AND COMMUNITY SERVICE

Committee on Health, Education, Labor, and Pensions: Committee concluded hearings to examine the reauthorization of national and community service legislation, including the National and Community Service Act of 1990 and the Domestic Volunteer Service Act of 1973, after receiving testimony from Leslie Lenkowsky, Chief Executive Officer, Corporation for National and Community Service.

FBI REFORM

Committee on the Judiciary: Committee concluded oversight hearings to examine Federal Bureau of Investigations (FBI) reform in the wake of the Hanssen espionage case, focusing on the protection of highly classified secrets in order to ensure national security, after receiving testimony from Dale L. Watson, Executive Assistant Director, Counterterrorism/Counterintelligence, Dave Szady, Assistant Director, Counterintelligence Division, and Kenneth H. Senser, Assistant Director, Security Division, all of the Federal Bureau of Investigation, Department of Justice; and William H. Webster, Milbank, Tweed, Hadley, and McCoy, Washington, D.C., former Director, Federal Bureau of Investigation, Department of Justice.

House of Representatives

Chamber Action

Measures Introduced: 42 public bills, H.R. 4083–4124; and 5 resolutions, H. Con. Res. 370, and H. Res. 377–379, 381, were introduced.

Pages H1152–53

Reports Filed: Reports were filed today as follows:

H.R. 3297, to amend the Omnibus Crime Control and Safe Streets Act of 1968 to ensure that chaplains killed in the line of duty receive public safety officer death benefits, amended (H. Rept. 107–384);

H.R. 3848, to provide funds for the construction of recreational and visitor facilities in Washington County, Utah (H. Rept. 107–385);

H.R. 3848, to provide funds for the construction of recreational and visitor facilities in Washington County, Utah (H. Rept. 107–385);

H.R. 3958, to provide a mechanism for the settlement of claims of the State of Utah regarding portions of the Bear River Migratory Bird Refuge located on the shore of the Great Salt Lake, Utah (H. Rept. 107–386);

H.R. 2937, to provide for the conveyance of certain public land in Clark County, Nevada, for use as a shooting range (H. Rept. 107–387);

H.R. 3480, to promote Department of the Interior efforts to provide a scientific basis for the management of sediment and nutrient loss in the Upper Mississippi River Basin (H. Rept. 107–388);

H.R. 3853, to make technical corrections to laws passed by the 106th Congress related to parks and public lands (H. Rept. 107–389);

H.R. 2109, to authorize the Secretary of the Interior to conduct a special resource study of Virginia Key Beach, Florida, for possible inclusion in the National Park System, amended (H. Rept. 107–390);

H.R. 3425, to direct the Secretary of the Interior to study the suitability and feasibility of establishing Highway 49 in California, known as the "Golden Chain Highway", as a National Heritage Corridor (H. Rept. 107–391);

H.R. 3909, to designate certain Federal lands in the State of Utah as the Gunn McKay Nature Preserve (H. Rept. 107–392);

H. Res. 380, providing for consideration of H.R. 3925, to establish an exchange program between the Federal Government and the private sector in order to promote the development of expertise in information technology management (H. Rept. 107–393);

H.R. 3991, to amend the Internal Revenue Code of 1986 to protect taxpayers and ensure accountability of the Internal Revenue Service, amended (H. Rept. 107–394). **Pages H1151–52**

Speaker Pro Tempore: Read a letter from the Speaker wherein he appointed Representative Walden of Oregon to act as Speaker pro tempore for today. **Page H1093**

Journal: Agreed to the Speaker's approval of the Journal of Wednesday, March 20, by a yea-and-nay vote of 361 yeas to 43 nays with 1 voting "present", Roll No. 80. **Page H1093, H1111–12**

Social Security Advisory Board: The Chair announced the Speaker's appointment of Mrs. Dorcas

R. Hardy of Spotsylvania, Virginia to the Social Security Advisory Board. **Pages H1094–95**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Ellis Island Medal of Honor Recognition and National Ethnic Coalition of Organizations Commendation: H. Res. 377, recognizing the Ellis Island Medal of Honor and commending the National Ethnic Coalition of Organizations (agreed to by a yea-and-nay vote of 403 yeas with none voting "nay," Roll No. 81); **Pages H1096–97, H1112**

Acquisition Streamlining Improvement Act: H.R. 3921, to amend the Clinger-Cohen Act of 1996 to extend until January 1, 2005, a program applying simplified procedures to the acquisition of certain commercial items, and to require the Comptroller General to submit to Congress a report regarding the effectiveness of such program; **Pages H1097–98**

Washington County, Utah Recreational and Visitor Facilities Construction: H.R. 3848, to provide funds for the construction of recreational and visitor facilities in Washington County, Utah; **Pages H1098–99**

Conveyance of Land in Clark County, Nevada, for use as a Shooting Range: H.R. 2937, amended, to provide for the conveyance of certain public land in Clark County, Nevada, for use as a shooting range; **Pages H1099–H1100**

Bear River Migratory Bird Refuge Settlement Act: H.R. 3958, to provide a mechanism for the settlement of claims of the State of Utah regarding portions of the Bear River Migratory Bird Refuge located on the shore of the Great Salt Lake, Utah (agreed to by a yea-and-nay vote of 396 yeas to 6 nays, Roll No. 82); **Pages H1100–01, H1112–13**

Upper Mississippi River Basin Protection Act: H.R. 3480, to promote Department of the Interior efforts to provide a scientific basis for the management of sediment and nutrient loss in the Upper Mississippi River Basin; and **Pages H1101–04**

Business Checking Freedom Act: H.R. 1009, amended, to repeal the prohibition on the payment of interest on demand deposits. **Pages H1107–11**

Suspensions—Proceedings Postponed: The House completed debate on the following motions to suspend the rules. Further proceedings were postponed until Wednesday, April 10.

2002 Olympic Winter Games: H. Res. 363, amended, congratulating the people of Utah, the Salt Lake organizing committee, and the athletes of the world for a successful and inspiring 2002 Olympic Winter Games; and **Pages H1104–07**

Taxpayer Protection and IRS Accountability Act: H.R. 3991, amended, to amend the Internal Revenue Code of 1986 to protect taxpayers and ensure accountability of the Internal Revenue Service. **Pages H1113–32**

Motions to Instruct Conferees on the Farm Security Act: Pursuant to clause 7(c) of rule XXII, the following members intend to offer motions tomorrow to instruct conferees on H.R. 2646, an act to provide for the continuation of agricultural programs through fiscal year 2011. Representative Phelps announced his intention to offer a motion to instruct House conferees, to agree to the provisions contained in section 1071 of the Senate amendment, relating to re-enactment of the family farmer bankruptcy provisions contained in chapter 12 of title 11, United States Code. **Page H1111**

Representative Flake announced his intention to offer a motion to instruct conferees to agreed to section 1244(g)(1)(C) of the Food Security Act of 1985, as added by section 204 of the Senate amendment. **Page H1113**

Presidential Messages: Read the following messages from the President:

Plan Colombia: Message wherein he transmitted a report detailing the progress of spending by the executive branch during the last two quarters of Fiscal Year 2001 in support of Plan Colombia—referred to the Committees on Appropriations and International Relations and ordered printed (H. Doc. 107–198); and **Page H1132**

Science and Engineering Indicators: Message wherein he transmitted a report by the National Science Board entitled, "Science and Engineering Indicators—2002", which examines key aspects of the status of science and engineering in the United States—referred to the Committee on Science. **Page H1132**

Recess: The House recessed at 3:40 p.m. and reconvened at 6:36 p.m. **Page H1111**

Senate Messages: Message received from the Senate appears on page H1093.

Referrals: S. 1222, was referred to the Committee on Government Reform; S. 1499 was referred to the Committee on Small Business; and S. 1321 was held at the Desk. **Page H1147**

Amendments: Amendments ordered printed pursuant to the rule appear on pages H1156–57.

Quorum Calls—Votes: Three yea-and-nay votes developed during the proceedings of the House today and appear on pages H1111–12, H1112, and H1113. There were no quorum calls.

Adjournment: The House met at 2 p.m. and adjourned at 10:55 p.m.

Committee Meetings

LABOR, HHS, EDUCATION APPROPRIATIONS

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, Education, held a hearing on NIH Panel: Collaborations in Research. Testimony was heard from the following officials Department of Health and Human Services: Kerry Weems, Deputy Assistant Secretary, Budget; Ruth L. Kirschstein, M.D., Acting Director, NIH; Stephen Katz, M.D., Director, National Institute of Arthritis and Musculoskeletal and Skin Diseases; Stephen Straus, M.D., Director, National Center for Complementary and Alternative Medicine; Duane Alexander, M.D, Director, National Institute of Child Health and Human Development; Donna Dean, M.D., Acting Director, National Institute of Bioimaging and Bioengineering; John Ruffin, M.D., Director, National Center on Minority Health and Health Disparities; and Gerald Keusch, M.D., Director, Fogarty International Center.

WELFARE REFORM—PROPOSED REVISIONS

Committee on Education and the Workforce: Held a hearing on ''Working Toward Independence: The Administration's Plan to Build upon the Successes of Welfare Reform.'' Testimony was heard from Tommy G. Thompson, Secretary of Health and Human Services; and public witnesses.

CORPORATE AND AUDITING ACCOUNTABILITY, RESPONSIBILITY, AND TRANSPARENCY ACT

Committee on Financial Services: Concluded hearings on H.R. 3763, Corporate and Auditing Accountability, Responsibility, and Transparency Act of 2002. Testimony was heard from David M. Walker, Comptroller General, GAO; Richard Breeden, former Chairman, SEC; and public witnesses.

FEDERAL GOVERNMENT'S FINANCIAL STATEMENTS

Committee on Government Reform: Subcommittee on Government Efficiency, Financial Management, and Intergovernmental Relations held a hearing on ''The Federal Government's Consolidated Financial Statements: Are They Reliable?'' Testimony was heard from David M. Walker, Comptroller General, GAO; Donald V. Hammond, Fiscal Assistant Secretary, Department of the Treasury; and Mark W. Everson, Controller, Office of Federal Financial Management, OMB.

INS RESTRUCTURING

Committee on the Judiciary: Held an oversight hearing on ''Restructuring the INS—How the Agency's Dysfunctional Structure Impedes the Performance of its Dual Mission.'' Testimony was heard from James W. Ziglar, Commissioner, INS, Department of Justice; and public witnesses.

DIGITAL TECH CORPS ACT

Committee on Rules: Granted, by voice vote, an open rule providing 1 hour of debate on H.R. 3925, Digital Tech Corps Act of 2002. The rule waives all points of order against consideration of the bill. The rule provides that it shall be in order to consider as an original bill for the purpose of amendment the amendment in the nature of a substitute recommended by the Committee on Government Reform now printed in the bill, modified by the amendments recommended by the Committee on the Judiciary also printed in the bill. The rule allows the Chairman of the Committee of the Whole to accord priority in recognition to those Members who have pre-printed their amendments in the Congressional Record. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Representative Tom Davis of Virginia.

PAYROLL INDUSTRY AT RISK

Committee on Small Business: Subcommittee on Tax, Finance and Exports held a hearing on Payroll Industry at Risk Due to ACH System Used for Direct Deposit. Testimony was heard from public witnesses.

OVERSIGHT—TAX RETURN FILING SEASON AND THE IRS BUDGET

Committee on Ways and Means: Subcommittee on Oversight held a hearing on the 2002 Tax Return Filing Season and the IRS Budget for Fiscal Year 2003. Testimony was heard from Charles O. Rossotti, Commissioner, IRS, Department of the Treasury; James R. White, Director, Tax Policy and Administration Issues, GAO; and public witnesses.

Joint Meetings

ROMANI HUMAN RIGHTS

Commission on Security and Cooperation in Europe(Helsinki Commission): Commission concluded hearings to examine Romani human rights issues, focusing on OSCE activities and recent Bulgaria activities, including barriers to Romani education in the region, after receiving testimony from Nicolae Gheorghe, Organization for Security and Cooperation in Europe Office for Democratic Institutions and Human Rights, Warsaw, Poland; H. E. Elena Borislavova Poptodorova, Ambassador of Bulgaria to the United States, Sofia, Bulgaria; and Dimitrina

Petrova, European Roma Rights Center, and Rumyan Russinov, Roma Participation Project, both of Budapest, Hungary.

FARM BILL

Conferees met to resolve the differences between the Senate and House passed versions of H.R. 2646, to provide for the continuation of agricultural programs through fiscal year 2011, but did not complete action thereon, and will meet again tomorrow.

COMMITTEE MEETINGS FOR WEDNESDAY, APRIL 10, 2002

(Committee meetings are open unless otherwise indicated)

Senate

Special Committee on Aging: to hold hearings to examine issues relating to long-term health care, 9:30 a.m., SD–628.

Committee on Appropriations: to hold hearings to examine Homeland Security; hearings will continue at 2:00 p.m, 10 a.m., SH–216.

Committee on Armed Services: Subcommittee on Emerging Threats and Capabilities, to hold hearings on proposed legislation authorizing funds for fiscal year 2003 for the Department of Defense, focusing on technology for combating terrorism and weapons of mass destruction, 9 a.m., SR–253.

Subcommittee on Strategic, to hold hearings on proposed legislation authorizing funds for fiscal year 2003 for the Department of Defense, focusing on the Department of Energy's Environmental Management program and the National Nuclear Security Administration's Defense Program and other weapons activities, 2:30 p.m., SR–222.

Committee on Environment and Public Works: Subcommittee on Superfund, Toxics, Risk, and Waste Management, to hold oversight hearings to examine the Superfund program, 10 a.m., SD–406.

Committee on Finance: to hold hearings to examine the reauthorization of Temporary Assistance for Needy Families (TANF) Program, created by the Welfare Reform Law of 1996, 9:30 a.m., SD–215.

Committee on Health, Education, Labor, and Pensions: to hold hearings to examine the reauthorization of the Institute of Museum and Library Services Act, 10 a.m., SD–430.

Select Committee on Intelligence: to hold closed hearings to examine pending intelligence matters, 2:30 p.m., SH–219.

House

Committee on Appropriations, Subcommittee on Commerce, Justice, State and Judiciary, on FTC, 10 a.m., and Congressional witnesses, 2 p.m., H–309 Capitol.

Subcommittee on the District of Columbia, on Public Safety/Emergency Preparedness/Courts, 1:30 p.m., 2362 Rayburn.

Subcommittee on Foreign Operations, Export Financing and Related Agencies, on U.S. Assistance to Columbia, 2 p.m., 2359 Rayburn.

Subcommittee on Interior, on National Park Service, 10 a.m., and an oversight hearing on Forest Service and Bureau of Land Management-Fish Passage Barriers, 1:30 p.m., B–308 Rayburn.

Subcommittee on Labor, Health and Human Services, Education, on Secretary of Education, 10:15 a.m., 2358 Rayburn.

Subcommittee on VA, HUD and Independent Agencies, on Congressional Witnesses, 9:30 a.m., H–143 Capitol.

Committee on Armed Services, Subcommittee on Military Installations and Facilities, hearing on force protection and long-term recapitalization of all U.S. military installations and facilities, 3 p.m., 2212 Rayburn.

Subcommittee on Military Personnel, hearing on the fiscal year 2003 Defense Health Program budget request, 2 p.m., 2118 Rayburn.

Committee on Education and the Workforce, Subcommittee on Employer-Employee Relations and the Subcommittee on Workforce Protections, joint hearing on "Record Keeping under the LMRDA: Do DOL Reporting Systems Benefit the Rank and File?" 10:30 a.m., 2175 Rayburn.

Subcommittee on Select Education, hearing on the "Status of Financial Management at the Department of Education," 2 p.m., 2175 Rayburn.

Committee on Energy and Commerce, to mark up H.R. 3833, Dot Kids Implementation and Efficiency Act of 2002, and to consider pending Committee business, 10 a.m., 2123 Rayburn.

Committee on Financial Services, Subcommittee on Housing and Community Opportunity, hearing on H.R. 3995, Housing and Affordability for America Act of 2002, 10 a.m., 2128 Rayburn.

Subcommittee on Housing and Community Opportunity, hearing to review the current status of empowerment zones and renewal communities, 2 p.m., 2128 Rayburn.

Committee on Government Reform, Subcommittee on Criminal Justice, Drug Policy, and Human Resources, hearing on "Enhancing Border Security and Law Enforcement," 10 a.m., 2154 Rayburn.

Committee on the Judiciary, to mark up H.R. 3231, Immigration Reform and Accountability Act of 2001, 10 a.m., 2141 Rayburn.

Committee on Resources, Subcommittee on Forests and Forest Health, hearing on the following bills: H.R. 3962, Good Neighbor Act of 2002; H.R. 3954, Caribbean National Forest Wild and Scenic Rivers Act of 2002; and H.R. 3401, California Five Mile Regional Learning Center Transfer Act, 10 a.m., 1334 Longworth.

Subcommittee on Water and Power, hearing on H.R. 2301, to authorize the Secretary of the Interior to construct a bridge on Federal land west of and adjacent to Folsom Dam in California, 2 p.m., 1334 Longworth.

Committee on Small Business, hearing entitled "Can Improved Compliance with the Regulatory Flexibility Act Resuscitate Small Healthcare Providers?" 10 a.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, April 10, Subcommittee on Water Resources and Environment, oversight hearing on proposals for a Water Resources and Development Act of 2002, 10 a.m., 2167 Rayburn.

Committee on Veterans' Affairs, Subcommittee on Health, hearing on the following bills: H.R. 3253, National Medical Emergency Preparedness Act of 2001; and H.R. 3254 Medical Education for National Defense in the 21st Century Act, 3 p.m., 334 Cannon.

Committee on Ways and Means, Subcommittee on Select Revenue Measures, hearing on Extraterritorial Income Regime, 2 p.m., 1100 Longworth.

Joint Meetings

Conference: meeting of conferees on H.R. 2646, to provide for the continuation of agricultural programs through fiscal year 2011, 9 a.m., 1300 Longworth Building.

Next Meeting of the SENATE

9:15 a.m., Wednesday, April 10

Senate Chamber

Program for Wednesday: Senate will continue consideration of S. 517, Energy Policy Act, with a vote on the motion to close further debate on Feinstein Modified Amendment No. 2989 (to Amendment No. 2917), to occur at 9:45 a.m.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, April 10

House Chamber

Program for Wednesday: Consideration of H.R. 3925, Digital Tech Corps Act (open rule, one hour of general debate);

Complete consideration of suspensions debated on Tuesday:

(1) H. Res. 363, congratulating the People of Utah, the Salt Lake Organizing Committee and the Athletes of the World for the Successful and Inspiring Winter Olympic Games.

(2) H.R. 3991, Taxpayer Protection and IRS Accountability Act of 2002 and

Possible Motions to Instruct Conferees on H.R. 2646, Farm Security Act of 2002.

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