



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 107<sup>th</sup> CONGRESS, SECOND SESSION

Vol. 148

WASHINGTON, TUESDAY, APRIL 30, 2002

No. 51

## House of Representatives

The House met at 12:30 p.m.

### MORNING HOUR DEBATES

The SPEAKER. Pursuant to the order of the House of January 23, 2002, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to not to exceed 30 minutes, and each Member except the majority leader, the minority leader, or the minority whip limited to not to exceed 5 minutes.

The Chair recognizes the gentleman from Illinois (Mr. WELLER) for 5 minutes.

### PROVIDING PERMANENT TAX CUTS

Mr. WELLER. Mr. Speaker, I come to the floor today to draw attention to an issue that so many in this House have worked on over the last several years and that is an issue of fairness.

Over the last several years we have asked a basic question. Is it right, is it fair, that under our tax code a married working couple, where both the husband and wife are in the workforce, pay higher taxes than if they chose not to get married? That is an issue I was so pleased and when this House under the gentleman from Illinois' (Mr. HASTERT) leadership and with the leadership of the gentleman from California (Mr. THOMAS) of the Ways and Means Committee, that we succeeded as part of what is now known as the Bush tax cut, succeeded in passing legislation which eliminated the marriage tax penalty for almost 43 million married working couples who on average paid \$1,700 more in higher taxes.

Let me give my colleagues an example of a married couple from Joliet, Illinois. This is Jose and Magdalena Castillo. They are laborers in Joliet, Il-

linois. They have a combined income of about \$85,000. Their marriage tax penalty prior to the Bush tax cut was about \$1,125 that Jose and Magdalena paid in higher taxes just because they are married. I also want to introduce their children, Eduardo and Carolina Castillo, and their benefit of the Bush tax cut from the doubling of the \$500 per child tax credit as well. Of course, that was \$500. We raised that to \$1,000.

Here is the issue. Unfortunately, there are some arcane rules over in the other body which may require that the Bush tax cut sunset in the year 2011. What that means is in a few years, elimination of the marriage tax penalty and the \$1,000 per child tax credit that the Castillo family benefits from will be eliminated, which means that their taxes will go up. Taxes go up \$1,000 per child, as well as at least \$1,125 a year when the marriage tax penalty elimination expires.

We had a very, very important vote, an important vote that was important for families like Jose and Magdalena Castillo on this House floor 2 weeks ago, and that vote was on making the Bush tax cut permanent. What that vote was all about was whether or not to impose a tax increase on over 100 million American taxpayers who benefit from the Bush tax cut, because if we fail to make the Bush tax cut permanent, which lowered rates for all taxpayers, which provided opportunities to set aside more in an IRA and a 401(k) and an education savings account, eliminated the marriage tax penalty for 43 million company couples like Jose and Magdalena Castillo, and also wiped out the death tax so we can keep the family farm and the family business in the family and in business when the founder passes on.

Unfortunately, as I said earlier, it is going to expire, and unfortunately, our friends on the other side of the aisle overwhelmingly on the Democratic side voted to increase taxes by oppos-

ing efforts to make permanent the Bush tax cut. That is why I think it is very, very important that we put a human face on those who would suffer and be hurt by Democratic efforts to raise taxes once again, by either suspending, eliminating or preventing the permanency of what we now call as the Bush tax cut.

As I said earlier, there are 43 million couples like Jose and Magdalena Castillo who benefit from the marriage tax penalty relief in the Bush tax cut, and in this case, Jose and Magdalena also benefit from \$1,000 per child tax credit which helps families with children. They would also lose that if we fail to make the Bush tax cut permanent.

It is often said, and those who argue against cutting taxes always say, that if someone pays taxes they are rich. We know that over 100 million Americans benefit from the Bush tax cut. Some of those who really truly benefited are 3.9 million Americans who no longer pay Federal income taxes because of the Bush tax cut that we moved through this House of Representatives, thanks to the leadership of the gentleman from Illinois (Mr. HASTERT), and if the Democrats succeed in rescinding or repealing or preventing the permanency of the Bush tax cut, 3.9 million Americans, including 3 million Americans with children, will once again be placed back on the tax rolls. Voting against permanency of the Bush tax cut is a tax increase.

Let me go back to the issue which I first raised at the beginning of my remarks, and that is the whole issue of fairness. The tax code is complicated, and prior to the Bush tax cut, the complications of our Federal income tax forced 43 million Americans like Jose and Magdalena Castillo to pay higher taxes just because they are married.

What caused that is Jose and Magdalena are each in the workforce, they each work as laborers, and when

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Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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someone gets married, they file their taxes jointly which pushes them into a higher tax bracket. We fixed that in the Bush tax cut. Let us make marriage tax elimination permanent.

My hope is before the end of this year that our friends in the other body as well as our friends on the other side of the aisle will work with us to help couples like Jose and Magdalena Castillo.

#### PROVIDING A PRESCRIPTION DRUG BENEFIT

The SPEAKER pro tempore (Mr. BOOZMAN). Pursuant to the order of the House of January 23, 2002, the gentleman from Ohio (Mr. BROWN) is recognized during morning hour debates for 5 minutes.

Mr. BROWN of Ohio. Mr. Speaker, I came to the floor today to talk about prescription drugs, how little this Congress is doing to provide a prescription drug benefit and how this body is doing even less to control the cost of prescription drugs, but I feel compelled to comment on the previous speaker's comments.

It is always nice to put a nice-looking family's picture in front of TV viewers and in front of this Congress and this Chamber and in front of the gallery to show how we care about people in this country, but the picture that he should have put in front of the voters, in front of the viewer, in front of this body is a picture of Ken Lay of Enron which got literally hundreds of millions of dollars in tax breaks as a result of the Bush administration's fervor for cutting taxes overwhelmingly for the rich and his fervor for protecting every corporate interest in the country and his fervor for giving tax giveaways, tax breaks to all of the biggest corporations in the country.

Six months ago this Congress gave \$5 billion to the airlines in tax breaks, and in this case, in airlines, simply subsidies and in terms of just dollars from the Federal Treasury, but did nothing for laid-off workers. Similarly, the Bush tax program that my friend from Illinois just mentioned as he put the picture of a nice working-class family, that tax benefit goes overwhelmingly to the richest people in this country.

Last year 100 million people, he said, in America benefited from the tax cut. That may be true. People got a check for \$300, but 43 percent of all the tax benefits from the Bush tax cut goes to the 1 percent richest people in this country. Eighty percent of the benefits go to the 10 percent wealthiest people in this country.

What does that say? It says that Congress last year and last week, as it did it again, made a choice. They made a choice. Do we give tax cuts to Ken Lay and Enron and United Airlines and the biggest corporations and the richest individuals in this country, or do we provide a prescription drug benefit to 15 million senior citizens who have no drug coverage? We made a choice. The

Republicans in this body last week and last year made a choice. Do we cut taxes on the richest people in the country, on the largest corporations in the country and a few dollars from the rest of us, or do we pass legislation that provides money for education?

On issue after issue after issue, this Congress made the choice. It sides with corporate interests, on the chemical company on arsenic legislation. It sides with the insurance companies on privatizing Medicare. It sides with Wall Street in privatizing Social Security. It sides with the oil industry in writing environmental policy. It sides with Enron when writing energy policy. That is a choice. The choice is do we do what is right for the great majority of Americans or do we take the side of the wealthiest or the biggest corporations and the wealthiest individuals?

That picture, notwithstanding that my friend from Illinois put up, the fact is that that family may have gotten a little bit of money back in tax cuts, but that family will not be eligible for a prescription drug benefit because Congress, as they get older, because Congress will not do anything about prescription drugs because the money is not there. I repeat, Congress made the choice last week and made the choice last year, do my colleagues want a prescription drug benefit for the elderly or do they want to give tax cuts to the richest people in the country and the largest corporations in the country? Do they want to fully fund the education programs in this country that Congress says it wants to fund or do they want to give those tax breaks again to the wealthiest people? Do they fund our Medicare system which cuts payments for home healthcare, which cuts doctors' fees too much, which cuts hospitals, especially city hospitals in intercity and rural hospitals, or do they want to fund them properly or do they want to give away tax breaks to the richest citizens?

That is the choice we make here every day. That is the difference between Republicans and Democrats. Do we move forward and provide prescription drug benefits, provide for education, provide for Head Start, provide for food safety inspections, provide for strong environmental laws, or do we do the bidding of corporate America on issue after issue after issue? Give them the big tax breaks, weaken environmental laws, weaken food safety laws, weaken laws that protect the American public?

That is the choice we make. That is the choice that Congress made that was wrong in the last year and that the President and the administration has made. That is wrong. That is why we need to correct it.

#### RECESS

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

Accordingly (at 12 o'clock and 44 minutes p.m.), the House stood in recess until 2 p.m. today.

□ 1400

#### AFTER RECESS

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

#### PRAYER

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

Preserved in Your grace, O Lord, at times we may seem at a standstill. But momentary inactivity may mean a fermenting of resolve.

Lord, grant to the Members of the House of Representatives a patience to listen to deepest convictions buried within the heart and their delegation. Inspire a practical wisdom that is wrapped in the art of timing.

Help all of Your people of this great Nation grow in perseverance. Deliver them from headline success, pollster popularity, and personal insecurity. Strengthened by faith in You, may quiet and stronger commitments prevail and produce enlightened options born of creative repression. Let yesterday's setbacks and compromise only store up energy for tomorrow's leap forward.

By taking one step at a time, may every American persevere in pursuing higher goals than those found in immediate satisfaction. May we prove faithful in seeking Your plan for us before reaction to every circumstance, now and forever. Amen.

#### THE JOURNAL

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

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

#### PLEDGE OF ALLEGIANCE

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

Mr. COBLE 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.

#### TRIBUTE TO THADDEUS STEVENS

(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, on this day 136 years ago, one of the predecessors from my congressional district, a man named Thaddeus Stevens, stood in this Chamber and introduced the 14th

amendment to the Constitution. The Civil War was over, but African Americans still were not guaranteed the rights of citizens. The 13th amendment had banned slavery, but many States were still refusing basic rights to black people.

In 1868, Thaddeus Stevens of Lancaster, Pennsylvania introduced the 14th amendment to fix that. His amendment guaranteed that all persons born in the United States were citizens, not just of this country, but also of the State where they lived. Thaddeus Stevens fought hard for the 14th amendment.

However, the 14th amendment was not enough for him. He wanted full equality among the races, but that was too much for his contemporaries. Disappointed, Stevens said that he would "Take all I can get in the cause of humanity and leave it to be perfected by better men in better times."

Stevens died soon afterwards and was buried in the only cemetery in Lancaster that did not discriminate. His tombstone reads this way: "I repose in this quiet and secluded spot, that I might illustrate in my death the principles which I advocated through a long life: equality of man before his Creator."

Mr. Speaker, Thaddeus Stevens was a great man indeed.

**THE GIRL SCOUTS ARE A FIRST CLASS ORGANIZATION**

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

Mr. COBLE. Mr. Speaker, when the Girl Scouts came to call on me for their annual visit to give me Girl Scout cookies, I said to them, I never hear from you all except at cookie time. They said, well, why not talk about us from time to time. So today I am going to talk about the Girl Scouts, Mr. Speaker.

Mr. Speaker, the Girl Scouts of the USA is the world's preeminent organization dedicated solely to girls, all girls where, in an accepting and nurturing environment, they build character and skills for success in the real world. In partnership with committed adult volunteers, girls develop qualities that will serve them all of their lives, like leadership, strong values, social conscience and conviction about their own potential and self-worth. Today, there are 3.7 million Girl Scouts, 2.7 million girl members, and 915 adult members.

Mr. Speaker, I encourage my colleagues to continue to purchase and consume Girl Scout cookies, but let us promote them year-round. The Girl Scouts are, indeed, a first-class organization.

**TAINTED WATER SUPPLY AT YUCCA MOUNTAIN**

(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, on such a beautiful sunny day here in the Nation's Capitol, do we not think it might be refreshing to once in a while have a drink from a glass of cool refreshing water? Would we trust that water if it was from a well in southern Nevada 20 years from now?

Well, Mr. Speaker, are my colleagues aware that Yucca Mountain, Nevada, the space designated for the world's high-level nuclear waste dump, sits on a water reservoir? And are my colleagues aware that the Department of Energy has admitted that the rate of water infiltration into Yucca Mountain is 100 times higher than that which the Federal Government originally intended for the site? And did my colleagues know that even the smallest earthquake at Yucca Mountain could jar the repository, could break the casks that hold this high-level nuclear waste? If my colleagues knew that this glass of water may contain radioactive nuclides from spent fuel, they would not drink it.

Well, Mr. Speaker, Nevadans will not either. Storing spent fuel at Yucca Mountain, Nevada is a dangerous endeavor and needs to be stopped, for Nevada and for every American.

**NATO EXPANSION SHOULD INCLUDE ROMANIA**

(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, I rise to express my strong support for Romania's membership into NATO. I was warmly welcomed to Cluj-Napoca, the sister city of Columbia, South Carolina, and I have seen firsthand as the roots of democracy flourish in Romania.

A recent article in The Washington Post cited the successful reform efforts of Romania, as well as the cooperation that Romania has offered to America to fight the war on terrorism. Romania has unconditionally opened its airspace to its allies with 20 NATO military flights daily. Its brave young men and women serve as peacekeepers in Kabul, and the Romanian government has offered a specialized mountain unit for service in the rugged terrain in Afghanistan.

I commend the efforts of Ambassador Sorin Ducaru, Foreign Minister Mircea Geoana, and Deputy Chief of Mission Stelian Stoian for their continuing important reforms and for joining the war on terrorism. Romania is proving itself as a trustworthy ally and should be granted membership to NATO with its neighbor, Bulgaria.

**TANF REAUTHORIZATION**

(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 approach the reauthorization of TANF, let us be mindful of the fact that 75 percent of all new jobs are created in suburban communities, outside large inner cities. If we are to be successful with moving people from welfare to work, then we must make sure that there is adequate money, resources for transportation, so that the people can get from where there are virtually no jobs to where the jobs are.

Mr. Speaker, let us make sure that transportation is a part of TANF reauthorization so that people can get from welfare to where the jobs are.

**ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE**

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

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

**NOTIFICATION AND FEDERAL EMPLOYEE ANTIDISCRIMINATION AND RETALIATION ACT OF 2001**

Mr. SENSENBRENNER. Mr. Speaker, I move to suspend the rules and concur in the Senate amendments to the bill (H.R. 169) to require that Federal agencies be accountable for violations of antidiscrimination and whistleblower protection laws; to require that each Federal agency post quarterly on its public Web site, certain statistical data relating to Federal sector equal employment opportunity complaints filed with such agency; and for other purposes.

The Clerk read as follows:

*Senate Amendments:*

Page 2, line 6, strike out "2001" and insert "2002".

Page 2, in the table of contents, strike out "TITLE I—GENERAL PROVISIONS"

"Sec. 101. Findings."

"Sec. 102 Definitions."

"Sec. 103 Effective date."

and insert

**TITLE I—GENERAL PROVISIONS**

Sec. 101. Findings.

Sec. 102. Sense of Congress.

Sec. 103. Definitions.

Sec. 104. Effective date.

Page 2, in the table of contents, strike out "Sec. 206 Study by the General Accounting Office regarding exhaustion of administrative remedies."

and insert

"Sec. 206. Studies by General Accounting Office on exhaustion of remedies and certain Department of Justice costs."

Page 2, strike out all after line 9 over to and including line 13 on page 4 and insert:

**SEC. 101. FINDINGS.**

Congress finds that—

(1) Federal agencies cannot be run effectively if those agencies practice or tolerate discrimination;

(2) Congress has heard testimony from individuals, including representatives of the National Association for the Advancement of Colored People and the American Federation of Government Employees, that point to chronic problems of discrimination and retaliation against Federal employees;

(3) in August 2000, a jury found that the Environmental Protection Agency had discriminated against a senior social scientist, and awarded that scientist \$600,000;

(4) in October 2000, an Occupational Safety and Health Administration investigation found that the Environmental Protection Agency had retaliated against a senior scientist for disagreeing with that agency on a matter of science and for helping Congress to carry out its oversight responsibilities;

(5) there have been several recent class action suits based on discrimination brought against Federal agencies, including the Federal Bureau of Investigation, the Bureau of Alcohol, Tobacco, and Firearms, the Drug Enforcement Administration, the Immigration and Naturalization Service, the United States Marshals Service, the Department of Agriculture, the United States Information Agency, and the Social Security Administration;

(6) notifying Federal employees of their rights under discrimination and whistleblower laws should increase Federal agency compliance with the law;

(7) requiring annual reports to Congress on the number and severity of discrimination and whistleblower cases brought against each Federal agency should enable Congress to improve its oversight over compliance by agencies with the law; and

(8) requiring Federal agencies to pay for any discrimination or whistleblower judgment, award, or settlement should improve agency accountability with respect to discrimination and whistleblower laws.

**SEC. 102. SENSE OF CONGRESS.**

It is the sense of Congress that—

(1) Federal agencies should not retaliate for court judgments or settlements relating to discrimination and whistleblower laws by targeting the claimant or other employees with reductions in compensation, benefits, or workforce to pay for such judgments or settlements;

(2) the mission of the Federal agency and the employment security of employees who are blameless in a whistleblower incident should not be compromised;

(3) Federal agencies should not use a reduction in force or furloughs as means of funding a reimbursement under this Act;

(4)(A) accountability in the enforcement of employee rights is not furthered by terminating—

(i) the employment of other employees; or

(ii) the benefits to which those employees are entitled through statute or contract; and

(B) this Act is not intended to authorize those actions;

(5)(A) nor is accountability furthered if Federal agencies react to the increased accountability under this Act by taking unfounded disciplinary actions against managers or by violating the procedural rights of managers who have been accused of discrimination; and

(B) Federal agencies should ensure that managers have adequate training in the management of a diverse workforce and in dispute resolution and other essential communication skills; and

(6)(A) Federal agencies are expected to reimburse the General Fund of the Treasury within a reasonable time under this Act; and

(B) a Federal agency, particularly if the amount of reimbursement under this Act is large relative to annual appropriations for that agency, may need to extend reimbursement over several years in order to avoid—

(i) reductions in force;

(ii) furloughs;

(iii) other reductions in compensation or benefits for the workforce of the agency; or

(iv) an adverse effect on the mission of the agency.

Page 4, line 14, strike out “102.” and insert “103”.

Page 4, line 18, strike out “agency,” and insert “agency”;

Page 4, line 21, strike out “303,” and insert “303”;

Page 4, line 25, strike out “Commission,” and insert “Commission”;

Page 5, line 2, strike out “agency,” and insert “agency”;

Page 5, line 5, strike out “agency,” and insert “agency”;

Page 5, line 9, strike out “103.” and insert “104”.

Page 6, line 3, strike out “(c),” and insert “(c)”;

Page 6, line 19, strike out “of the” and insert “,”

Page 7, line 2, strike out “of the” and insert “,”

Page 7, strike out lines 3 and 4

Page 7, line 14, strike out “law,” and insert “law”;

Page 7, line 15, strike out “if to the extent that” and insert “if, or to the extent that”;

Page 8, line 8, after “ate,” insert “the Committee on Governmental Affairs of the Senate, the Committee on Government Reform of the House of Representatives, each committee of Congress with jurisdiction relating to the agency,”

Page 8, line 14, strike out “alleged,” and insert “alleged”;

Page 8, line 16, strike out “(1),” and insert “(1)”;

Page 8, line 21, strike out “any,” and insert “any”;

Page 8, line 25, strike out “(1),” and insert “(1)”;

Page 9, line 3, strike out “,” and insert “”;

Page 9, strike out lines 4 through 14 and insert

(6) a detailed description of—

(A) the policy implemented by that agency relating to appropriate disciplinary actions against a Federal employee who—

(i) discriminated against any individual in violation of any of the laws cited under section 201(a) (1) or (2); or

(ii) committed another prohibited personnel practice that was revealed in the investigation of a complaint alleging a violation of any of the laws cited under section 201(a) (1) or (2); and

(B) with respect to each of such laws, the number of employees who are disciplined in accordance with such policy and the specific nature of the disciplinary action taken;

(7) an analysis of the information described under paragraphs (1) through (6) (in conjunction with data provided to the Equal Employment Opportunity Commission in compliance with part 1614 of title 29 of the Code of Federal Regulations) including—

(A) an examination of trends;

(B) causal analysis;

(C) practical knowledge gained through experience; and

(D) any actions planned or taken to improve complaint or civil rights programs of the agency; and

(8) any adjustment (to the extent the adjustment can be ascertained in the budget of

the agency) to comply with the requirements under section 201.

Page 9, strike out lines 18 and 19 and insert “years (or, if data are not available for all 5 fiscal years, for each of those 5 fiscal years for which data are available)”.

Page 9, line 23, strike out “title,” and insert “title”;

Page 9, strike out all after line 23 over to and including line 6 on page 10 and insert

(2) rules to require that a comprehensive study be conducted in the executive branch to determine the best practices relating to the appropriate disciplinary actions against Federal employees who commit the actions described under clauses (i) and (ii) of section 203(a)(6)(A); and

Page 10, line 20, strike out “guidelines,” and insert “guidelines”;

Page 10, lines 22 and 23, strike out “guidelines,” and insert “guidelines”;

Page 11, strike out all after line 9 over to and including line 16 on page 12 and insert

**SEC. 206. STUDIES BY GENERAL ACCOUNTING OFFICE ON EXHAUSTION OF ADMINISTRATIVE REMEDIES AND ON ASCERTAINMENT OF CERTAIN DEPARTMENT OF JUSTICE COSTS.**

(a) STUDY ON EXHAUSTION OF ADMINISTRATIVE REMEDIES.—

(1) STUDY.—

(A) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the General Accounting Office shall conduct a study relating to the effects of eliminating the requirement that Federal employees aggrieved by violations of any of the laws specified under section 201(c) exhaust administrative remedies before filing complaints with the Equal Employment Opportunity Commission.

(B) CONTENTS.—The study shall include a detailed summary of matters investigated, information collected, and conclusions formulated that lead to determinations of how the elimination of such requirement will—

(i) expedite handling of allegations of such violations within Federal agencies and will streamline the complaint-filing process;

(ii) affect the workload of the Commission;

(iii) affect established alternative dispute resolution procedures in such agencies; and

(iv) affect any other matters determined by the General Accounting Office to be appropriate for consideration.

(2) REPORT.—Not later than 90 days after completion of the study required by paragraph (1), the General Accounting Office shall submit to the Speaker of the House of Representatives, the President pro tempore of the Senate, the Equal Employment Opportunity Commission, and the Attorney General a report containing the information required to be included in such study.

(b) STUDY ON ASCERTAINMENT OF CERTAIN COSTS OF THE DEPARTMENT OF JUSTICE IN DEFENDING DISCRIMINATION AND WHISTLEBLOWER CASES.—

(1) STUDY.—Not later than 180 days after the date of enactment of this Act, the General Accounting Office shall conduct a study of the methods that could be used for, and the extent of any administrative burden that would be imposed on, the Department of Justice to ascertain the personnel and administrative costs incurred in defending in each case arising from a proceeding identified under section 201(a) (1) and (2).

(2) REPORT.—Not later than 90 days after completion of the study required by paragraph (1), the General Accounting Office shall submit to the Speaker of the House of Representatives and the President pro tempore of the Senate a report containing the information required to be included in the study.

Page 12, after line 16, insert

(c) STUDIES ON STATUTORY EFFECTS ON AGENCY OPERATIONS.—

(1) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the General Accounting Office shall conduct—

- (A) a study on the effects of section 201 on the operations of Federal agencies; and
- (B) a study on the effects of section 13 of the Contract Disputes Act of 1978 (41 U.S.C. 612) on the operations of Federal agencies.

(2) CONTENTS.—Each study under paragraph (1) shall include, with respect to the applicable statutes of the study—

(A) a summary of the number of cases in which a payment was made in accordance with section 2414, 2517, 2672, or 2677 of title 28, United States Code, and under section 1304 of title 31, United States Code;

(B) a summary of the length of time Federal agencies used to complete reimbursements of payments described under subparagraph (A); and

(C) conclusions that assist in making determinations on how the reimbursements of payments described under subparagraph (A) will affect—

- (i) the operations of Federal agencies;
- (ii) funds appropriated on an annual basis;
- (iii) employee relations and other human capital matters;
- (iv) settlements; and
- (v) any other matter determined by the General Accounting Office to be appropriate for consideration.

(3) REPORTS.—Not later than 90 days after the completion of each study under paragraph (1), the General Accounting Office shall submit a report on each study, respectively, to the Speaker of the House of Representatives, the President pro tempore of the Senate, the Committee on Governmental Affairs of the Senate, the Committee on Government Reform of the House of Representatives, and the Attorney General.

Page 12, after line 16, insert

(d) STUDY ON ADMINISTRATIVE AND PERSONNEL COSTS INCURRED BY THE DEPARTMENT OF THE TREASURY.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the General Accounting Office shall conduct a study on the extent of any administrative and personnel costs incurred by the Department of the Treasury to account for payments made in accordance with section 2414, 2517, 2672, or 2677 of title 28, United States Code, and under section 1304 of title 31, United States Code, as a result of—

- (A) this Act; and
- (B) the Contracts Dispute Act of 1978 (41 U.S.C. 601 note; Public Law 95-563).

(2) REPORT.—Not later than 90 days after the completion of the study under paragraph (1), the General Accounting Office shall submit a report on the study to the Speaker of the House of Representatives, the President pro tempore of the Senate, the Committee on Governmental Affairs of the Senate, the Committee on Government Reform of the House of Representatives, and the Attorney General.

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

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

GENERAL LEAVE

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 169 now under consideration.

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

There was no objection.

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

Mr. Speaker, the Federal Government must be the role model for civil rights, not for civil rights violations. For far too long there has been little accountability which Federal agencies discriminate and retaliate against their employees. I am happy to say that this is about to change with the enactment of the No FEAR bill, a bill that I introduced, together with the gentlewoman from Texas (Ms. JACKSON-LEE), and the gentlewoman from Maryland (Mrs. MORELLA), after a year-long investigation.

That investigation, as well as several General Accounting Office investigations, indicated a serious problem in the Federal Government. The congressional investigation found evidence that a Federal agency was allowing discrimination and retaliation against its employees. This evidence was supported by the GAO reports that investigated discrimination in the Federal workforce during the 1990s and found that complaints of discrimination by Federal agencies grew tremendously.

In fact, by 1999, the number of such complaints to the EEOC increased by almost 130 percent over the number of complaints in 1991. The GAO reported that complaints alleging retaliation against employees who had participated in the complaint process also increased.

The problem in the Federal workforce is threefold. First, because of inadequate notification requirements, many employees are not aware of their rights and many managers are not aware of their responsibilities. Second, Federal agencies and Congress cannot assess the extent of the problem due to inadequate reporting. Third, Federal agencies are not accountable for the misdeeds of their employees, because they simply tap the general Treasury to pay for court judgments and settlements in discrimination cases.

The No FEAR Act targets these 3 problems. The bill will require agencies to pay for all court settlements and judgments for discrimination and retaliation cases, instead of allowing the agency to use a government-wide slush fund. This will make agencies more accountable.

The bill has a notification requirement aimed at improving workforce relations by increasing managers' and employees' knowledge of their respective rights and responsibilities.

The Act also has reporting requirements that will help determine if a pattern of misconduct exists within an agency and whether that agency is taking appropriate action to address the problem. The GAO testified on May 9 that such tracking of complaints, cases, and costs are not occurring, but that it is critical to understanding whether a problem exists.

As the National Taxpayers Union stated in urging Congress to enact the legislation, "The No FEAR Act promotes the virtues of fiscal responsibility and accountability in government." And, as Jack White of Time Magazine stated, the No FEAR bill is the "first new civil rights law of the 21st century."

The No FEAR Act passed the House back in October of 2001 with a 420 to zero vote. The Senate, after 6 months, finally passed the bill and sent it back here with a few minor changes to the reporting requirements and 2 new GAO studies.

In closing, Mr. Speaker, this bill never would have happened without the hard work of Dr. Marsha Coleman-Adebayo, the Federal whistleblower who brought this issue to the forefront; Mr. Leroy Warren of the NAACP, and Steven Kohn of the National Whistle Blowers Center.

Mr. Speaker, the Federal Government should be a model of the best practices for a fair and open work environment. That was not the case in the 1990s, but must be the case in the 21st century. I urge my colleagues to support this bill.

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

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

Mr. Speaker, though this might seem to be a little bit flowery, there are often times when we bring legislation to the floor of the House that has worked its will, and it makes a difference and it changes lives, and we are glad that it passed.

□ 1415

But sometimes we can call legislation a labor of love, and I would like to think that the work that the chairman of the Committee on the Judiciary has done symbolizes that.

I would like to personally thank the gentleman from Wisconsin (Chairman SENSENBRENNER) for having the stick-to-it-iveness to collaborate with me and to be responsive to issues that came to our attention when we were members of the Committee on Science. The gentleman from Wisconsin was chairman, and I was a member of that committee. I remain a member of that committee and the Committee on the Judiciary, and we remain colleagues working together. This legislation represents a challenge to all of us.

Finally, the story has a positive ending. It represents changing lives. Mr. Speaker, I might say, some lives were lost. This is an important initiative on the floor of the House today. Because of its importance, I took all necessary means from Texas to get here on time, and I am glad I just made it.

But let me speak to the No FEAR Act regarding the legislation that is now before us that has come to us from the United States Senate. This is a major step in our fight to end the insidious practice of discrimination and

retaliation in our Nation's Federal workforce.

Mr. Speaker, in the fiscal year 2000, Federal employees filed nearly 25,000 complaints against Federal agencies through the EEOC process. These complaints resulted in over \$26 million in discrimination complaint settlements and judgments, with an average process time of 384 days per complaint in 1998, while a case traveling through the entire complaint process, from filing through appeal, could take up to 38 months.

Some would say that is a waste of money. Some would say that this legislation will, in fact, save the government money by creating an atmosphere of tolerance and nondiscrimination, as the chairman said, in the 21st century. These numbers and process times indicate that discrimination is pervasive now in our Federal workplace, and we must change it.

Under the Civil Rights Act of 1964, it is illegal to discriminate against Federal employees on the basis of race, color, sex, religion, national origin, age, or disability. These laws have taken us a long way towards ensuring equality, job security, and the rule of law in the Federal workplace by protecting Federal employees from retaliation when filing complaints against either the agency or other employees of the Federal Government who act in supervisory roles.

Currently, Federal whistleblowers may file reprisal complaints with the Office of Special Counsel, the Merit System Protection Board, the Department of Labor, the Occupation and Safety Health Administration, OSHA. Federal whistleblowers are protected under several Federal laws, the primary one being the Whistleblower Protection Act of 1989.

But the number of actions and extensive process times indicate that this legislation is greatly needed. The No FEAR Act is instructive and important. Since its introduction in the 106th Congress as H.R. 5516, the Notification and Federal Employee Anti-discrimination and Retaliation Act of 2000, No FEAR, has stood for the principle that Federal employees should have no fear reporting discriminatory behavior by their Federal agency employers.

Like its predecessor, the legislation before us today, H.R. 169, demands that agencies be held accountable for their misdeeds, but H.R. 169 expands accountability through the entire Federal Government.

The American Federation of Government Employees have No FEAR because we are here to work with them. We know of the conscientious and well-meaning and hardworking Federal employees, and we affirm them today. The only thing this legislation attempts to do is to work with them to ensure that we have a Federal workplace that all of us can be proud of.

Let me put a face on this problem, Mr. Speaker. On October 2, 2000, the

House Committee on Science held a hearing entitled "Intolerance at EPA, Harming People, Harming Science." That is when our hero, Dr. Marsha Coleman-Adebayo, an EPA whistleblower, won a \$600,000 jury decision against EPA for race and sex discrimination under Title VII of the Civil Rights Act of 1964.

During that hearing, then chairman of the Committee on Science, the gentleman from Wisconsin (Mr. SENSENBRENNER) illuminated the dangerous precedent set by the EPA, stating "While EPA has a clear policy on dealing with employees who discriminate, harass, or retaliate against other EPA employees, no one apparently involved in the Coleman-Adebayo or Nolan cases have yet to be disciplined by EPA."

Here is what we have: We have a situation where Dr. Coleman-Adebayo was faced with constant harassment and discrimination, and it did not change. Could Members imagine that in a subsequent report, those employees that discriminated against her were applauded and complimented for their work? Do Members realize that in the testimony, a number of those stories that were not able to be presented personally, a number of those stories resulted in illnesses that employees suffered. One employee lost his life because of the stress.

The No FEAR bill now responds to a workplace that can be safe and hospitable.

First, the bill requires accountability throughout our Federal workplace, and disturbingly, under current law, Federal agencies are not held liable when they lose judgments. The No FEAR Act recognizes that accountability is important.

The No FEAR Act, secondly, requires Federal agencies to notify employees about any applicable discrimination and whistleblower protection laws, and report to Congress. That is a big step. If they come as new or old employees, they do not know.

Third, No FEAR recognizes Congress' intent that such legislation is necessary, but should not otherwise limit the ability of Federal employees to exercise their other rights.

Finally, No FEAR requires each Federal agency to send in an annual report to Congress listing, among other things, the number of cases the agency is involved in.

Let me applaud the Senate, Mr. Speaker, and say that I am gratified at the amendments they offered, the one expressing the sense of Congress that we should not be punitive on one side to help another side. We should not use a reduction of workforce or forced furloughs in order to pay for settlements.

I am very gratified that they have an amendment that will allow the reports to go to all committees of jurisdiction, and their third amendment that will ask for a study to see how much the cost is.

Mr. Speaker, I believe this labor of love is long overdue, creating a hos-

pitable workplace, but applauding the working people of the Federal Government, and at the same time weeding out and pushing out discrimination.

I'd like to thank Judiciary Chairman JAMES SENSENBRENNER, Ranking Member JOHN CONYERS, and all my colleagues from both sides of the aisle for supporting this important civil rights legislation. This bill before us today, a substitute to H.R. 169 (the No Fear Act), is a major step in our fight to end the insidious practice of discrimination and retaliation in our Nation's federal workplace.

My friends, in fiscal year 2000, federal employees filed nearly 25,000 complaints against federal agencies through the EEOC process. These complaints resulted in over \$26 million in discrimination complaint settlements and judgements, with an average process time of 384 days per complaint in 1998, while a case traveling through the entire complaint process from filing through appeal could take up to 38 months. These numbers and process times indicate that discrimination is pervasive in our federal workplace.

Under the Civil Rights Act of 1964, it is illegal to discriminate against federal employees on the basis of race, color, sex, religion, national origin, age, or disability. These laws have taken us a long way towards ensuring equality, job security, and the rule of law in the federal workplace by protecting federal employees from retaliation for filing complaints against either the agency or other employees of the federal government who act in supervisory roles.

Currently, federal whistleblowers may file reprisal complaints with the Office of Special Counsel ("OSC"), the Merit Systems Protection Board ("MSPB"), and the Department of Labor's Occupational Safety and Health Administration ("OSHA"). Federal whistleblowers are protected under several federal laws, the primary one being the Whistleblower Protection Act of 1989. But the numbers of actions and extensive process times indicate that further legislation is greatly needed.

Since its introduction in the 106th Congress as H.R. 5516, the Notification and Federal Employee Anti-discrimination And Retaliation Act of 2000 (No FEAR Act), has stood for the principle that federal employees should have "no fear" in reporting discriminatory behavior by their federal agency employers. Like its predecessor, the legislation before us today, H.R. 169, demands that agencies be held accountable for their misdeeds, but H.R. 169 expands accountability throughout the entire Federal Government.

Let me put a face on this problem. On October 2, 2000, the House Science Committee held a hearing entitled "Intolerance at EPA—Harming People, Harming Science?" Dr. Marsha Coleman-Adebayo, an EPA whistleblower, won a \$600,000 jury decision against EPA for race and sex discrimination under Title VII of the Civil Rights Act of 1964. During that hearing, then Chairman of the Science Committee Sensenbrenner illuminated the dangerous precedent set by the EPA, stating, "While EPA has a clear policy on dealing with employees that discriminate, harass and retaliate against other EPA employees, no one apparently involved in the Coleman-Adebayo or Nolan cases have yet to be disciplined by EPA."

I note with concern that an internal EPA memo dated August 2, 2001 praised the managers named in Dr. Coleman-Adebayo's case

as environmental leaders without a single mention of their role in violating her civil rights. When coupled with the high profile nature of the Dr. Coleman-Adebayo's case, I believe these actions send the wrong message to EPA and federal employees.

No FEAR contains four major provisions which address this problem. First, the bill requires accountability throughout our federal workplace. Disturbingly, under current law, federal agencies are not held liable when they lose judgements, awards or compromise settlements in whistleblower and discrimination cases. This has the effect of discouraging accountability because the Federal Government pays such awards out of a government-wide judgement fund. The No FEAR Act recognizes that accountability is the cornerstone of good management policy, and as such requires that when agencies lose judgments, awards, or compromise settlements in whistleblower and discrimination cases, the responsible agency must pay for the judgment out of its own budget, rather than out of a general federal judgment fund as currently occurs.

Second, No FEAR requires Federal agencies to notify employees about any applicable discrimination and whistleblower protection laws and report to Congress and the Attorney General on the number of discrimination and whistleblower cases within each agency.

Third, No FEAR recognizes Congress' intent that such legislation is necessary but should not otherwise limit the ability of federal employees to exercise other rights available to them under federal law.

Finally, No FEAR requires each federal agency to send an annual report to Congress listing, among other things: (a) The number of cases in which an agency was alleged to have violated any of the discrimination and whistleblower statutes; (b) the disposition of each of these cases; (c) the total of all monetary awards charged against the agency from these cases; and (d) the number of agency employees disciplined for discrimination or harassment.

The Senate Amendments added a new section expressing the sense of the Congress that agencies should not use a reduction in force or furloughs as a means of funding a reimbursement under the Act. This amendment also ensures that managers have adequate training in the management of a diverse workforce and in communication skills.

The Senate amendment also strengthens the bill's reporting requirements specifying that the reports must be sent to the Government Affairs Committee, the House Governmental Reform Committee and other committees of jurisdiction; requiring agencies to report on their policies relating to disciplining employees who commit prohibited personnel practices revealed in the investigation of a discrimination complaint.

Finally, The Senate amendment requires GAO to study the methods that could be used by the DOJ to determine its costs of defending each discrimination and whistleblower case, and the extent of any administrative burden that making such determination would entail.

In all, No FEAR makes our agencies more accountable by creating incentives for them to monitor themselves.

Mr. Speaker, we have come a long way towards eliminating the culture of discrimination and harassment that exists in our federal workplace. As Members of Congress, we must

make every effort possible to ensure that those victims and heroes who come forward to warn us of the violations existing in the federal workplace are protected from retaliation, treated with the respect and dignity, and are afforded the due process to which they are entitled to under the law.

Our federal employees cannot and must not live in fear. This bi-partisan legislation will ensure that they do not. I urge my colleagues to support it.

Finally, I would like to express my appreciation to Dr. Marsha Coleman Adebayo, all the employees that I met with on this issue the entire workplace task force, the NAACP, the Chicago branch of the NAACP and President of the NAACP Kweisi Mfume for their leadership, help, persistence and commitment to the passage of the No FEAR legislation.

Mr. Speaker, it is my pleasure to yield 3 minutes to the gentleman from Illinois (Mr. DAVIS), the distinguished ranking member of the Committee on Government Reform's Subcommittee on Civil Service and Agency Organization.

Mr. DAVIS of Illinois. Mr. Speaker, I thank the gentlewoman from Texas for yielding time to me.

Mr. Speaker, I rise in strong support of what is being commonly called the No FEAR Act. I want to commend the gentleman from Wisconsin (Chairman SENSENBRENNER) and the gentlewoman from Texas (Ms. JACKSON-LEE) for their hard work, diligence, and tenacity in pursuing this legislation to get it to the floor today. They both have done outstanding work, and I appreciate their efforts.

Mr. Speaker, our goal should be to always have in place the most open and responsive workplace that can be created. This means that employees must feel free, uninhibited, and able to operate without fear. They must be able to operate knowing that should they reveal information, that should they bring to the surface what they have seen, and should they report what they know, that there will be no reprisals, there will be no retaliation, and there will be nothing that anybody will ever be able to do that will cause them grief.

I think the day is great because it means that the Federal Government is exercising the kind of leadership that we ought to provide. The Federal Government should be the barometer, the leader in causing our country to function a certain way. I have always been told that you cannot lead where you do not go. So if we expect the private sector to come on line, then it is only apt that the Federal Government lead the way, lead the way in tolerance, non-discrimination, and no retaliation against those who would exercise the right to be responsible.

So again, Mr. Speaker, I commend the gentleman from Wisconsin (Chairman SENSENBRENNER) and the gentlewoman from Texas (Ms. JACKSON-LEE) for their leadership on this issue, and urge strong support. I look forward to its passage.

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

Mr. Speaker, let me again thank the gentleman for this long journey that we took, and mention my thanks to the other body in the framework that I am allowed to do so in accordance with the rules of the House.

Let me conclude by simply saying that we are our brothers' and sisters' keepers. I appreciate the distinguished gentleman from Illinois because of his leadership on civil service issues. His support on this is, of course, making it a bill that responds to all of our concerns.

Mr. Speaker, I would simply say that this bill helps the government to do its work. Part of the problem with the Environmental Protection Agency is that sociologists could not do science work, but they could do good sociologists work. The problems is that they were mistreated such that they were forced to do a certain kind of work that they were not prepared for, and therefore resulted in a whole series of inhospitable working conditions.

So this legislation is good for the government because it creates an atmosphere where we can do our maximum best work, and work collectively together without discrimination.

Mr. Speaker, I ask my colleagues to enthusiastically support H.R. 165, the No FEAR Act.

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

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

Mr. Speaker, this bill is now reaching its final legislative consideration, and when the Senate amendments are concurred in, it will go to the White House for the President's signature. This shows that our system of representative government works.

All too often we hear complaints that elected officials never listen, or, "My speaking out does not make any difference." I think this bill shows that elected officials do listen, and a few people speaking out when they have right on their side can bring about a change in the laws of the United States of America, which I hope will have a far-reaching impact in preventing discrimination and retaliation within the Federal workforce.

If it were not for the work of Dr. Marsha Coleman-Adebayo and the NAACP Federal Workforce Task Force, I do not think that the Congress could ever have known about how bad the situation was in the EPA. But they did speak out, they did present a convincing case. They convinced both the Committee on Science in the last Congress and the Committee on the Judiciary in this Congress, as well as this House and the other body, that we needed to change the law to try to clean up some of these abusive practices.

I hope that this legislation will go a long way to doing this by making the

agency financially accountable for settlements and judgments caused by the misdeeds of their supervisors. The system does work, Mr. Speaker.

Ms. JACKSON-LEE of Texas. Will the gentleman yield?

Mr. SENSENBRENNER. I yield to the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the gentleman for yielding to me.

I just wanted to add my appreciation to the NAACP and to all of the employees and the task force, and particularly acknowledge Mr. Kweisi Mfume, who was one of our witnesses, for his leadership and interest on this issue. I want to express my appreciation to all who were engaged in helping with this legislation.

Mrs. MORELLA. Mr. Speaker, I rise today in strong support of H.R. 169, the NO FEAR legislation. This bill provides essential help to whistleblowers and those that suffer discrimination, and it penalizes agencies that attempt to practice discrimination or punish whistleblowers. Under current law, most judgments or awards against the federal government, including federal agencies, are paid out of a general judgment fund and are not attributed to, or accounted for, by the agency responsible for the claim. This bill requires federal agencies to reimburse the government's judgment fund for amounts paid out in response to a court settlement, award or judgment against an agency in a discrimination or whistleblower protection lawsuit. Hopefully, by making agencies responsible for their actions, we can further decrease the reprehensible practice of discrimination and the needless punishing of whistleblowers.

This bill has several other important provisions which my colleague from Wisconsin has mentioned and so I would just like to take this opportunity to point out and recognize two individuals, Dr. Marsha Coleman-Adebayo and Mr. Leroy Warren, Jr. Both of these individuals live in my district, Montgomery County, Maryland and played an instrumental role in helping this legislation come to the floor today.

Mr. Warren is Chairman of the NAACP Federal Sector Task Force and was asked to investigate and address the ever-growing number of complaints of discrimination within the federal government. Mr. Warren's task force did an admirable job in bringing to light much of the discrimination that federal employees faced.

Dr. Coleman-Adebayo has become well known for her courageous fight against discrimination by the EPA.

She is someone who suffered terribly from her battle but persevered and won her case against the EPA. She has testified in front of both the Science and Judiciary Committees to alert all of us to the seriousness of what transpired in her case. And now, hopefully, because of the NO FEAR bill, the first civil rights bill of the 21st Century, victims of racial, sexual, and hostile work environments, and whistleblowers, will not have to suffer the pain and abuse that Dr. Coleman-Adebayo endured. Let us hope instead that H.R. 169 will push federal agencies to spend their time devising effective plans to address all forms of discrimination in the workplace.

I urge my colleagues to support this bill.

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

The SPEAKER pro tempore (Mr. CULBERSON). The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and concur in the Senate amendments to the bill, H.R. 169.

The question was taken.

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

Mr. SENSENBRENNER. 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.

□ 1430

### YOSEMITE NATIONAL PARK EDUCATION IMPROVEMENT ACT

Mr. RADANOVICH. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3421) to provide adequate school facilities within Yosemite National Park, and for other purposes, as amended.

The Clerk read as follows:

H.R. 3421

*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 "Yosemite National Park Education Improvement Act".*

#### SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds the following:

(1) The three elementary schools serving the children of employees of Yosemite National Park are served by the Bass Lake Joint Union Elementary School District and the Mariposa Unified School District.

(2) The schools are in remote mountainous areas and long distances from other educational and administrative facilities of the two local educational agencies.

(3) Because of their remote locations and relatively small number of students, schools serving the children of employees of the Park provide fewer services in more basic facilities than the educational services and facilities provided to students that attend other schools served by the two local educational agencies.

(4) Because of the long distances involved and adverse weather and road conditions that occur during much of the school year, it is impractical for the children of employees of the Park who live within or near the Park to attend other schools served by the two local educational agencies.

(b) PURPOSE.—The purpose of this Act is to authorize the Secretary of the Interior to provide supplemental funding and other services that are necessary to assist the State of California or local educational agencies in California in providing educational services for students attending schools located within the Park.

#### SEC. 3. PAYMENTS FOR EDUCATIONAL SERVICES.

(a) AUTHORITY TO PROVIDE FUNDS.—For fiscal years 2003 through 2007, the Secretary may provide funds to the Bass Lake Joint Union Elementary School District and the Mariposa Unified School District for educational services to students who are dependents of persons engaged in the administration, operation, and maintenance of the Park or students who live at or

near the Park upon real property of the United States.

(b) LIMITATION ON USE OF FUNDS.—Payments made by the Secretary under this section may not be used for new construction, construction contracts, or major capital improvements, and may be used only to pay public employees for services otherwise authorized by this Act.

(c) LIMITATION ON AMOUNT OF FUNDS.—Payments made under this section shall not exceed the lesser of \$750,000 in any fiscal year or the amount necessary to provide students described in subsection (a) with educational services that are normally provided and generally available to students who attend public schools elsewhere in the State of California.

(d) ADJUSTMENT OF PAYMENTS.—Subject to subsection (c), the Secretary is authorized to adjust payments made under this section if the State of California or the appropriate local educational agencies do not continue to provide funding for educational services at Park schools at per student levels that are equivalent to or greater than those provided in the fiscal year prior to the date of enactment of this Act.

(e) SOURCE OF PAYMENTS.—

(1) AUTHORIZED SOURCES.—Except as provided in paragraph (2), in order to make payments under this section, the Secretary may use funds available to the National Park Service from appropriations, donations, or fees.

(2) EXCEPTIONS.—Funds from the following sources may not be used to make payments under this section:

(A) Fees authorized and collected under the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601-4 et seq.).

(B) The recreational fee demonstration program under section 315 of the Department of the Interior and Related Agencies Appropriations Act, 1996 (as contained in section 101(c) of Public Law 104-134; 16 U.S.C. 4601-6a note).

(C) The national park passport program established under section 602 of the National Parks Omnibus Management Act of 1998 (16 U.S.C. 5992).

(D) Emergency appropriations for Yosemite flood recovery.

(f) DEFINITIONS.—For the purposes of this Act, the following definitions apply:

(1) LOCAL EDUCATIONAL AGENCIES.—The term "local educational agencies" has the meaning given that term in section 9101(26) of the Elementary and Secondary Education Act of 1965.

(2) EDUCATIONAL SERVICES.—The term "educational services" means services that may include maintenance and minor upgrades of facilities and transportation to and from school.

(3) PARK.—The term "Park" means Yosemite National Park.

(4) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

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

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

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

Mr. Speaker, H.R. 3421, which I introduced, would authorize the Secretary of the Interior to provide supplemental funding and other services necessary to assist local school districts in providing educational services for students attending three schools located within Yosemite National Park.

The three schools in question are Yosemite Valley, which serves 46 students in K through eighth grades; El Portel Elementary, which serves 50 students

in seven grades; and Wawona Elementary, which serves 20 students in grades K through 8 with only one teacher.

All three schools represent those one-room schools of yesteryear.

Mr. Speaker, California schools are unique in that operating funds for schools are based on an average daily attendance. Since the devastating 1997 Merced River flood, there has been a dramatic reduction in the number of park employees and thus fewer school children attending these schools. With fewer and fewer children attending these schools, fewer State dollars are committed. The result is that the superintendent for Yosemite National Park and the concessionaire serving park visitors are attracting less than qualified candidates to work in the park because families are not provided with adequate schools.

Meanwhile, while the Federal funding sources such as Impact Aid and PILT, which is Payment In Lieu of Taxes, are made available to Mariposa and Madera Counties where these schools exist and through which money is distributed, the reality is very few dollars are actually used to fund these classrooms. In light of these realities, I was able to secure special funding in the amount of \$111,000 in FY 2002 Interior appropriations bills for these schools. However, going to the appropriators every fall for this critical assistance is not the most productive approach.

Therefore, for the reasons I have outlined, the solution before the House today is the best long-term approach to this problem.

Mr. Speaker, during subcommittee and committee considerations, I made a number of changes to H.R. 3421 that address issues raised by the administration, members of the Committee on Resources, and the Committee on Education and the Workforce. For example, the bill makes clear that funds made available by the Secretary under H.R. 3421 will not go towards new construction, construction contracts or major capital improvements, and thus would be limited to general upkeep, maintenance, and classroom teaching. I do not think that we should stand by and permit children of the Park Service and concessionaire employees from being deprived of their education simply because their parents have chosen to work in Yosemite National Park.

Mr. Speaker, H.R. 3421 as amended is supported by the administration and the minority and majority of the Committee on Resources. I urge my colleagues to support H.R. 3421, as amended.

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

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

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

Mrs. CHRISTENSEN. Mr. Speaker, H.R. 3421, sponsored by my distin-

guished colleague and chairman, the gentleman from California (Mr. RADANOVICH), authorizes the National Park Service to provide funds and services to supplement the educational services and facilities provided to the children of Yosemite National Park employees and the park concessionaire at three small local schools located within the park.

The legislation provides a very unique arrangement for funding local schools. As such, a number of issues and problems with the bill as you have heard were raised during a December 2001 hearing on this bill. In fact, while the National Park Service expressed sympathy with the purpose of the bill, they, on behalf of the administration, initially opposed the measure. I appreciate the willingness of the gentleman from California (Mr. RADANOVICH) to make a number of changes requested by the minority, including deleting the use of entrance and user fees to pay for the program, limiting funds to operations and services, and eliminating the authority of the Secretary to assume operation of the schools. There were also negotiations with the Committee on Education and the Workforce which shares jurisdiction on this matter with the Committee on Resources.

As the result of those negotiations, the bill was further amended to include among other things a limit on the authorization of funds to 5 years and a cap on the funds of the lesser of \$750,000 or the amount necessary to provide students with normal educational services.

Mr. Speaker, as I noted earlier, this legislation provides a unique arrangement for funding what should be a local responsibility. However, with the changes that have been made to the bill, I have no objection to its consideration and passage today.

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

Mr. RADANOVICH. 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 California (Mr. RADANOVICH) that the House suspend the rules and pass the bill, H.R. 3421, 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.

#### GUNN MCKAY NATURE PRESERVE ACT

Mr. HANSEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3909) to designate certain Federal lands in the State of Utah as the Gunn McKay Nature Preserve, and for other purposes.

The Clerk read as follows:

H.R. 3909

*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 "Gunn McKay Nature Preserve Act".

#### SEC. 2. DEFINITIONS.

For the purposes of this Act:

(1) PRESERVE.—The term "Preserve" means the Gunn McKay Nature Preserve as so designated by section 3(a).

(2) SECRETARY.—The term "Secretary" means the Secretary of Agriculture.

#### SEC. 3. NATURE PRESERVE.

(a) DESIGNATION.—The approximately 15 acres of National Forest System land generally depicted on the map entitled "Proposed Gunn McKay Nature Preserve" and dated March 2002, are hereby designated as the "Gunn McKay Nature Preserve".

#### (b) MANAGEMENT.—

(1) MANAGEMENT PLAN.—Not later than 120 days after the date of the enactment of this Act, the Secretary, in consultation with the City of Huntsville, Utah, and the Gunn McKay Nature Preserve Foundation, Inc., a nonprofit corporation, shall develop a management plan for the Preserve.

(2) COOPERATIVE AGREEMENT.—The Secretary is authorized to enter into a cooperative agreement with the Gunn McKay Nature Preserve Foundation, Inc. for the management of the Preserve.

(c) WITHDRAWAL.—Subject to valid existing rights, the Preserve is hereby withdrawn from all forms of location, entry, and patent under the public land laws, and the mining and mineral leasing laws of the United States, including geothermal.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. HANSEN) and the gentleman 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. 3909 would designate approximately 15 acres of Forest Service land in the State of Utah as the Gunn McKay Nature Preserve in honor of my predecessor, who served in this body from 1971 to 1981. Gunn passed away October of 2000.

Several years ago, residents of Huntsville, Utah, learned that the U.S. Forest Service was planning to build a helicopter landing area. The site near the city limits was to have been on undeveloped Federal lands and used to facilitate fighting wildfires in the surrounding forests.

Huntsville residents became concerned about helicopters landing and taking off in such close proximity in their neighborhoods. They proposed to the Forest Service that this open space instead be designated as a nature preserve. A non-profit organization was formed and the Forest Service agreed with the residents' proposal.

In addition to designating 15 acres as the nature preserve, this bill authorizes the Forest Service to work with the city of Huntsville and the Gunn McKay Nature Preserve Foundation to develop a management plan.

The preserve would be managed by the U.S. Forest Service in cooperation

with the Gunn McKay Nature Preserve Foundation. This area will not only serve as a buffer between the residential area of Huntsville and nearby Pineview Reservoir, but it will also stand as a fitting tribute to a man whose commitment to Utah's First Congressional District and preservation of Utah's natural beauty was outstanding. When visitors go to the preserve to contemplate the solitude, hike on the trails or just enjoy nature, they will also pass by a plaque in the entrance summarizing Gunn's life and many accomplishments.

Just as the preserve will be managed in perpetuity, so will Gunn's memory live on.

I urge my colleagues to support H.R. 3909.

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

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

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

Mrs. CHRISTENSEN. Mr. Speaker, I am pleased to join my chairman in support of H.R. 3909, the Gunn McKay Nature Preserve Act, which was introduced by the chairman of the Committee on Resources, the gentleman from Utah (Mr. HANSEN), in honor of former Congressman Gunn McKay.

Congressman McKay represented Utah's First Congressional District from 1971 until 1980 when he was defeated by the gentleman from Utah (Mr. HANSEN). The bill would designate 15 acres of land near Huntsville, Utah, as the Gunn McKay Nature Preserve. The land is presently managed by the Forest Service for recreational purposes. The Secretary of Agriculture in consultation with the city of Huntsville, Utah, and the Gunn McKay Nature Preserve Foundation would develop the plan for the preserve. No new mining claims would be permitted within the area.

This bill honors Congressman McKay, who died last year. I urge the adoption of the bill.

Mr. Speaker, I yield such time as he might consume to the gentleman from Utah (Mr. MATHESON).

Mr. MATHESON. Mr. Speaker, I rise today to give my support to this legislation.

When we talk about public land in Utah, we are used to speaking in terms of 100,000 acres or million-acre parcels. We speak in terms of mountain ranges, entire deserts, and swaths of forests. But today, we are giving our blessing to the setting aside of a relatively small but immensely beautiful and important piece of land.

The creation of the Gunn McKay Nature Preserve would protect 15 acres of forest land in Huntsville, Utah. Mr. Speaker, Gunn McKay was a devoted member of the Utah delegation, and he served our State with honor and dignity from 1971 to 1981.

He was a Coast Guard veteran, a school teacher, a successful business-

man, and a chief of staff for Utah Governor Cal Rampton.

Although he told the Democratic leader, "I do not want to run for Congress; I have nine kids and a mortgage," run he did. A few terms later he was the senior member of Utah's congressional delegation, a member of the House Committee on Appropriations, and a champion for the people of his district.

Congressman McKay was a true public servant. He was quoted in one newspaper article a few years ago saying, "The greatest satisfaction was helping people who needed an advocate."

This refuge will not only serve as a lasting memorial to the work and dedication of Congressman McKay, it is also a testament to the statesmanship of the chairman, the gentleman from Utah (Mr. HANSEN). Too often in politics we get caught up in petty political squabbles. We lose sight of the bigger picture, of getting important work done for the good of our constituents. The passage of this bill shows that the chairman has not lost sight of the goal. He is a true gentleman of the House, and he spent the last 20 years representing the State of Utah with the class and dignity that is true to the people who have elected him.

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

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

Mr. Speaker, I thank the gentleman for his kind remarks. I also thank my colleague, the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN), on this piece of 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 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. 3909.

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.

#### RECOGNIZING THE HISTORICAL SIGNIFICANCE OF THE AQUIA SANDSTONE QUARRIES OF STAFFORD COUNTY, VIRGINIA TO CONSTRUCTION OF CAPITAL OF THE UNITED STATES

Mr. HANSEN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 261) recognizing the historical significance of the Aquia sandstone quarries of Government Island in Stafford County, Virginia, for their contributions to the construction of the Capital of the United States.

The Clerk read as follows:

H. RES. 261

Whereas the First Congress passed the Residence Act authorizing the establishment of

a Federal Capital as the seat of Government of the new Republic;

Whereas President George Washington, acting under the authority of the Residence Act, selected the present site of the District of Columbia as the new Federal Capital and seat of government;

Whereas President Washington, aided by then Secretary of State Thomas Jefferson, took personal charge of the plans for the development of the new seat of government;

Whereas President Washington decided that the public buildings of the new capital city should be faced in stone so that these buildings would equal or exceed in beauty the buildings of the established capitals of Europe and promote permanence and majesty on the Potomac;

Whereas President Washington, a boyhood resident of Stafford County, Virginia, recommended that the freestone quarries on Aquia Creek in Stafford County be purchased by the Commissioners of Public Buildings as stone quarries for the public buildings of the District of Columbia, a recommendation acted on by Pierre L'Enfant, the planner of the new capital city;

Whereas the new quarries, later named Government Island, became the major source of building stone for the Capitol, the White House, and numerous other public buildings in the District of Columbia;

Whereas there exists substantial evidence of 18th and 19th century stone cutting and quarrying techniques on Government Island, and this physical evidence sheds light on a valuable and informative chapter in the development of the United States Capital; and

Whereas the Board of Supervisors and residents of Stafford County, Virginia, have undertaken action to preserve Government Island for posterity and to make it available for the education and enlightenment of the public: Now, therefore, be it

*Resolved*, That the House of Representatives—

(1) recognizes the national historical significance of the Aquia sandstone quarries of Government Island in Stafford County, Virginia, for their substantial contribution to the construction of the new Capital of the United States under the direction of President George Washington; and

(2) commends the Board of Supervisors and residents of Stafford County, Virginia, for their efforts to preserve Government Island and to make it available for visitation by the public.

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. 261, introduced by the gentlewoman from Virginia (Mrs. JO ANN DAVIS), would recognize the historical significance of the Aquia sandstone quarries of Government Island in Stafford County, Virginia, for their contribution to the construction of our Nation's Capital city.

The stone, selected by our first President, George Washington, was used to build the Capitol, the White House, and numerous other Federal buildings in the District of Columbia.

This stone was wisely selected by our first President in an effort to ensure that this Nation's Capital would be

every bit as elegant and stately as the capital cities of Europe.

The resolution also recognized the great efforts of the residents of Stafford County to protect Government Island and to safeguard the history surrounding this important contribution to our Nation's Capital.

I commend my colleague, the gentlewoman from Virginia (Mrs. JO ANN DAVIS), for her excellent efforts in introducing this legislation. I urge my colleagues to support its passage.

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

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

Mr. Speaker, this House Resolution recognizes, as you have heard, the historical significance of the Aquia sandstone quarries of Government Island in Stafford County, Virginia, for their contributions to the construction of the Capital of the United States and commend the Stafford County commissioners and local residents for their efforts to preserve the quarries.

The stone from these particular quarries dates back to the late 17th century and was chosen by then President George Washington for use at Mt. Vernon as well as the construction of the U.S. Capitol, the White House, the original Treasury building, the Patent office, and the earliest locks and bridges of the C&O Canal.

Over time, the quarries were exhausted and the site has since been through a number of private hands and has entered in and out of public ownership.

We support this resolution commending the local community for their latest efforts to preserve this interesting area.

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

Mr. HANSEN. Mr. Speaker, I yield as much time as she may consume to the gentlewoman from Virginia (Mrs. JO ANN DAVIS), the author of this legislation.

(Mrs. JO ANN DAVIS asked and was given permission to revise and extend her remarks.)

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I thank the chairman for yielding me time.

Mr. Speaker, I am very proud of the many historically significant contributions the Commonwealth of Virginia has offered this great Nation. Virginia has given America eight of its distinguished men to the Office of Presidency, three of whom were born in the first district that I represent, and countless other elected officials, military heroes and active citizens to the cause of freedom and democracy.

Today, I rise to pay a specific tribute to the Aquia quarries of Government Island in Stafford, Virginia, for their contributions to the construction of our Nation's Capitol building and the White House, among many other prominent structures.

As our forefathers struggled to create a nation through a Declaration of Inde-

pendence and an enduring revolution, they sought to express permanency in their new-found freedom. Led by Virginia native George Washington, America began to plan a city that would dignify the grandeur of the new United States of America. They chose the land situated geographically centered in the new Nation up the Potomac River and to the top of what was known as Jenkin's Hill, a place Pierre Charles L'Enfant, the city's planner called "a pedestal waiting for a monument."

□ 1445

I could not agree more. Our Capitol has survived over 200 years, through the War of 1812, the Civil War, and more recently, the building was a suspected target of the recent horrific terrorist attack on our country. This building has grown and matured into the great symbol of America. The freedoms that we hold so dear and recent events have only hardened my deep fondness for our Capitol and what it represents.

Although little known, the north section of the north wing of the Capitol and the White House were constructed of Aquia sandstone quarried from Government Island and along the Aquia Creek in Stafford County, Virginia; another proud Virginia contribution.

Stafford County's board of supervisors, County Administrator C.M. Williams, county historian Jane Conner, and the county's citizens should be commended for making the preservation of this island a priority. Their good work will ensure that this area is preserved for future generations to explore and enjoy.

I ask my colleagues to join me today in support of this resolution to honor the enduring construction of this building, the cornerstone of our democracy, and all that it represents.

I would like to thank the entire Virginia delegation for cosponsoring this House resolution commemorating the United States Capitol and the White House, highlighting their humble Virginia beginnings. Additionally, I would like to thank the Committee on Resources chairman, the gentleman from Utah (Mr. HANSEN) and the gentleman from West Virginia (Mr. RAHALL), the ranking member, and the Subcommittee on National Parks, Recreation and Public Lands for moving this important Virginia initiative.

I again encourage my colleagues' support.

Mrs. CHRISTENSEN. Mr. Speaker, 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. CULBERSON). The question is on the motion offered by the gentleman from Utah (Mr. HANSEN) that the House suspend the rules and agree to the resolution, H. Res. 261.

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

A motion to reconsider was laid on the table.

#### AUTHORIZING STUDY OF VIRGINIA KEY BEACH, FLORIDA, FOR POSSIBLE INCLUSION IN NATIONAL PARK SYSTEM

Mr. HANSEN. Mr. Speaker, I move to suspend the rules and pass the bill (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, as amended.

The Clerk read as follows:

H.R. 2109

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

##### SECTION 1. STUDY AND REPORT.

(a) *STUDY.*—The Secretary of the Interior (in this Act referred to as "the Secretary") shall conduct a study of Virginia Key Beach Park in Biscayne Bay, Florida, which was used for recreation by African Americans at a time when public beaches were racially segregated by law. The study shall evaluate the national significance of the site and the suitability and feasibility of establishing the site as a unit of the National Park System.

(b) *CRITERIA.*—In conducting the study required by subsection (a), the Secretary shall use the criteria for the study of areas for potential inclusion in the National Park System contained in section 8 of Public Law 91-383 (16 U.S.C. 1a-5; popularly known as the National Park System General Authorities Act).

(c) *REPORT.*—Upon completion of the study, the Secretary shall transmit to the Congress a report on the findings of the study and the conclusions and recommendations of the Secretary.

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. 2109, introduced by the gentlewoman from Florida (Mrs. MEEK) would authorize the Secretary of the Interior to conduct a resource study of Virginia Key Beach Park in Miami, Florida, to determine the suitability and feasibility of including this site as a unit of the National Park System.

Virginia Key Beach Park, located just off the coast of Miami between Key Biscayne and Fisher Island, was for decades the only beach in South Florida where African Americans were permitted during the days of segregation. This beach was very significant in the local community for its numerous gatherings, which included baptisms and religious services, courtship and honeymoons, organizational gatherings, visiting celebrities and family recreation.

However, in 1982 the city of Miami, citing the high cost of maintaining and operating the park, closed the beach. Since that time, the city of Miami has explored various options regarding ownership and the future of the beach, although nothing has yet come to fruition. Nevertheless, it is my understanding that the local community

continues to be very interested in the fate of the park due in large measure to its historical significance.

This bill would authorize the Park Service to conduct a study to examine the possibility of including Virginia Key Beach Park as a unit of the National Park Service.

Mr. Speaker, this legislation is supported by both majority and minority, and I urge my colleagues to support this bill.

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. 2109, which was introduced by my friend and our colleague, the gentlewoman from Florida (Mrs. MEEK), would authorize a special resource study of the historic Virginia Key Beach Park located on Biscayne Bay in Florida.

Virginia Key Beach derives its importance from its history more so than from its natural or recreational qualities, although there are those as well. It was the first beach in south Florida to be opened to African Americans, and for many years it was the only beach available to us. Encompassing just 77 acres, the beach was a popular recreational area for local African American families, churches and other organizations, and as we have heard, it was a site of many important private and public events.

At the hearing before the Subcommittee on National Parks, Recreation and Public Lands, the National Park Service testified in support of a park study of this important area.

It is important that we look for ways to commemorate and preserve not only the history of this site but also the natural and recreational qualities as well.

I want to commend the sponsor, the gentlewoman from Florida (Mrs. MEEK), for her leadership on H.R. 2109. I am pleased to support this study legislation, and I urge my colleagues to do likewise.

Mr. Speaker, it is my pleasure to yield such time as she may consume to the gentlewoman from Florida (Mrs. MEEK).

(Mrs. MEEK of Florida asked and was given permission to revise and extend her remarks.)

Mrs. MEEK of Florida. Mr. Speaker, I want to thank the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN), and I want to thank the gentleman from California (Mr. RADANOVICH).

I rise with great pride, Mr. Speaker, and in strong support of H.R. 2109, my bill to authorize the Secretary of the Interior to conduct a special resource study of Virginia Key Beach in Miami, Florida, for its possible inclusion in the National Park System.

I want to again thank the gentleman from Utah (Mr. HANSEN), the chairman,

and the gentleman from West Virginia (Mr. RAHALL), the ranking member of the full Committee on Resources, the gentleman from California (Mr. RADANOVICH), the chairman, and the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN), the ranking member of the subcommittee, and their respective staffs for their assistance and cooperation.

I also want to thank my delegation in south Florida, a bipartisan delegation, for cosponsoring this bill.

Mr. Speaker, Virginia Key Beach is a historically important and environmentally significant place, worthy of being preserved and studied for its inclusion in the National Park System.

Virginia Key was the only beach in Miami where African Americans could go to swim in the 1940s, 1950s and early 1960s. It was called "Virginia Key Beach at that time, a Dade County Park for the exclusive use of Negroes." It opened on August 1, 1945. Until that time, Miami's beaches had been reserved for whites only. In those days of segregation, Virginia Key Beach was the only way blacks could legally enjoy the ocean in Dade County.

Dade County created this park in response to the efforts of the African American community to integrate the beaches in Miami.

The location of this beach was less than ideal, Mr. Speaker. There was no bridge, and the only way to get to it was by taking a boat from the Miami River.

Despite these impediments, African Americans have made Virginia Key Beach a very thriving center for social and cultural activities. The beach became a cherished getaway, a social gathering place and even a sacred site for religious services.

I attended many baptisms at Virginia Key Beach. The beach was the site for many baptisms, courtships, honeymoons, organizational gatherings, visiting celebrities and family recreation. Even after integration granted everyone a free choice of recreation areas, Virginia Key Beach remained the popular preference for many in the African American community.

Mr. Speaker, this legislation is near and dear to my heart because I know the long way we have come because I used this park frequently myself and brought my children there when they were young. The fact that I am a Congresswoman today shows how much society has changed in the intervening years.

Virginia Key Beach is a national treasure that stands as a monument to America's journey toward racial equality. As a reminder of our national heritage, Virginia Key Beach symbolizes the struggle of African Americans in the 20th century during racial segregation in the South and the onset of the civil rights movement.

Mr. Speaker, there are very few sites in the National Park System that recognizes the struggle for civil rights. Out of 385 units currently in the park

system, only 4 have been designated to commemorate the civil rights era. We need to do more to recognize the civil rights era. It is important to remember that segregation affected every aspect of our lives, even our leisure time.

In addition to representing an important part of the history of African Americans, it is also an exceptional natural resource characterized by a unique and sensitive natural environment. The beach is a part of an area known as Virginia Key. It is a 1,000 acre barrier island. There has been some limited development, but the island is non-residential and includes ponds and waterways, a tropical hardwood hammocks and a large wildlife conservation area.

The Key is home to more than 25 species of birds during the winter, while its shallow waters contain extensive grass beds that support manatees, young sea turtles and many juvenile fishes. The United States Army Corps of Engineers, through their shoreline damage program, is currently restoring the beach and native plants on the islands.

Finally, let me note, thanking this committee and my colleagues, the chairman and the ranking member, Virginia Key Beach is an excellent location and it is very accessible. Other national attractions in south Florida, such as Everglades National Park, Big Cypress and Biscayne National Park, have extraordinary resources, but they are not readily accessible for individuals without personal transportation; Virginia Key Park is. There is a good Miami-Dade bus connection there, and it is further enhanced by a link to south Florida's rail system.

Mr. Speaker, Virginia Key Beach occupies a special place in the heart of all of us from south Florida. It is a wonderful reminder of the struggle of African Americans for civil rights and social justice.

Inclusion in the National Park System would help ensure that Virginia Key Beach is preserved and protected for future generations. A special resource study is the first step.

This committee has taken the first step to bring this to the floor. I urge my colleagues to support this important legislation.

Mr. HASTINGS of Florida. Mr. Speaker, I come before you today to encourage my colleagues to support H.R. 2109, a bill which would authorize the Secretary of the Interior to conduct a special resource study of historic Virginia Key Beach, FL, for the inclusion into the National Park System. Mr. Speaker, I am proud to support a very important bill which will allow Congress to preserve and protect this beautiful beach site area.

This legislation allows for the beautiful palm-studded old Florida beach located on a 1,000-acre barrier island, one of Miami's real treasures, to be recognized as a National Park. Miami's historical Virginia Key Beach has been one of Florida's most beautiful and unique areas since 1896. When I was growing up, Virginia Key was at one time one of Miami's most popular beaches for African-Americans

to enjoy. With its scant four-tenths of a mile of actual shoreline, the park was the only bathing beach in the county legally available to African-Americans.

Mr. Speaker, this bill does not add to the national debt, therefore I urge my colleagues to realize there is no need to oppose it for economic reasons. This bill does not change any of the requirements for the inclusion process for national parks. All this bill calls for is the recognition of the 77-acre historic Virginia Key Beach site in Miami, FL. Passing this bill would be a reasonable and responsible approach in recognizing the significant value of this former "colored beach."

Florida needs a place that is recognized for its historical significance, a place that can be enjoyed today for both recreational purposes and so that people can learn about the history of this extraordinary scenic recreational site that was once cherished as a "Paradise."

I respectfully ask that my colleagues in this Congress vote in favor of H.R. 2109 which would induct historic Virginia Key Beach into the National Park System.

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. 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. 2109, as amended.

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

The title of the bill was amended so as to read: "A bill to authorize the Secretary of the Interior to conduct a special resource study of Virginia Key Beach Park in Biscayne Bay, Florida, for possible inclusion in the National Park System."

A motion to reconsider was laid on the table.

**MUSCLE SHOALS NATIONAL HERITAGE AREA, ALABAMA**

Mr. HANSEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2628) to direct the Secretary of the Interior to conduct a study of the suitability and feasibility of establishing the Muscle Shoals National Heritage Area in Alabama, and for other purposes.

The Clerk read as follows:

H.R. 2628

*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 "Muscle Shoals National Heritage Area Study Act of 2001".

**SEC. 2. STUDY.**

The Secretary of the Interior, in consultation with appropriate State historic preservation officers, States historical societies, and other appropriate organizations, shall conduct a study regarding the suitability and feasibility of designating the study area described in section 3 as the Muscle Shoals National Heritage Area. The study shall include analysis, documentation, and determination regarding whether the study area—

(1) has an assemblage of natural, historic, and cultural resources that together represent distinctive aspects of American heritage worthy of recognition, conservation, interpretation, and continuing use, and are best managed through partnerships among public and private entities and by combining diverse and sometimes noncontiguous resources and active communities;

(2) reflects traditions, customs, beliefs, and folklife that are a valuable part of the national story;

(3) provides outstanding opportunities to conserve natural, historic, cultural, or scenic features;

(4) provides outstanding recreational and educational opportunities;

(5) contains resources important to the identified theme or themes of the study area that retain a degree of integrity capable of supporting interpretation;

(6) includes residents, business interests, nonprofit organizations, and local and State governments that are involved in the planning, have developed a conceptual financial plan that outlines the roles of all participants (including the Federal Government), and have demonstrated support for the concept of a national heritage area;

(7) has a potential management entity to work in partnership with residents, business interests, nonprofit organizations, and local and State governments to develop a national heritage area consistent with continued local and State economic activity; and

(8) has a conceptual boundary map that is supported by the public.

**SEC. 3. BOUNDARIES OF THE STUDY AREA.**

The study area referred to in section 2 shall be comprised of the following:

(1) The part of the Tennessee River's watershed in northern Alabama.

(2) The cities of Florence, Sheffield, Tuscumbia, and Muscle Shoals City, Alabama.

(3) The towns of Anderson, Cherokee, Courtland, Leighton, Lexington, Littleville, Red Bay, Rogersville, Russellville, Town Creek, and Waterloo, Alabama, and their environs.

(4) Colbert, Lauderdale, Franklin, and Lawrence Counties, Alabama.

(5) Other areas that have heritage aspects that are similar to those aspects that are in the areas described in paragraphs (1) through (4) and which are adjacent to or in the vicinity of those areas.

**SEC. 4. REPORT.**

Not later than 3 fiscal years after the date on which funds are first made available for this Act, the Secretary of the Interior shall submit to the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report on the findings, conclusions, and recommendations of the study.

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. 2628, introduced by the gentleman from Alabama (Mr. CRAMER) would direct the Secretary of the Interior to conduct a study to determine the suitability and feasibility of establishing the Muscle Shoals National Heritage Area in northwest Alabama.

Mr. Speaker, the city of Muscle Shoals and the surrounding area of

northwest Alabama has played an integral part in shaping many aspects of Alabama and southern culture.

□ 1500

It is the birthplace of Helen Keller, setting for Henry Ford's utopian 75-Mile City, which inspired Frank Lloyd Wright's Broadacre City, a number of Victorian arts and crafts residences, and plays host to the annual music festival named for blues musician W. C. Handy. It is also the home of the Tennessee Valley Authority, the first piece of the New Deal legislation. A number of historic trails also transverse the area, including the Natchez Trail and the Trail of Tears.

Mr. Speaker, H.R. 2628 is supported by both the majority and the minority of the committee and the administration. I urge my colleagues to support H.R. 2628.

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

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

Mr. Speaker, H.R. 2628, introduced by my colleague, the gentleman from Alabama (Mr. CRAMER), would direct the Secretary of the Interior to do a National Heritage Area study of the Muscle Shoals area of northern Alabama. The Muscle Shoals area has a long history of industry, transportation and music, among other things.

When the Subcommittee on National Parks, Recreation, and Public Lands held a hearing on H.R. 2628 earlier this year, the National Park Service testified in support of the study. Our other witnesses, including the gentleman from Alabama (Mr. CRAMER), also detailed and expanded upon the history of the Muscle Shoals area for the subcommittee. It is obvious that the communities of the Muscle Shoals area value their heritage and are looking for ways to maintain and enhance the historical and natural resources of the area.

Mr. Speaker, H.R. 2628 is a good bill. It is also noncontroversial. I support the passage of the legislation and urge its favorable consideration by the House today.

Mr. Speaker, I yield such time as he may consume to the gentleman from Alabama (Mr. CRAMER), the sponsor of this measure.

Mr. CRAMER. Mr. Speaker, I want to thank the Committee on Resources and the Subcommittee on National Parks, Recreation, and Public Lands for moving H.R. 2628, which is my bill, as well as the chairman, the gentleman from Utah (Mr. HANSEN), and the ranking member, the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN), very much for their consideration.

Both the chairman and the ranking member have made reference to this unique area of Alabama that has an extraordinary history. H.R. 2628 would allow us to do a study to determine the feasibility of collecting that history and naming our area a national heritage study area. It was passed by the

committee itself by unanimous consent, so it is a very uncontroversial piece.

This area of northwest Alabama is adjacent to the State of Tennessee and the State of Mississippi as well, so my colleagues in the House, the gentleman from Mississippi (Mr. WICKER) and the gentleman from Alabama (Mr. ADERHOLT), both are cosponsors of this piece of legislation.

As the chairman referred to and the ranking member referred to in their remarks about H.R. 2628, this area of northwest Alabama has an extraordinary history of involvement. Native Americans were active in this particular area, and we have an Indian Mound Museum there that is one of the most extraordinary museums in the country.

As we move on through history, the Tennessee River has defined our area culturally as well as in terms of transportation issues as well. In the early 1920s, the Wilson Locks and Dam was built there even before TVA came into existence. At the time it was the largest lock and dam on the Tennessee River and one of the largest dams in the country as well.

President Roosevelt visited that area and was so impressed by the potential that he saw there that he was inspired to form the Tennessee Valley Authority, which has given us a significant part of our prosperity there, not only in the State of Alabama but in Tennessee and the entire region as well.

But as the chairman referred to, we are the home of the W. C. Handy Festival. That is a blues festival. W. C. Handy, unbeknownst to a lot of people in the country, is the "Father of the blues." He was born in Florence, Alabama, which is located in northwest Alabama. This festival has existed for 20 years and has brought thousands of music specialists from all over the country.

We have a verbal history that is available in our area of the music tradition that is there. Now, the Muscle Shoals Studio was a recent era of music that really was born out of the blues era. It is a sound recording studio that has been used by many musicians around the world. All of that kind of heritage was started back in the early 1920s and built on from there as well. So this feasibility study would give us the chance to catalogue a lot of that information.

Helen Keller was born in Tusculumbia, Alabama. That is within 5 miles of this Tennessee River, and within 10 miles of Florence, Alabama as well. Her home, Ivy Green, was preserved as a museum. There is a Helen Keller Festival there as well. A lot of Helen Keller relatives come back to that area to this particular festival.

Jesse Owens was born in Lawrence County, again, another 7 miles from the very center of the area we are talking about. There is a museum to celebrate his contributions to American history there as well.

The Frank Lloyd Wright structures we have in this area all combine to give our area of Alabama a unique history which we think is deserving of this declaration as a National Heritage Area study place.

I want to thank again the committee for giving us this opportunity, and I urge my colleagues to pass this important bill, H.R. 2628.

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

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

The SPEAKER pro tempore (Mr. CULBERSON). 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. 2628.

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 to include extraneous material on the five bills just considered, H.R. 3421, H.R. 3909, H. Res. 261, H.R. 2109, and H.R. 2628.

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

There was no objection.

#### STRENGTHENING SCIENCE AT THE ENVIRONMENTAL PROTECTION AGENCY ACT

Mr. EHLERS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 64) to provide for the establishment of the position of Deputy Administrator for Science and Technology of the Environmental Protection Agency, and for other purposes, as amended.

The Clerk read as follows:

H.R. 64

*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 "Strengthening Science at the Environmental Protection Agency Act".

##### SEC. 2. DEFINITIONS.

For purposes of this Act—

(1) the term "Administrator" means the Administrator of the Agency;

(2) the term "Agency" means the Environmental Protection Agency;

(3) the term "Deputy" means the Deputy Administrator for Science and Technology appointed under section 4; and

(4) the term "research" means research, development, and demonstration.

##### SEC. 3. RESEARCH MISSION OF AGENCY.

Conducting, sponsoring, and evaluating environmental science and technology research shall be a central mission of the Agency. The results of such research shall be used to help initiate, formulate, and carry out the Agen-

cy's agenda, and the Agency shall seek to increase the public's understanding of environmental science and technology by making those research results available to the public.

##### SEC. 4. DEPUTY.

(a) APPOINTMENT.—The President shall appoint, by and with the advice and consent of the Senate, a Deputy Administrator for Science and Technology, who shall coordinate and oversee the science and technology activities of the Agency and ensure that Agency decisions are informed by the results of appropriate and relevant research.

(b) RESPONSIBILITIES.—The Deputy shall—

(1) provide advice to the Administrator regarding science and technology issues and their relationship to Agency policies, procedures, and decisions;

(2) participate in developing the Agency's strategic plans and policies and review the science and technology aspects of those plans and policies;

(3) coordinate the acquisition and compilation of relevant science and technology information available from academic sources, government agencies, and the private sector;

(4) develop and oversee guidelines for the dissemination of research results conducted, sponsored, or cited by the Agency to the public, including historically black colleges and universities, Hispanic-serving institutions, minority communities, and rural communities; and

(5) develop and oversee guidelines for peer review of science and technology research.

(c) QUALIFICATIONS.—An individual appointed under subsection (a) shall be a person who has an outstanding science and technology background, including research accomplishments, scientific reputation, and public policy experience.

(d) CONSULTATION.—Before appointing an individual under subsection (a), the President shall consult with the National Academy of Sciences, the National Academy of Engineering, the Science Advisory Board of the Agency, and other appropriate scientific organizations.

(e) COMPENSATION.—The Deputy shall be compensated at the rate provided for level III of the Executive Schedule pursuant to section 5314 of title 5, United States Code.

(f) CONFORMING AMENDMENT.—Section 5314 of title 5, United States Code, is amended by adding at the end the following:

"Deputy Administrator for Science and Technology of the Environmental Protection Agency."

##### SEC. 5. ASSISTANT ADMINISTRATOR FOR RESEARCH AND DEVELOPMENT.

(a) TITLE AND TERM.—There shall be an Assistant Administrator for Research and Development of the Agency, who shall also have the title of Chief Scientist of the Agency. Appointments to such position made after the date of the enactment of this Act shall be for a term of 5 years unless sooner removed by the President.

(b) QUALIFICATIONS.—An individual appointed under subsection (a) shall be a person who has an outstanding science and technology background, including research accomplishments, scientific reputation, and experience in leading a research and development organization.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. EHLERS) and the gentleman from Washington (Mr. BAIRD) will each control 20 minutes.

The Chair recognizes the gentleman from Michigan (Mr. EHLERS).

#### GENERAL LEAVE

Mr. EHLERS. 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 materials on H.R. 64, the bill now under consideration.

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

There was no objection.

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

Mr. Speaker, today I rise in support of H.R. 64, the Strengthening Science at the Environmental Protection Agency Act.

Time and time again I have heard my colleagues say, "What I really want is the use of sound science at the EPA." The perception of how EPA decision-makers use science in their regulatory actions seems to fall into two camps: One view comes from the regulated community who claims that controversial decisions have ignored the underlying science. The other view comes from environmental and public advocacy communities who claim that the Agency ignores the underlying science while letting the regulated community unduly influence the process.

While these constituency may forever disagree on controversial decisions, one theme is common to both camps and to Members of Congress and the Judiciary, they doubt that the EPA uses science appropriately in its regulatory decisions.

How should the EPA use science? Is science simply a cudgel used to win a court battle? Is it simply an afterthought to the regulatory process? No. Rather, science should be at the beginning, middle, and end of the agency's decision-making process. It should infuse every issue from the beginning of discussions on that issue.

Several independent reviews have concluded that there are significant problems with the way science is used within the EPA's decision-making structure. These reviews include expert panels of scientists commissioned by the Congress, the EPA, the MITRE Corporation, and the National Academy of Public Administration. The latest and most influential review, the National Academy of Sciences' 2000 report concluded: "The importance of science in EPA's decision-making process should be no less than that afforded to legal considerations. Just as the advice of the Agency's general counsel is relied upon by the administrator to determine whether a proposed action is legal, an appropriately qualified and adequately empowered scientific official is needed to attest to the administrator and the Nation that the proposed action is scientific."

H.R. 64 provides for that qualified scientific official. This legislation would establish a new Deputy Administrator for Science and Technology to serve as an advocate for, and reviewer of, sciences at the most senior levels of the Agency. Second, the legislation would convert the position of the Assistant Administrator of the Office of

Research and Development to a set term and give that position the title of Chief Scientist for the Agency.

The Deputy Administrator position will bring a much-needed change to the culture of the EPA and ensure that science has a higher profile in the Agency's decision-making process. This person would not only be accountable to the administrator for improving and overseeing science at the Agency, but would also be accountable to the Congress. This relationship would bolster Congress' confidence in the appropriate role of science at the EPA and, therefore, in regulatory decisions.

The Deputy Administrator is also needed to coordinate research between the regulatory and scientific arms of the Agency. A common problem with trying to ensure that science is involved throughout the regulatory process is that the head of the scientific arm of the Agency, the Assistant Administrator for ORD, shares the same rank as the heads of the regulatory offices. The authors of the Academy report argued since the new Deputy would rank higher than the existing Associate Administrators, this person could foster research relationships between the Office of Research and Development and the regulatory offices.

While this first objective of H.R. 64 is intended to increase the political impact that science has at the Agency, the second objective, to establish a set term for the Associate Administrator of the Office of Research and Development, seeks to decrease political pressures on this office. Although the political aspect of the Associate Administrator's job often receives attention, the most important aspects of the job are not political. Since the Deputy Administrator could bear many of the political pressures inside the Agency, the Associate Administrator could focus his or her role as the Agency's chief scientist on inspiring and supervising a world class scientific organization.

Before I close, let me mention that this legislation has garnered support from a wide array of outside groups. It has received backing from prestigious scientific groups such as the American Chemical Society, the American Society of Mechanical Engineers, and the Society of Toxicology; from business groups, including the National Association of Manufacturers and the Business Roundtable; and from universities and other interested parties, including the National Association of State universities and Land Grant Colleges, and members of EPA's Scientific Advisory Board.

The time has come to strengthen science at the EPA. Congress can act now by passing H.R. 64.

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

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

Mr. Speaker, I rise in strong support of H.R. 64, a bill that will strengthen the use of science at the Environmental Protection Agency. I am proud to cosponsor this legislation.

The chairman has done a great job of describing the bill. I would like to make just a few additional points. H.R. 64 will ensure that science plays its proper role at the EPA, providing the basis for sound regulations that do not unduly impede economic development while protecting our environment.

The bill creates the new position of Deputy Administrator for Science and Technology. It also makes the Assistant Administrator for the Office of Research and Development a 5-year position, much like the directors of the NIH and the National Science Foundation.

There is another important section that clarifies that research is integral to the mission of EPA to protect human health and the environment.

□ 1515

Mr. Speaker, the bill is supported by a wide array of business and scientific organizations. I believe the Committee on Science has crafted a good bill that will help ensure that the best and most recent science is considered when the administrator makes regulatory decisions.

Ultimately, it will be up to the EPA administrator to listen to the scientists, but this bill will provide the experts with an opportunity to present their findings in a timely fashion. There are concerns both from the administration and environmental groups that this bill might create yet another layer of bureaucracy at the agency. This conceivably could occur by giving the deputy administrator a veto over regulations.

Mr. Speaker, I would like to ask the gentleman from Michigan (Mr. EHLERS) whether he agrees or disagrees with that view, and whether he would be willing to work with me and others to address continuing concerns within the bill?

Mr. EHLERS. Mr. Speaker, will the gentleman yield?

Mr. BAIRD. I yield to the gentleman from Michigan.

Mr. EHLERS. Mr. Speaker, I am happy to continue to work with the gentleman on these issues.

I would like to comment that the issue of creating another layer of bureaucracy has been raised by other Members, and that is totally false. It does not create another layer of bureaucracy, it creates two positions side by side in the same layer, and I believe it is an appropriate role for the science administrator to have an equal status with the administrator who runs the rest of the agency.

That is the real objective of this bill, to have science at a higher level, and I do not consider that an additional layer of bureaucracy; but I am pleased to work with the gentleman.

Mr. BAIRD. Mr. Speaker, I appreciate the clarification, and concur with the gentleman's position.

Mr. Speaker, I thank the gentleman from New York (Mr. BOEHLERT) for his outstanding work on this bill and his

leadership of our committee. I also thank the gentleman from Michigan (Mr. EHLERS) for his work.

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

Mr. EHLERS. Mr. Speaker, I yield such time as he may consume to the gentleman from New York (Mr. BOEHLERT), the chairman of the Committee on Science, and also express my appreciation for his work on this issue.

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

Mr. BOEHLERT. Mr. Speaker, I want to point out to Members that this measure is brought forward by the gentleman from Michigan (Mr. EHLERS), a doctor, a distinguished scientist in his own right, who is providing invaluable service to the Committee on Science. He and another gentleman from Michigan (Mr. BARCIA), are a dynamic duo who have worked tirelessly to advance this bill to the point where we have it on the floor today under the Suspension Calendar, which is reserved for noncontroversial measures. This is noncontroversial.

No Member in their right mind can come up with any logical reason why we should not have a chief scientist in the Environmental Protection Agency. No one in their right mind can come up with any reason why we should not have, as this bill provides, a deputy administrator for science and technology. We are in an institution and in a town where people love to say that they favor science-based decision-making. Some of those people favor it as long as it is politically convenient. When the conclusion of the scientist is not politically convenient, they look elsewhere. There will be no escaping what this bill does, and its intent. We want to have the best possible scientific guidance for the administrator of the Environmental Protection Agency, and we want the Environmental Protection Agency to give the administration and Congress the best possible advice that is based on sound science.

If we have that, I am convinced we can continue to go forward in a very responsible way to deal with such issues as global climate change.

Mr. Speaker, I applaud the gentleman from Michigan (Mr. EHLERS) for his work on this, and the dedicated work of the staff on both sides of the aisle. The Committee on Science has an outstanding staff. I think it is second to none, very capable individuals, individuals with advanced degrees in various science disciplines, and that serves us all well.

Mr. Speaker, I urge Members to pay attention to what we are doing here today, and I would expect unanimous support for this very worthy bill.

Mr. BAIRD. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the gentleman for his leadership, and the gentleman from Michigan (Mr. EHLERS) for his leadership on this issue.

I think the words which have been spoken are particularly instructive. As a member of the Committee on Science for a number of years, and having oversight over the Environmental Protection Agency, this legislation that provides for an administrator for science and technology emphasizes the partnership between what the agency does and science.

Everything that we have had the opportunity to investigate in the Committee on Science permeates the words "science and technology," and particularly over these last years we have been utilizing the concept of technology: Technology and weather, technology in the science of pollution and clean air, technology as it relates to education, technology as it relates to the whole concept of keeping our communities safer and cleaner. So in order to provide greater advice to the administration and to ensure that the Environmental Protection Agency is an agency that is strengthened with science, I believe this legislation is the right direction.

Mr. Speaker, I hope that as this legislation moves, we will be able to implement the position very quickly because I am seeing with the changing focus on the utilization of science and technology, the greater need for that expertise, expertise to the Congress and to the administration. It is my pleasure to add my support to this legislation because it strengthens the Environmental Protection Agency upon which we rely greatly as well as our local communities, and it gives the insight that is necessary to make the process of the environment and science holistic.

Mr. EHLERS. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Maryland (Mrs. MORELLA), who has worked so hard on science issues, particularly the need to recruit women and minorities into science.

Mrs. MORELLA. Mr. Speaker, I thank the gentleman from Michigan (Mr. EHLERS) for yielding me this time, and offer my commendation to the chairman of the Committee on Science, the gentleman from New York (Mr. BOEHLERT) and the ranking member, the gentleman from Texas (Mr. HALL), and the ranking member of the subcommittee, the gentleman from Michigan (Mr. BARCIA), and the gentleman from Washington (Mr. BAIRD) for this piece of legislation that comes before us today.

Mr. Speaker, it is with great pleasure that I rise in support and as a proud cosponsor of H.R. 64, the Strengthening Science at the Environmental Protection Agency Act. This bill makes important changes to the administrative structure at the EPA, establishing for the first time a clear chain of command for EPA science, and a dedicated office responsible for maintaining the highest possible standards.

With this bill, the House Committee on Science continues its mission to ad-

vance common sense bipartisan legislation that directly confronts deficiencies in our scientific enterprise. I am proud of our work together, and I thank the gentleman from Michigan (Mr. EHLERS) and the gentleman from Michigan (Mr. BARCIA) and the gentleman from Washington (Mr. BAIRD) for upholding that tradition in bringing the bill before us today.

Recent reviews of the Environmental Protection Agency have rated the quality of the science high. As individuals, the dedicated men and women of the EPA are doing their jobs with the professionalism and integrity we have come to expect, and have every right to demand. They should be proud of their efforts.

Unfortunately, these same reviews have been critical of the organization and focus of the research. The work is piecemeal, and not always directly applicable. The overall mission is unclear, and important areas are unsupported. We clearly need a more top-down approach, and this bill provides one.

Sound science requires strong leadership. Administrator Whitman has made a commitment to improve oversight of the S&T initiatives at EPA, and I applaud her efforts to conduct a thorough review of her agency. She has the will, and it is time for Congress to provide the way. This bill would create a deputy administrator for science and technology, and provide a clear mandate for the coordination and oversight of research activities. It also provides a chief scientist for the agency to provide guidance and perspective. These improvements are sorely needed.

Two years ago, the National Research Council issued a comprehensive review of EPA, and specifically called for the offices created by this legislation. In that review, the NRC highlighted the growing concerns about EPA science. They found the quality of work extremely high, but the perception low. The committee unanimously judged the lack of a top science official a major contributor, calling this state a "formula for poor scientific credibility outside the agency." This is simply not acceptable.

The EPA's work is too important to suffer from poor perception. A regulatory agency cannot function without the public's trust. As the agency with primary oversight of the Nation's environment, the scientific basis for EPA's regulatory decisions must be beyond reproach. We will always have debates over trade-offs between environmental and economic prosperity, between fair use and exploitation, and too much regulation and not enough. We cannot afford to have debates about the science. It must be reliable, timely and sound.

No corporation is run without a head and no enterprise succeeds without a leader. The EPA needs a clear hierarchy and a dedicated office to oversee the science portfolio and take responsibility for its focus and direction. The

importance of the work requires it. The impact of the decisions demand it, and the American people deserve no less. I urge Members to support H.R. 64.

Mr. BARCIA. Mr. Speaker, I rise in support of H.R. 64, the Strengthening Science at the Environmental Protection Agency Act, legislation that will ensure that science plays a proper role at the Environmental Protection Agency. We must be sure that science will serve as the basis for sound regulations that do not unduly impede economic development.

I want to thank Congressman SHERWOOD BOEHLERT and VERNON EHLERS who worked closely with myself and Congressman RALPH HALL to craft a truly bipartisan piece of legislation. This legislation addresses recommendations made by the National Academy of Sciences and will do much to improve the quality of science at the Environmental Protection Agency.

This legislation emphasizes that research is integral to the mission of EPA to protect human health and the environment.

The creation of a Deputy Administrator for Science and Technology will ensure that science has an equal seat at the table when important decisions are made. Any regulation issued by the EPA must be based on the best scientific information available. I believe that the elevated status of this new position will ensure this is the case.

I urge my colleagues to support H.R. 64.

Mr. SMITH of Michigan. Mr. Speaker, I rise in support of this legislation sponsored by my good friend and colleague from Michigan, Mr. EHLERS.

This legislation, which establishes a Deputy Administrator for Science and Technology at the Environmental Protection Agency, fulfills a recommendation made in a report of the National Academy of Sciences. It is intended to give science a more visible role at EPA and to ensure a sound foundation for science at the agency.

As many in this body know, there is a widespread perception that politics more than science influences regulatory decisions at EPA. This bill addresses this problem, but it is only the beginning.

There needs to be a real change in the culture at EPA. Many have asked whether it is appropriate to have a regulatory body conducting and overseeing the science used to support its regulatory determinations. It seems to me that there is an inherent conflict of interest in such an arrangement. Even when EPA science is sound, there is an inescapable perception that the regulatory decision drove the science, not the other way around. This bill is a good start at raising the profile and centrality of science at EPA.

I want to thank the gentleman from Michigan for his leadership on this issue, and I urge my colleagues to support H.R. 64.

Mr. HOLT. Mr. Speaker, I rise today in support of H.R. 64, the Strengthening Science at the Environmental Protection Agency Act.

In a report published in June of 2000, the National Academy of Sciences recommended the restructuring of the EPA's science programs to strengthen the role that science plays in the decision-making process. The National Academy's recommendations call for the establishment of a Deputy Administrator for Science and Technology and an appointment for the position of Assistant Administrator for Research and Development.

I am pleased that Mr. EHLERS introduced H.R. 64, which will make these recommendations a reality. Protection of our environment is dependent on science both to assess problems and to develop solutions. This bill enhances the mission of the Environmental Protection Agency to include conducting, sponsoring, and evaluating environmental science and technology research. The agency will then use the results of this research to carry out the EPA's agenda with regard to protecting the environment.

With this shift to a more science-based decision-making process at the Environmental Protection Agency, it only makes sense that the people who oversee science and technology at the EPA should be well-respected researchers who understand the scientific process. This bill directs the President to appoint a Deputy Administrator for Science and Technology and an Assistant Administrator for Research and Development (or Chief Scientist) who both have outstanding backgrounds, including research accomplishments, scientific reputation and leadership experience.

Although I support this effort, I wanted to sound one cautionary note. As we pass this bill, we will need to monitor its implementation carefully. We want to make sure that our direction that EPA has a Deputy Administrator for Science and Technology and an appointment for the position of Assistant Administrator for Research and Development not be distorted by anyone with a political agenda. We want to make sure the people who fill these new positions at EPA are truly scientists, not politicians intent on using junk science or biased science to fulfill a political agenda. That is equally true for pro-industry and pro-environmental positions.

All too often in the environmental arena we see decisionmaking being dictated by a reliance on studies created or funded by industry. In many instances, we don't have access to the raw data underlying these studies. As any scientist will tell you, this is a perversion of the peer review process that is the basis of all good science. We have also seen groups make wild claims that have no basis in scientific analysis.

Mr. Speaker, H.R. 64 is a well-intentioned bill and a step forward to see that our decisions are guided by the best available data. I urge my colleagues to support it.

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

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

The SPEAKER pro tempore (Mr. CULBERSON). The question is on the motion offered by the gentleman from Michigan (Mr. EHLERS) that the House suspend the rules and pass the bill, H.R. 64, 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.

#### EXTENDING AUTHORITY OF EXPORT-IMPORT BANK UNTIL MAY 31, 2002

Mr. BEREUTER. Mr. Speaker, I move to suspend the rules and pass the Sen-

ate bill (S. 2248) to extend the authority of the Export-Import Bank until May 31, 2002.

The Clerk read as follows:

S. 2248

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

#### SECTION 1. EXTENSION OF EXPORT-IMPORT BANK.

Notwithstanding the dates specified in section 7 of the Export-Import Bank Act of 1945 (12 U.S.C. 635f) and section 1(c) of Public Law 103-428, the Export-Import Bank of the United States shall continue to exercise its functions in connection with and in furtherance of its objects and purposes through May 31, 2002.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Nebraska (Mr. BEREUTER) and the gentleman from Vermont (Mr. SANDERS) each will control 20 minutes.

The Chair recognizes the gentleman from Nebraska (Mr. BEREUTER).

GENERAL LEAVE

Mr. BEREUTER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on S. 2248, and to insert extraneous material on the bill.

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

There was no objection.

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

Mr. Speaker, this Member rises today in support of S. 2248, which is being considered today under suspension of the rules. This legislation simply extends the authorization for the Export-Import Bank until May 31, 2002, nothing more. Under current law, the most recent short-term reauthorization of the Export-Import Bank expires on April 30, 2002. If this subsequent short term authorization extension is not signed into law, the Export-Import Bank could not engage in new transactions and would have to wind down its current operations as of today, April 30.

Without the passage of this legislation the Export-Import Bank will not have the legal authority to issue new financing commitments in support of the export of U.S. made goods and U.S. origin services.

□ 1530

Each year, the bank supports more than 2,300 export transactions. Eighty-six percent of those transactions are for small and medium-sized businesses. The bank processes a daily flow of export cases and any expiration of the bank's charter will jeopardize pending sales and the jobs of U.S. workers tied to those transactions.

Even more important to small business, the Export-Import Bank has a Credit Committee which approves small business transactions. This Credit Committee meets often each week. If this extension is not passed, the Credit Committee will not be able to do their business, and small businesses in turn will be hurt the most.

Therefore, it is extraordinarily important that we approve this legislation today. I say that because tomorrow, in fact, we will be debating the Export-Import Bank Reauthorization Act of 2001 under a rule. That bill, introduced by this Member, of course, had careful attention in subcommittee and committee, and we are prepared to take it to the House floor tomorrow under a rule which is expected to be prepared this evening for consideration tomorrow.

Mr. Speaker, in conclusion, for these reasons and many others, it is extraordinarily important that we approve this 1-month authorization extension for the Export-Import Bank today.

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

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

(Mr. SANDERS asked and was given permission to revise and extend his remarks, and include extraneous material.)

Mr. SANDERS. Mr. Speaker, with all due respect to my very good friend, the gentleman from Nebraska (Mr. BEREUTER), I rise as the ranking member of the Subcommittee on International Monetary Policy and Trade in strong opposition to this 30-day extension to the Export-Import Bank. I think it is time to send this bank a message, and I think we should vote down this extension and this bill this afternoon.

This bill, I should say, is being opposed by 10 of my colleagues who have sent a letter to every Member of Congress urging a "no" vote on this legislation. These Representatives are the gentleman from California (Mr. ROHRBACHER), the gentleman from Michigan (Mr. CONYERS), the gentleman from Texas (Mr. PAUL), the gentleman from Oregon (Mr. DEFAZIO), the gentleman from Ohio (Mr. KUCINICH), the gentleman from New York (Mr. HINCHEY), the gentlewoman from California (Ms. LEE), the gentleman from Missouri (Mr. CLAY), the gentleman from Ohio (Mr. BROWN) and the gentleman from New York (Mr. TOWNS).

This bill is also opposed by the Paper Allied Chemical and Energy Workers International, PACE, a union with over 300,000 members. It is opposed by the Independent Steel Workers Union. It is opposed by the U.S. Business and Industry Council and by the CATO Institute, a conservative think tank.

Mr. Speaker, this is an example of where progressives, such as myself, and conservatives, are coming together to protect the American taxpayer and the workers of this country in opposition to an outrageous example of corporate welfare.

While I do not often agree with the conservative columnist Robert Novak, I urge Members to read the article he wrote which appeared in yesterday's Washington Post which raises some very strong concerns about the Export-Import Bank.

Mr. Speaker, many supporters of the Export-Import Bank argue that the

bank is necessary in order to create jobs. What I want to know, therefore, is if this bank is supposed to create jobs, how come the major beneficiaries of the Export-Import Bank, the corporations who have received the most assistance year after year, have substantially reduced their American workforce? In other words, instead of creating new jobs, these large corporations have taken money from the Export-Import Bank and, year after year, they have thrown tens and tens of thousands of American workers out on the street.

I think it is time to tell those folks who are at the trough for corporate welfare that if they want money from the taxpayers of this country, if they want help from the working people of this country, you do not lay off hundreds of thousands of American workers.

Mr. Speaker, some have talked about how 86 percent of the transactions from Ex-Im go to small business. That is correct. But that is a bit misleading, because 82 percent of the money, what is really important, goes to the Fortune 500 companies, while only 18 percent of the dollars and the subsidies go to small business.

Mr. Speaker, let me give a few examples of the work and the actions of some of the major beneficiaries of the Export-Import Bank. General Electric has received over \$2.5 billion in direct loans and loan guarantees from the Export-Import Bank. They are, I believe, the second largest major beneficiary. Not exactly a small business. In fact, they are one of the largest corporations in the world. So all the taxpayers in America who are struggling to keep their heads above water, GE thanks you very, very much for your assistance.

What is this company doing? What do they say. Jack Welch, as everybody knows, was the very successful CEO of GE for many years. Let me quote Mr. Welch: "Ideally, you have every plant you own on a barge."

That is his philosophy. I respect the guy. He is up front. He says that the way you make money is to move to China and Mexico, pay workers there sub-standard wages, and throw American workers out on the streets. That is his business. I do not have a problem with that, but I do have a serious problem that American taxpayers' money, American workers' money, goes to companies who say, "Hey, wouldn't it be ideal if we could have all of our jobs on a barge and move to any country in the world where wages are lower?"

GE has moved jobs from State to State and country to country in search of lower wages. The company's biggest export is, in fact, jobs. In 1975, GE had 667,000 American workers. In 1995, they employed 398,000, a decline of 269,000 jobs. Now, is that not something? What a success story for Ex-Im; the number 2 recipient lays off hundreds of thousands of jobs.

Now, I was a mayor of a city for 8 years and we provided help to the busi-

ness communities. But, you know what? We did not just give them a blank check. We said if you want taxpayer money, this is what we want from you in return. And I would suggest very strongly that what the taxpayers of this country want when they subsidize corporations is they want those corporations to reinvest in America, create jobs in America, and not run to China, Mexico and every country in the world where they can pay workers starvation wages.

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

Mr. BEREUTER. Mr. Speaker, it is my pleasure to yield such time as he may consume to the gentleman from Ohio (Mr. OXLEY), the distinguished chairman of the Committee on Financial Service.

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

Mr. OXLEY. Mr. Speaker, I rise today to support the 30-day extension of Ex-Im's reauthorization. Let me take a few minutes to outline for my colleagues why this extension is so critical.

Without this 30 day extension, the Ex-Im Bank will not be forced to close its doors, but it will be prevented from doing any new business transactions. What does that mean? It means many U.S. manufacturers will have to sit idle waiting for a full-term authorization, losing millions of dollars in business every day. It means that workers whose jobs depend on exports financed by the Ex-Im Bank will face an unclear future.

It means that the international export community will view the U.S. Congress as unsupportive of U.S. exporters and will seek to capitalize by convincing foreign markets that they cannot rely any longer on U.S. manufacturers. I have already received a copy of a letter that calls into question the ability of Ex-Im to transact future deals. That is the international perception. It is critical that we refute that view by passing this legislation.

Mr. Speaker, tomorrow the House is scheduled to consider a 4-year reauthorization of Ex-Im that was approved by the Committee on Financial Services in October of last year. That legislation, H.R. 2871, received broad bipartisan support in the committee and was approved by a voice vote.

I want to thank the gentleman from Nebraska (Mr. BEREUTER), the chairman of the Subcommittee on International Monetary Policy and Trade, who, over the past several months, has worked closely with the administration to remedy some of its concerns related to the original legislation. Many of those concerns have been addressed and will be included in a manager's amendment to the legislation.

Mr. Speaker, the Ex-Im Bank is a vital tool for the American exporting community. The Ex-Im Bank provides loan guarantees, insurance and direct loans to U.S. manufacturers that seek

to reach overseas markets when there is no available commercial financing or direct competition from another export credit agency.

There are over 70 foreign export credit agencies supplying more than \$500 billion in financing for international exports. In order to remain competitive in the international arena, U.S. exporters need the Ex-Im Bank to compete on a level playing field. Without Ex-Im, our manufacturers would face an international market full of goods receiving government sponsored support, making it more difficult for them to offer their goods at a competitive price. Additionally, without Ex-Im, it will be more difficult for U.S. goods to reach emerging markets, effectively closing out the opportunity for U.S. businesses to build a customer base in those countries.

Let me reiterate, Mr. Speaker we will take up the full authorization for the Ex-Im Bank tomorrow, but today we must extend the charter of the bank for 30 days to ensure that Ex-Im can continue to create new business. I urge my colleagues to join me in voting to approve this 30-day extension of the bank and let the world know that we support American manufacturers, we support American workers and we support the American economy.

Mr. SANDERS. Mr. Speaker, I am happy to yield such time as he may consume to the gentleman from New York (Mr. LAFALCE), the ranking member of the Committee on Financial Services.

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

Mr. LAFALCE. Mr. Speaker, I find myself in agreement with much of what has been said by my friend the gentleman from Nebraska (Mr. BEREUTER) and my friend the gentleman from Ohio (Mr. OXLEY), so I rise in strong support of this 30-day extension of the Ex-Im Bank.

I think it is imperative that we continue the existence of Ex-Im Bank until no other country has the means of subsidizing their exports. Otherwise, we would be engaging in unilateral disarmament. We cannot do that. I do not foresee the day in the near future when we are going to have a multilateral agreement that ends all subsidies of exports.

So, this is really a necessity for survival. If we did not extend Ex-Im Bank, basically you would have to shut down its operations. That is just untenable.

Having said that, let me also say I share some of the concerns of my good friend, the gentleman from Vermont (Mr. SANDERS), both with respect to procedure and with respect to substance. About 30 days ago when we had another 30-day extension, I said that it would be difficult for me to support another extension unless we had come to the floor or would be coming to the floor with the authorization bill.

I wish we had done it in the past 30 days, but we are doing it tomorrow. So

that is good enough, we are doing it tomorrow. But also my assumption is, and I am supporting the 30-day extension on the assumption that the gentleman from Vermont (Mr. SANDERS) and others who have differences of opinion, who want to perfect the bill, will be given the opportunity to offer their amendments on the floor of the House so they can be voted up or down.

On the basis of that assumption, I can and do support the bill.

Mr. BEREUTER. Mr. Speaker, will the gentleman yield?

Mr. LAFALCE. I yield to the gentleman from Nebraska.

Mr. BEREUTER. Mr. Speaker, I would like to confirm the gentleman's understanding and expectation. This Member has specifically urged the Committee on Rules and our colleagues in the Committee on Financial Services to make in order, for example, the Sanders amendment and the amendment of the gentlewoman from Illinois (Ms. SCHAKOWSKY) and others that were offered in committee but which were not approved.

I expect and am very assured that we are going to have a structured but broadly open bill for discussion tomorrow and that the concerns of the distinguished gentleman (Mr. LAFALCE) will be addressed tomorrow in the debate.

Mr. BEREUTER. Mr. Speaker, will the gentleman yield?

Mr. LAFALCE. I yield to the gentleman from Nebraska.

Mr. LAFALCE. Mr. Speaker, reclaiming my time, I find that a very persuasive reason for supporting today's bill. I thank the gentleman from Nebraska.

Mr. SANDERS. Mr. Speaker, I am very happy to yield such time as he may consume to the distinguished gentleman from Michigan (Mr. CONYERS).

Mr. CONYERS. Mr. Speaker, I thank the ranking member for yielding me time.

Mr. Speaker, I just heard this last colloquy with the gentleman from New York. If he still has faith in the Committee on Rules around here, that we are going to get a rule that will allow us to offer our amendments, I am going to pray tonight, I will burn a candle, I will do everything necessary, but let us see what happens about that tonight.

Now, the Export-Import Bank, I do not get this around here. \$673 million in loans and loan guarantees for projects related to the Enron Corporation. Has that corporation been lifted up into this debate? Does anybody want to defend that? I will yield to them right now. \$673 million in loans, leaving the taxpayers exposed to \$514 million in loans.

Then they approved a \$300 million loan for an Enron-related project in India, even though the World Bank, for whom I have not always praise, has refused to finance the very same project because it was not economically viable.

□ 1545

So what goes on here? This was created in the Depression to create jobs,

and now they are operating in a totally reverse strategy. Is this new information to the committee? And they are providing the money to the Fortune 500 corporations, which are nice people and I like them a lot, but they are the ones that are contracting the labor force into United States as we meet.

So I come to this debate a little bit confused.

Mr. SANDERS. Mr. Speaker, will the gentleman yield?

Mr. CONYERS. I yield to the gentleman from Vermont.

Mr. SANDERS. Mr. Speaker, the gentleman comes from Detroit where General Motors is. How many workers have been laid off by General Motors, a major recipient of the Export-Import Bank? Does the gentleman have any idea?

Mr. CONYERS. Yes, Mr. Speaker. Roughly 200,000.

Mr. SANDERS. Well, they must be doing a good job with the money that they are getting. They sure are.

Mr. CONYERS. Mr. Speaker, from 559,000 to 314,000, and that is just one of the automobile corporations; they are all contracting. And most of the Fortune 500 companies are contracting their workforce. So how do we end up thinking that this is very important because this does not protect American workers? Why are we here?

Mr. BEREUTER. Mr. Speaker, it is my pleasure to yield 5 minutes to the distinguished gentlewoman from New York (Mrs. MALONEY), a member of the Committee on Financial Services.

Mrs. MALONEY of New York. Mr. Speaker, I thank the gentleman for yielding me this time.

I rise in bipartisan support of the 30-day extension reauthorization of the Export-Import Bank. One month ago Congress successfully passed a 30-day reauthorization by voice vote, and I urge my colleagues to once again support keeping the bank in business as we finish the reauthorization tomorrow.

Since 1934, the Ex-Im Bank has helped finance the sale of U.S. products around the world by providing loan guarantees, loans, and export credit insurance for U.S. businesses. While some opponents of the bank argue that it has outlived its use, I believe its mission is increasingly relevant in today's competitive global economy, especially as new opportunities for U.S. exports increase in emerging markets.

In politically developing regions like Eastern Europe and the former Soviet Union, projects often require the support of an export credit agency, and without Ex-Im Bank, they would be more likely to fall to foreign competitors.

Exports are increasingly important to the U.S. economy. The U.S. is far more dependent on exports today, which form a larger share of the GNP, than in the 1930s. In fiscal year 2000, the bank supported over \$15.5 billion in U.S. exports, on a subsidy of \$759 million.

The important point to remember about the bank is that it is a lender of last resort. It offers guarantees for loans that otherwise would not be made. Mr. Speaker, \$15.5 billion may not be a large number in relation to the entire U.S. economy, but this \$15.5 billion represents economic activity and U.S. jobs that, without Ex-Im Bank, support would not be available to American workers.

Across the country, Ex-Im Bank support goes to businesses, both large and small. I am frequently visited by constituents who use the Ex-Im Bank. In my district in New York, the bank has worked with financial institutions, import-exporters and manufacturers, totaling over \$1 billion in exports since 1995. During this period, the bank has supported 72 different businesses in my district alone, including 19 small businesses.

While today's vote will keep the bank in business for 30 days, the House will consider the bank's reauthorization through 2005 tomorrow.

With the leadership of the ranking member, the gentleman from New York (Mr. LAFALCE) and the chairman of the committee, the gentleman from Ohio (Mr. OXLEY) and the subcommittee chairman, the gentleman from Nebraska (Mr. BEREUTER), this reauthorization builds on the bank's past successes. It has strong bipartisan support, and it also includes an amendment I offered in the subcommittee giving the bank explicit authority to turn down an application for Ex-Im support when a company has engaged in fraudulent business practices.

Mr. Speaker, this is an important institution, and I urge its continued support, both today and tomorrow.

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

Last summer, I worked with my very good friend, the distinguished chairman of the subcommittee, the gentleman from Nebraska (Mr. BEREUTER) on issues relating to the Export-Import Bank. In fact, we introduced a bill, H.R. 2517, that would have gone a very long way in protecting the taxpayers of this country from corporate welfare and in protecting American workers, and I want to thank the gentleman from Nebraska for his support of that effort. A markup was scheduled to take place on that bill but, out of nowhere, the markup was canceled, and my suspicion is that the moneyed interests who like the Export-Import Bank as it is right now sent down the word from on top that that markup never take place. What we have in front of us is an outrageous example of corporate welfare.

Mr. Speaker, my feeling is that the American people who, in many instances, are working longer hours for lower wages than was the case 20 or 30 years ago, many of whom have no health insurance, our seniors do not have prescription drugs, we face a housing crisis, a child care crisis; in the midst of all of this, people are say-

ing, why are the taxpayers of this country providing huge subsidies and loans to the largest multinational corporations in the world who pay their CEOs huge salaries, give them huge benefits, and companies that take this money from the taxpayers say, thank you very much and, oh, by the way, we are laying you off because we are going to China and hiring somebody at 20 cents an hour.

I think the American people want us to protect their dollars. I think they want us to protect American workers.

What is so bad about saying to a corporation, if you want taxpayers' money, then you have to protect American jobs? What a radical idea. But it is an idea that has not yet come to the Export-Import Bank.

There are a number of reasons why we should vote "no" and send a message to the Export-Import Bank.

Number 1, major corporations take the money, lay off American workers, and run abroad.

Number 2, the Export-Import Bank, as the gentleman from Michigan (Mr. CONYERS) indicated, has provided \$673 million in financing to questionable Enron-related projects, projects, in some instances, that the taxpayers of this country may have to pick up the tab for.

Number 3, the Export-Import Bank is hurting steel workers. The Export-Import Bank has provided an \$18 million loan to help a Chinese steel mill purchase equipment to modernize their plant. This Chinese company has been accused of illegally dumping steel into the U.S. According to the United Steel Workers of America, "It is disgraceful that the U.S. Government is bankrolling Chinese steel production when U.S. steel companies are declaring bankruptcy and American workers are being laid off."

Number 4, the Export-Import Bank is helping the Chinese military. The Export-Import Bank is subsidizing Boeing aircraft sales to the Chinese military. According to the President of Machinist Local 751, "Boeing used to make tail sections for the 747s in Wichita, but they moved the work to a military factory in Xian, China. Is this Boeing's definition of free trade, to have American workers compete with Chinese labor making \$50 a month under military discipline?"

Number 5, the Export-Import Bank is helping General Electric ship jobs to Mexico.

Number 6, the Export-Import Bank is helping AT&T ship jobs to China. And on and on and on it goes.

Mr. Speaker, in my view, if we keep the Export-Import Bank, we should have firm guarantees from the companies that receive the money that they are going to grow American jobs, they are going to hire more and more workers, not lay them off. In my view, a much larger percentage of money from the Export-Import Bank should go to the small business community, the people who are creating jobs in Amer-

ica, not to the big corporations who are sending our jobs abroad.

So, Mr. Speaker, I believe that the time is now to send a message to the Export-Import Bank who have, for so long, ignored the needs of the American taxpayer and have ignored the needs of American workers. Let us shut them down. Let them think. Give them some time to think. This is going to be a very good reflective time, contemplative time. They could take the time off, go home, meditate, and try to understand how they can represent American workers and American taxpayers, rather than just the multinational corporations.

So I urge a "no" vote. I will insert into the RECORD at this time a statement from the United States Business and Industry Council, which opposes the extension; a statement from the Cato Institute that opposes the extension; and a statement on behalf of the Paper, Allied-Industrial, Chemical and Energy Workers representing 320,000 American workers who want to keep their jobs in this country.

The statements are as follows:

UNITED STATES BUSINESS AND INDUSTRY COUNCIL,

April 29, 2002.

OPPOSE THE 30-DAY EXTENSION OF THE EXPORT-IMPORT BANK—REQUIRE THAT IT SUPPORT JOBS AND INDUSTRY IN AMERICA, NOT OVERSEAS

On Tuesday, April 30, 2002, a 30-day extension of the Export-Import Bank will be on the House Suspension Calendar. On behalf of our domestic American member companies, we urge that you vote against S. 2248.

The Export-Import Bank was created in 1934 to increase U.S. jobs through exports. Today, the Export-Import Bank has strayed from this mission. It is now providing billions of dollars to multinational companies that are laying-off hundreds of thousands of American workers and shipping their jobs overseas.

By opposing the 30-day extension, you will be sending a message to the Export-Import Bank that it should only support companies and projects that increase jobs in the United States.

EXPORT-IMPORT BANK'S TOP CLIENTS CUT THEIR WORKFORCE

Time Magazine reports the top 5 recipients of Ex-Im subsidies over the past decade have reduced their workforce by 38%—more than a third of a million jobs lost. These five companies, which include giants Boeing and General Electric, have received more than 60% of all Ex-Im subsidies.

THE EXPORT-IMPORT BANK HAS HELPED CHINESE STEELMAKERS

The Export-Import Bank has provided an \$18 million loan to help a Chinese steel mill purchase equipment to modernize their plant. This Chinese company has been accused of illegally dumping steel into the American market. The U.S. government should not bankroll Chinese steel production when U.S. steel companies are being forced into bankruptcy by imports.

THE EXPORT-IMPORT BANK IS HELPING THE CHINESE MILITARY

The Export-Import Bank is subsidizing Boeing aircraft sales to China. Yet, Boeing has been increasing the amount of aircraft production it does in China. It used to make tail sections for the 737 in Wichita, but then moved the work to a military factory in

Xian, China. Besides being questionable on commercial grounds, such deals amount to the Ex-Im Bank subsidizing Beijing's defense industry at a time when China's military buildup threatens the stability of Asia.

These practices must end. Oppose the 30-day extension of the Export-Import Bank.

THE CATO INSTITUTE,  
April 30, 2002.

TIME TO RETIRE THE EXPORT-IMPORT BANK,  
CATO STUDY CONCLUDES

WASHINGTON.—The House of Representatives faces a vote this week on whether to reauthorize the Export-Import Bank of the United States. A recent study published by the Cato Institute, "Rethinking the Export-Import Bank," finds that, "the Ex-Im Bank is a Great Depression-era agency that has little relevance in a time of increasingly open and sophisticated global markets."

According to the study:

Generous export subsidies don't equal better export performance. The United States exported roughly twice as much in 2000 as it did in 1990. By comparison, Germany's exports increased by 34%, Japan's by 66%, the U.K.'s by 51%, and France's by 36%. Yet according to a 1997 GAO analysis of official export support, the United States subsidized a much smaller share of its exports than any of these other nations. In addition, most (more than 80%) beneficiaries of Ex-Im financing do not face subsidized competition.

Export subsidies don't increase net employment or "improve" the trade balance. By overriding the market, the Bank directs credit to less efficient uses, creating distortions in the national economy, and imposing opportunity costs that are higher than the added value of the Bank's intervention.

It is neither fair nor constitutional that taxpayer dollars are being used to support particular businesses, including Enron, GE, and numerous other multibillion-dollar beneficiaries. Indeed, in FY2000, the top 10 recipients of the Bank's loans and long-term guarantees were large corporations that got 86% of those services. Private credit markets are far deeper and are more accessible than during the Great Depression when the Bank was founded, and large corporations should have no trouble financing creditworthy projects.

"Rethinking the Export-Import Bank" can be found at <http://www.free-trade.org/pubs/briefs/tbp-015es.html>. Daniel Griswold, associate director of Cato's Center for Trade Policy Studies, is available to provide comments and background. He can be reached at (202) 789-5260, or [dgriswold@cato.org](mailto:dgriswold@cato.org).

PACE,  
April 29, 2002.

U.S. HOUSE OF REPRESENTATIVES,  
Washington, DC.

DEAR REPRESENTATIVE: On behalf of the Paper, Allied-Industrial, Chemical and Energy Workers International Union (PACE) and our 320,000 members I would like to express our opposition of the bill to provide for a 30-day extension of the Export-Import Bank. The bill will be on the Suspension Calendar for Tuesday, April 30, 2002. We urge that you vote against this legislation.

The Export-Import Bank was created in 1934, in the midst of the Great Depression, to increase U.S. jobs through exports. Unfortunately, the Export-Import Bank has reversed this strategy and is now providing billions of dollars in corporate welfare to large, multinational companies. In many instances, the companies that receive Export-Import Bank support are precisely the ones that are laying-off hundreds of thousands of American workers and shipping those jobs overseas to China and Mexico.

By opposing the 30-day extension, we will be sending a message to the Export-Import Bank and its supporters: start protecting American workers, stop financing Enron-related projects, support our struggling steel industry, and only support companies that are working hard to increase jobs in the United States—not the ones that are exporting jobs. If we are successful, the Export-Import Bank may have to close its doors for one day. Hopefully, this 24-hour period will enable the bank to consider changing its policies to help American workers—not the multi-national companies that are shipping jobs overseas.

Here are the top five reasons to oppose this bill:

1. The Export-Import Bank Provides Corporate Welfare To Companies That Ship jobs Overseas.

On August 8, 1996, the director of the AFL-CIO task force on trade said that: "Ex-Im financing is corporate welfare with a fig leave of U.S. jobs."

According to Time Magazine, the top 5 recipients of Ex-Im subsidies over the past decade which include Boeing and General Electric have reduced their workforce by 38%—more than a third of a million jobs down the drain. These same 5 companies have received more than 60 percent of all Export-Import subsidies.

2. The Export-Import Bank Has Provided \$673 million in Financing to Questionable Enron-related projects.

Since 1994, the Export-Import Bank has provided \$673 million in loans and loan guarantees for projects related to the Enron Corporation leaving taxpayers exposed to \$514 million. The Ex-Im Bank approved a \$300 million loan for an Enron-related project in India even though the World Bank repeatedly refused to finance this project because it was "not economically viable."

According to Human Rights Watch, Amnesty International, Friends of the Earth and the Indian media, "Enron subsidiaries paid local law enforcement to suppress opposition to its power plant in which they arbitrarily beat and arrested dozens of villagers."

3. The Export-Import Bank Is Hurting Steelworkers.

The Export-Import Bank has provided an \$18 million loan to help a Chinese steel mill purchase equipment to modernize their plant. This Chinese company has been accused of illegally dumping steel into the U.S. According to the United Steelworkers of America, "It's disgraceful that the U.S. government is bankrolling Chinese steel production when U.S. steel companies are declaring bankruptcy and American workers are being laid-off."

4. The Export-Import Bank Is Helping Boeing Ship Jobs to China.

The Export-Import Bank is subsidizing Boeing aircraft sales to China. According to the President of Machinists' Local 751: "Boeing used to make tail sections for the 737 in Wichita, but they moved the work to a military factory in Xian, China. Is this Boeing's definition of free trade, to have American workers compete with Chinese labor making \$50 a month under military discipline?"

5. The Export-Import Bank Is Helping General Electric Ship Jobs to Mexico.

The Ex-Im Bank insured a \$3-million loan to aid General Electric build a factory where Mexican workers will make parts for appliances to export back to the United States. This project is responsible for the loss of 1,500 American jobs in Bloomington, Indiana. Their jobs will now be performed by Mexican workers who are making \$2 per hour.

These practices must end. Oppose the 30-day extension of the Export-Import Bank bill.

Sincerely,

LOWELL "PETE" STRADER.

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

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

Mr. Speaker, in fact, the legislation that we will take up tomorrow will be requiring an increase of Ex-Im Bank funds for small business—a requirement of not less than 20%. Already, 86 percent of the transactions of the Export-Import Bank do involve small business.

This is not a question about sending a message to the Export-Import Bank by failing to approve this 1-month extension today. This is a very serious matter for it would not be just a 24-hour hiatus. This, in fact, will disturb the Ex-Im transactions now under review. It will be particularly damaging to the small business community, as I pointed out in my earlier remarks.

A "Dear Colleague" has been sent around to Members of the House. It states that, in fact, this is only a small message, a 24-hour period. As I said, this is not accurate. If the House does not vote in favor of Ex-Im's 30-day reauthorization, the bank will not be able to transact any new business until there is agreement between the House and the Senate on the terms of Ex-Im's reauthorization. In fact, the unfortunate message that would be sent is a real one to American exporters that we have no confidence in the Export-Import Bank.

I would like to address 4 specific points that were made in the "Dear Colleague" letter. First of all, the Export-Import Bank is not corporate welfare. As I mentioned, 86 percent of Ex-Im's transactions are with small businesses. Ex-Im charges interest on its direct loans and premiums for its guarantees and insurance, costs that the U.S. exporters usually pass through to the overseas customers. Those charges usually range from 5 percent to 17 percent of the financing obtained, depending upon the risk.

Number 2, the Export-Import Bank, like other institutions was, in fact, a victim of Enron. The entire U.S. economy was caught off guard when Enron folded, including the Ex-Im Bank.

□ 1600

But Ex-Im is receiving installment payments from Enron for all Enron-related transactions. Ex-Im is participating fully in the Justice Department investigation to determine if Enron made any false statements to the government with respect to export-import transactions.

Number three, the Export-Import Bank Extension Act does fight for steelworkers. The full reauthorization bill, which will come to the floor tomorrow, has a very important provision added at the suggestion or at the amendment of our colleague from the committee, the gentleman from Pennsylvania (Mr. TOOMEY).

That legislation addresses the \$18 billion guarantee approved by the Export-Import Bank in December of 2000 to

support the sale of computer software by American exporters to Benxi Iron and Steel Company in China. The Benxi Company was subject to a final determination of steel dumping by the International Trade Commission subsequent to that transaction approval.

The bill conforms Ex-Im lending to current U.S. trade laws now, because of the Toomey amendment, by barring any Ex-Im loan or guarantee for production of substantially the same product that is the subject of a countervailing duty or anti-dumping order or a section 201 determination by the International Trade Commission.

The legislation now also requires the Export-Import Bank to develop procedures for loans and loan guarantees to a business, which is subject to a preliminary countervailing trade duty or an anti-dumping determination of material injury. So we have taken very specific action in the committee on the Toomey amendment to address the concerns that came out of the Benxi steel case.

Fourth, I would say the Export-Import Bank is critical in maintaining U.S. jobs. It creates thousands of jobs every year.

I would like to give a quote from John J. Sweeney, the President of AFL-CIO. He says, "As far as we're concerned, corporations which receive subsidies from the Export-Import Bank are merely vehicles through which jobs and income for American workers are created."

I might also mention, this legislation is supported by the International Association of Machinists and Aerospace Workers. They strongly support passage of the legislation.

Now is not the time to take an action that is not responsible. We need to approve the 1-month extension today to keep the disruption from the Export-Import Bank's customers, the American exporters, from taking place.

We will have a full debate tomorrow. I am confident that the bill will give the gentleman from Vermont (Mr. SANDERS), for example, and other key members of the committee, as well as certain other Members of the House who have important amendments, an opportunity to present such amendments to be fully debated, and if necessary, a vote in the House.

Mr. Speaker, it is important we approve this legislation today under suspension. I urge my colleagues to support the passage of S. 2248.

Mr. LAFALCE. Mr. Speaker, I rise in strong support of this 30-day extension of authorization for the Export-Import Bank. Absent this extension, the Bank's authorization will expire, forcing Ex-Im to begin liquidation of its existing contracts and prohibiting any new transactions.

It is very important to understand that this 30-day extension is independent of consideration of H.R. 2871, the 4-year reauthorization of the Ex-Im Bank. H.R. 2871 will be considered tomorrow under a rule, which will give Members an opportunity to offer and debate amendments to the bill. That is the appropriate

venue for consideration of more substantive issues related to the Bank's authorization. Today's 30-day extension is necessary to avert a major disruption of Ex-Im operations during the time it takes to consider H.R. 2871 and conference it with the Senate.

Failure to pass the 30-day extension will not only harm the reputation of the Ex-Im Bank. It will also cause serious economic harm to American businesses, including the thousands of small business exporters that account for 90 percent of the Bank's transactions. It will be a setback for U.S. credibility in the global economy, potentially triggering lack of confidence in the U.S. government as a creditor and guarantor in international financial transactions. And it will send the wrong message on the foreign policy front at a time when we are working hard to engage with other countries in the war on terrorism.

Mr. BEREUTER. 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 Nebraska (Mr. BEREUTER) that the House suspend the rules and pass the Senate bill, S. 2248.

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. SANDERS. 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.

#### PERSONAL EXPLANATION

Ms. HARMAN. Mr. Speaker, on roll call vote 114 last Thursday, April 24, I am not listed as having voted, although I am quite certain I placed my voting card into the voting machine.

Let the record show I intended to vote no on roll call vote 114, the Issa amendment to the Immigration Reform and Accountability Act.

#### AUTHORIZING USE OF CAPITOL GROUNDS FOR NATIONAL PEACE OFFICERS' MEMORIAL SERVICE

Mrs. CAPITO. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 347) authorizing the use of the Capitol Grounds for the National Peace Officers' Memorial Service.

The Clerk read as follows:

H. CON. RES. 347

*Resolved by the House of Representatives (the Senate concurring),*

#### SECTION 1. USE OF CAPITOL GROUNDS FOR NATIONAL PEACE OFFICERS' MEMORIAL SERVICE.

(a) IN GENERAL.—The National Fraternal Order of Police and its auxiliary (in this resolution referred to as the "sponsor") shall be permitted to sponsor a public event, the 21st annual National Peace Officers' Memorial Service (in this resolution jointly referred to

as the "event"), on the Capitol Grounds, in order to honor the law enforcement officers who died in the line of duty during 2001.

(b) DATE OF EVENT.—The event shall be held on May 15, 2002, or on such other date as the Speaker of the House of Representatives and the Committee on Rules and Administration of the Senate jointly designate.

#### SEC. 2. TERMS AND CONDITIONS.

(a) IN GENERAL.—Under conditions to be prescribed by the Architect of the Capitol and the Capitol Police Board, the event shall be—

(1) free of admission charge and open to the public; and

(2) arranged not to interfere with the needs of Congress.

(b) EXPENSES AND LIABILITIES.—The sponsor shall assume full responsibility for all expenses and liabilities incident to all activities associated with the event.

#### SEC. 3. EVENT PREPARATIONS.

Subject to the approval of the Architect of the Capitol, the sponsor is authorized to erect upon the Capitol Grounds such stage, sound amplification devices, and other related structures and equipment, as may be required for the event.

#### SEC. 4. ENFORCEMENT OF RESTRICTIONS.

The Capitol Police Board shall provide for enforcement of the restrictions contained in section 4 of the Act of July 31, 1946 (40 U.S.C. 193d; 60 Stat. 718), concerning sales, advertisements, displays, and solicitations on the Capitol Grounds, as well as other restrictions applicable to the Capitol Grounds, in connection with the event.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from West Virginia (Mrs. CAPITO) and the gentleman from the District of Columbia (Ms. NORTON) each will control 20 minutes.

The Chair recognizes the gentlewoman from West Virginia (Mrs. CAPITO).

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

Mr. Speaker, House Concurrent Resolution 347 authorizes the use of the Capitol Grounds for the 21st Annual National Peace Officers' Memorial Service to be held on May 15, 2002.

In 2001, over 230 Federal, State, and local law enforcement officers were killed in the line of duty protecting and serving our Nation. The officers remembered in this service represent the risk involved in civilian protection, as well as the selflessness necessary to perform their duties. This memorial service will honor the courage and commitment of these men and women.

The memorial service will be one part of the annual Police Week, which is sponsored by the National Law Enforcement Officers Memorial Fund. This week of special events always occurs during the calendar week in which the National Peace Officers Memorial Day falls.

The week features such events as the Eighth Annual Blue Mass at St. Patrick's Catholic Church, the National Police Challenge 50K relay, the 7th Annual Motorcycle Dice Ride, the Seventh Annual Law Ride, the 14th Annual Candlelight Vigil at the National Law Enforcement Officers' Memorial, the Fraternal Order of Police and Auxiliary Wreath-laying Ceremony, and the

memorial service authorized by this resolution.

I am proud and honored to bring this bipartisan resolution to the floor. I urge my colleagues to join me in supporting this resolution, which honors the many brave men and women of law enforcement who gave their lives in the line of duty to make America a safer place to live and work. I urge my colleagues to join me in supporting this resolution.

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

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

Mr. Speaker, House Concurrent Resolution 347 authorizes the use of the Capitol Grounds for the 21st Annual National Peace Officers' Memorial Service, a most solemn and respectful public event honoring our Nation's brave civil servants. The event, scheduled for May 15, will be coordinated with the Office of the Architect of the Capitol and the Capitol Hill Police.

I strongly support this tribute to Federal, State, and local police who gave their lives in the daily work of protecting our families, our homes, our places of work, and us. Over 230 brave men and women were killed in the line of duty during 2001. Included in that number are the 72 officers who lost their lives on September 11, 2001.

On average, one officer is killed in this country every other day, approximately 23,000 are injured every year, and thousands are assaulted going about their daily routines.

During 2001, 219 policemen and 11 policewomen were killed. The average age of those killed was 38 years, and they had an average of 11.7 years of service. The youngest was 21 years old and the oldest was 78 years. Their years of service range from being a rookie to 38 years.

Today, peace officers often must keep the peace even in the homeland, as we saw on September 11, especially here in the District of Columbia. They must be prepared for the unimagined, not only to prevent crime but to prevent disaster, biological and terror.

Mr. Speaker, the ceremony to be held on May 15 is the 21st anniversary of this memorial service. Consistent with all Capitol Hill events, the memorial service will be free and open to the public.

I support the resolution, and I urge my colleagues to join me in supporting this tribute to our fallen peace officers.

Mr. OBERSTAR. Mr. Speaker, I rise in support of H. Con. Res. 347 and urge my colleagues to join me in support of this important resolution, which authorizes the use of the Capitol Grounds for the National Peace Officers' Memorial Service on May 15, 2002.

President Kennedy proclaimed May 15th as National Peace Officers' Memorial Day. Each year on this date we, as a Nation, have an opportunity to honor the dedication and devotion of our Nation's peace officers. This May will mark the 21st anniversary of the Memorial Service on the Capitol Grounds. The tragic events of September 11 have reminded us of

the great personal sacrifices that our Nation's peace officers make in order to serve the public. Their selflessness has become a model of American strength and courage.

There are approximately 700,000 sworn law enforcement officers serving the American public today. During 2001, more than 230 peace officers were killed in the line of duty, of those killed, eleven were women. The average age of those killed in the line of duty was 38 years. The youngest officer killed was 21; the oldest was 78.

It is most fitting and proper to honor the lives, sacrifices, and public service of our brave peace officers.

I urge support for H. Con. Res. 347.

Mr. COSTELLO. Mr. Speaker, H. Con. Res. 347 authorizes use of the Capitol Grounds for the 21st annual National Peace Officers Memorial Service—a most solemn and respectful service. As a former law enforcement official, this ceremony has a special meaning to me, and I strongly support this resolution that honors the police officers, 230 brave men and women, who gave their lives in the daily work of protecting our families and us.

On average, one officer is killed in this country every other day, approximately 23,000 are injured every year, and thousands are assaulted going about their daily routines.

During last year very devoted, heroic officers from the ranks of State, local and Federal service were killed in the line of duty—219 men, and 11 women were killed. The average age of those killed was 38 years, and they had an average of 11.7 years in service.

In my State of Illinois 7 brave police officers dies in the line of duty during 2001—At this time I would like to read their names into the RECORD:

Myron Deckard—Vermillion County, Illinois  
Stanley Talbor—Illinois State Police  
Brian T. Strause—Chicago  
Kevin Rice, Sr.—Rockford  
Eric D. Lee—Chicago  
Donan J. Faulkner, Jr.—Peoria  
Hector A. Silva—Chicago

Mr. Speaker, the ceremony to be held on May 15 is the 21st anniversary of this memorial service. I support the resolution and urge my colleagues to join me in supporting this tribute to our fallen Peace Officers.

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

Mrs. CAPITO. 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 gentlewoman from West Virginia (Mrs. CAPITO) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 347.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

#### AUTHORIZING USE OF CAPITOL GROUND FOR NATIONAL BOOK FESTIVAL

Mrs. CAPITO. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 348)

authorizing the use of the Capitol Grounds for the National Book Festival.

The Clerk read as follows:

H. CON. RES. 348

*Resolved by the House of Representatives (the Senate concurring),*

#### SECTION 1. AUTHORIZATION OF USE OF CAPITOL GROUND FOR NATIONAL BOOK FESTIVAL.

(a) IN GENERAL.—The Library of Congress (in this resolution referred to as the "sponsor"), in cooperation with the First Lady, may sponsor the National Book Festival (in this resolution referred to as the "event") on the Capitol Grounds.

(b) DATE OF EVENT.—The event shall be held on September 21, 2002, or on such other date as the Speaker of the House of Representatives and the Committee on Rules and Administration of the Senate jointly designate.

#### SEC. 2. TERMS AND CONDITIONS.

(a) IN GENERAL.—Under conditions to be prescribed by the Architect of the Capitol and the Capitol Police Board, the event shall be—

(1) free of admission charge and open to the public; and

(2) arranged not to interfere with the needs of Congress.

(b) EXPENSES AND LIABILITIES.—The sponsor shall assume full responsibility for all expenses and liabilities incident to all activities associated with the event.

#### SEC. 3. EVENT PREPARATIONS.

(a) STRUCTURES AND EQUIPMENT.—Subject to the approval of the Architect of the Capitol, the sponsor may cause to be placed on the Capitol Grounds such stage, seating, booths, sound amplification and video devices, and other related structures and equipment as may be required for the event, including equipment for the broadcast of the event over radio, television, and other media outlets.

(b) ADDITIONAL ARRANGEMENTS.—The Architect of the Capitol and the Capitol Police Board may make any additional arrangements as may be required to carry out the event.

#### SEC. 4. ENFORCEMENT OF RESTRICTIONS.

The Capitol Police Board shall provide for enforcement of the restrictions contained in section 4 of the Act of July 31, 1946 (40 U.S.C. 193d; 60 Stat. 718), concerning sales, displays, advertisements, and solicitations on the Capitol Grounds, as well as other restrictions applicable to the Capitol Grounds in connection with the event.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from West Virginia (Mrs. CAPITO) and the gentlewoman from the District of Columbia (Ms. NORTON) each will control 20 minutes.

The Chair recognizes the gentlewoman from West Virginia (Mrs. CAPITO).

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

Mr. Speaker, House Concurrent Resolution 348 authorizes the use of the Capitol Grounds for the Library of Congress's National Book Festival, to be held on September 21, 2002. The National Book Festival is a two-day event that will educate children, promote the use of libraries, and encourage the joys of reading.

On Saturday, September 21, First Lady Laura Bush will launch the Second Annual National Book Festival by

connecting with children all across America through live satellite feeds and Web casting of the event. This will be hosted from the main reading room of the Library of Congress for a captivating afternoon reading program. The reading celebration continues at the Thomas Jefferson Building and on the grounds of the United States Capitol.

Much of the weekend's festivities are modeled after a similar book festival that the First Lady launched in Texas. A variety of noted authors and national celebrities will participate, offering readings throughout the afternoon. In addition, folk, jazz, and blues artists will chronicle American storytelling through music.

The President and First Lady have been strong advocates of education and reading, since it serves as the foundation from which we all learn and grow. I encourage any Members in town that weekend to attend this event with their young family members, in addition to encouraging their constituents to participate in this event, either those that live here in Washington or via the Internet.

I support the resolution, and strongly urge my colleagues to join in support.

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

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

Mr. Speaker, I join the gentlewoman from West Virginia (Mrs. CAPITO) in support of House Concurrent Resolution 348, to authorize using the Capitol Grounds on September 21 for the National Book Festival.

The event, jointly hosted by the Library of Congress and First Lady Laura Bush, is intended to promote the Nation's libraries and celebrate the joys of reading. The book festival, held in September of 2001, was a huge success, drawing approximately 30,000 people to Capitol Hill to enjoy public readings and listen to poetry and music.

The book signings by the festival's invited authors proved to be so popular that the authors had to be moved out of doors to deal with the long lines of loyal fans, leaving many of them to comment that they felt like rock stars.

The book festival 2002 is also expected to be as successful, with prominent authors, music, and other activities throughout the day. As with all events on the Capitol grounds, it is open to the public and is free of charge, and has the support of the Joint Committee on the Library.

The sponsors of this event will coordinate with the Architect of the Capitol and the Capitol Police.

Mr. Speaker, cities all over the United States, localities of every kind, are choosing books for the entire locality to read to once again promote the joy of reading in our society.

I can think of no more worthwhile on-site activity for this Congress to authorize than promoting the reading of books and the joy of reading itself for adults and children alike.

The book festival is a very worthwhile endeavor, and I urge my colleagues to support this resolution.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from West Virginia (Mrs. CAPITO) that the House suspend the rules and agree to the concurrent resolution, House Concurrent Resolution 348.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

#### AUTHORIZING USE OF CAPITOL GROUNDS FOR DISTRICT OF COLUMBIA SPECIAL OLYMPICS LAW ENFORCEMENT TORCH RUN

Mrs. CAPITO. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 354) authorizing the use of the Capitol Grounds for the District of Columbia Special Olympics Law Enforcement Torch Run.

The Clerk read as follows:

H. CON. RES. 354

*Resolved by the House of Representatives (the Senate concurring),*

#### SECTION 1. AUTHORIZATION OF USE OF CAPITOL GROUNDS FOR D.C. SPECIAL OLYMPICS LAW ENFORCEMENT TORCH RUN.

On June 7, 2002, or on such other date as the Speaker of the House of Representatives and the Committee on Rules and Administration of the Senate may jointly designate, the 2002 District of Columbia Special Olympics Law Enforcement Torch Run (in this resolution referred to as the "event") may be run through the Capitol Grounds as part of the journey of the Special Olympics torch to the District of Columbia Special Olympics summer games at Gallaudet University in the District of Columbia.

#### SEC. 2. RESPONSIBILITY OF CAPITOL POLICE BOARD.

The Capitol Police Board shall take such actions as may be necessary to carry out the event.

#### SEC. 3. CONDITIONS RELATING TO PHYSICAL PREPARATIONS.

The Architect of the Capitol may prescribe conditions for physical preparations for the event.

#### SEC. 4. ENFORCEMENT OF RESTRICTIONS.

The Capitol Police Board shall provide for enforcement of the restrictions contained in section 4 of the Act of July 31, 1946 (40 U.S.C. 193d; 60 Stat. 718), concerning sales, advertisements, displays, and solicitations on the Capitol Grounds, as well as other restrictions applicable to the Capitol Grounds, in connection with the event.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from West Virginia (Mrs. CAPITO) and the gentlewoman from the District of Columbia (Ms. NORTON) each will control 20 minutes.

The Chair recognizes the gentlewoman from West Virginia (Mrs. CAPITO).

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

Mr. Speaker, House Concurrent Resolution 353 authorizes the 2002 District

of Columbia Special Olympics Law Enforcement Torch Run, to be conducted through the grounds of the Capitol on June 7, 2002. The Capitol Police will host the opening ceremonies for the run, starting on Capitol Hill, which will be free of charge and open to the public.

Over 2000 law enforcement officers representing 60 local and Federal law enforcement agencies will carry the Special Olympics torch in honor of and to show their support for the 2,500 Special Olympians who will participate in this annual event.

For over a decade, Congress has supported this worthy endeavor by enacting resolutions for the use of the grounds. Since its inception, the Torch Run has been launched from the West Terrace of the Capitol building.

I urge my colleagues to support this resolution.

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

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

Mr. Speaker, this event needs little introduction. 2002 marks the 34th anniversary of the D.C. Special Olympics. The torch relay event is a traditional part of the opening ceremony for the Special Olympics, which takes place at the Gallaudet University here in the District of Columbia.

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Each year, approximately 2,500 Special Olympians compete in over a dozen events and over one million children and adults with special needs participate in the Special Olympic worldwide programs. The event is supported by literally thousands of volunteers. The goal of the games is to help bring mentally handicapped individuals into the larger society under conditions whereby they are accepted and respected. Confidence and self-esteem are the building blocks of these Olympic games.

I enthusiastically support this resolution and the very worthwhile endeavor of the Special Olympics. I urge passage of H. Con. Res. 354.

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

Mrs. CAPITO. 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 gentlewoman from West Virginia (Mrs. CAPITO) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 354.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

**AUTHORIZING USE OF CAPITOL GROUNDS FOR GREATER WASHINGTON SOAP BOX DERBY**

Mrs. CAPITO. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 356) authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby.

The Clerk read as follows:

H. CON. RES. 356

*Resolved by the House of Representatives (the Senate concurring),*

**SECTION 1. AUTHORIZATION OF SOAP BOX DERBY RACES ON CAPITOL GROUNDS.**

The Greater Washington Soap Box Derby Association (in this resolution referred to as the "Association") shall be permitted to sponsor a public event, soap box derby races, on the Capitol Grounds on June 22, 2002, or on such other date as the Speaker of the House of Representatives and the Committee on Rules and Administration of the Senate may jointly designate.

**SEC. 2. CONDITIONS.**

The event to be carried out under this resolution shall be free of admission charge to the public and arranged not to interfere with the needs of Congress, under conditions to be prescribed by the Architect of the Capitol and the Capitol Police Board; except that the Association shall assume full responsibility for all expenses and liabilities incident to all activities associated with the event.

**SEC. 3. STRUCTURES AND EQUIPMENT.**

For the purposes of this resolution, the Association is authorized to erect upon the Capitol Grounds, subject to the approval of the Architect of the Capitol, such stage, sound amplification devices, and other related structures and equipment as may be required for the event to be carried out under this resolution.

**SEC. 4. ADDITIONAL ARRANGEMENTS.**

The Architect of the Capitol and the Capitol Police Board are authorized to make any such additional arrangements that may be required to carry out the event under this resolution.

**SEC. 5. ENFORCEMENT OF RESTRICTIONS.**

The Capitol Police Board shall provide for enforcement of the restrictions contained in section 4 of the Act of July 31, 1946 (40 U.S.C. 193d; 60 Stat. 718), concerning sales, advertisements, displays, and solicitations on the Capitol Grounds, as well as other restrictions applicable to the Capitol Grounds, with respect to the event to be carried out under this resolution.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from West Virginia (Mrs. CAPITO) and the gentlewoman from the District of Columbia (Ms. NORTON) each will control 20 minutes.

The Chair recognizes the gentlewoman from West Virginia (Mrs. CAPITO).

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

Mr. Speaker, House Concurrent Resolution 356 authorizes the use of the Capitol grounds for the greater Washington Soap Box Derby qualifying races to be held on June 22, 2002.

The event is open to the public and free of charge and the sponsor assumes responsibility for all expenses and liabilities related to the event.

The races are to take place on Constitution Avenue between Delaware

Avenue and Third Street Northwest. The participants competing in the events are residents of the Washington metropolitan area and range in ages from 9 to 16. Participants will compete in three open divisions based on their experience in building their vehicles. This event is currently one of the oldest of its kind in the country, having taken place for over 55 years. The winner will go on to represent the Washington metropolitan area at the national finals to be held in Akron, Ohio, later in the summer.

Participants in these events learn the value of hard work, dedication and attention to detail, since any loose parts or screws may affect their time in the event.

I support the resolution and urge my colleagues to do the same.

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

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

Mr. Speaker, I am delighted to join the sponsor in supporting H. Con. Res. 356 and acknowledging the efforts of the gentleman from Maryland (Mr. HOYER), who has been such a great champion for his constituents for this event.

As usual, this event has bipartisan support with co-sponsors including the gentlewoman from Maryland (Mrs. MORELLA), the gentleman from Virginia (Mr. WOLF) and the gentleman from Virginia (Mr. MORAN), the gentleman from Maryland (Mr. WYNN), and myself.

H. Con. Res. 356 authorizes use of the Capitol grounds for the Greater Washington Soap Box Derby. Youngsters ages 9 through 16 construct and operate their own soap box vehicles. On June 22, 2002, these youngsters of the greater Washington area race down Constitution Avenue to test the principles of aerodynamics in hand-designed and -constructed soap box vehicles.

Many hundreds of volunteers donate considerable time supporting the events and providing families with a fun-filled day. The event has grown in popularity and Washington is now known as one of the outstanding race cities. In keeping with standard procedures, the event is conducted under conditions prescribed by the Architect of the Capitol and the Police Board. It is free and open to the public.

Mr. Speaker, I support H. Con. Res. 356 and thank the gentleman from Maryland (Mr. HOYER) for his work in originating this resolution.

Mr. HOYER. Mr. Speaker, for the past ten years, I have sponsored a resolution for the Greater Washington Soap Box Derby to hold its race along Constitution Avenue.

Once again, I am proud to have sponsored H. Con. Res. 356 to permit the 65th race of the Greater Washington Soap Box Derby. It is scheduled to take place on the Capitol grounds on Saturday, June 22, 2002.

This resolution authorizes the Architect of the Capitol, the Capitol Police Board, and the Greater Washington Soap Box Derby Association to negotiate the necessary arrangements

for conducting the race in complete compliance with the rules and regulations governing the use of the Capitol grounds.

I request my colleagues to join with me, and other co-sponsors including representative JIM MORAN, CONNIE MORELLA, ELEANOR HOLMES NORTON, FRANK WOLF, and ALBERT WYNN in supporting this resolution.

The Soap Box Derby has been in the Washington, D.C., area since 1992. It has attracted over 50 contestants each year. The participants range from ages 9 to 16.

The participants work very hard to prepare for the local Soap Box Derby. They are given an opportunity to learn basic skills of workmanship. They build their own race cars from a kit provided by the All-American Soap Box Derby Program. The participants are able to enhance their building skills to create a basic style car.

Winners of three levels of the local race become eligible to compete in the National Soap Box Derby races held in Akron, Ohio. Prior to the National races, they attend a week of camp in "Derbytown" where they make lasting friendships while participating in a variety of sporting activities. The National races are held in August and give the participants a chance to win scholarships and merchandise prizes.

Mr. Speaker, this even has been called "The Greatest Amateur Racing Event in the World". This is a wonderful opportunity for our children from the District of Columbia, Maryland, and Virginia to venture into the world of science, while experiencing the spirit of competition.

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

Mrs. CAPITO. 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 gentlewoman from West Virginia (Mrs. CAPITO) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 356.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

**GENERAL LEAVE**

Mrs. CAPITO. 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 House Concurrent Resolutions 347, 348, 354, 356, the measures just considered by the House.

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

There was no objection.

**SUPPORTING NATIONAL BETTER HEARING AND SPEECH MONTH**

Mr. BILIRAKIS. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 358) supporting the goals and ideals of National Better Hearing and Speech Month, and for other purposes.

The Clerk read as follows:

H. CON. RES. 358

Whereas the National Institute on Deafness and Other Communication Disorders (NIDCD) reports that approximately 42,000,000 people in the United States suffer from a speech, voice, language, or hearing impairment;

Whereas almost 28,000,000 people in the United States suffer from hearing loss;

Whereas 1 out of every 3 people in the United States more than 65 years of age suffers from hearing loss;

Whereas although more than 25,000,000 people in the United States would benefit from the use of a hearing aid, fewer than 7,000,000 people in the United States use a hearing aid;

Whereas sounds louder than 80 decibels are considered potentially dangerous and can lead to hearing loss;

Whereas the number of young children who suffer hearing loss as a result of environmental noise has been increasing;

Whereas every day in the United States approximately 33 babies are born with significant hearing loss;

Whereas hearing loss is the most common congenital disorder in newborns;

Whereas a delay in diagnosing a newborn's hearing loss can affect the child's social, emotional, and academic development;

Whereas the average age at which newborns with hearing loss are diagnosed is between 12 and 25 months;

Whereas more than 1,000,000 children received speech or language disorder services under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.) during the school year ending in 1998;

Whereas children with language impairments are 4 to 5 times more likely than their peers to experience reading problems;

Whereas 10 percent of children entering the first grade have moderate to severe speech disorders, including stuttering;

Whereas stuttering affects more than 2,000,000 people in the United States;

Whereas approximately 1,000,000 people in the United States have aphasia, a language disorder inhibiting spoken communication that results from damage caused by a stroke or other traumatic injury to the language centers of the brain; and

Whereas for the last 75 years May has been celebrated as National Better Hearing and Speech Month in order to raise awareness regarding speech, voice, language, and hearing impairments and to provide an opportunity for Federal, State, and local governments, members of the private and nonprofit sectors, speech and hearing professionals, and the people of the United States to focus on preventing, mitigating, and curing such impairments: Now, therefore, be it

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

(1) supports the goals and ideals of National Better Hearing and Speech Month;

(2) commends the 41 States that have implemented routine hearing screenings for every newborn before the newborn leaves the hospital;

(3) supports the efforts of speech and hearing professionals in their efforts to improve the speech and hearing development of children; and

(4) encourages the people of the United States to have their hearing checked regularly and to avoid environmental noise that can lead to hearing loss.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. BILIRAKIS) and the gentleman from Ohio (Mr. BROWN) each will control 20 minutes.

The Chair recognizes the gentleman from Florida (Mr. BILIRAKIS).

GENERAL LEAVE

Mr. BILIRAKIS. 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 material on H. Con. Res. 358.

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

There was no objection.

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

Mr. Speaker, today I rise in support of H. Con. Res. 358, which supports the goals and ideals of a National Better Hearing and Speech Month. Approximately 42 million Americans suffer from a speech, voice, language or hearing disability. For the last 75 years, the month of May has been celebrated as National Better Hearing and Speech Month to help raise awareness on how to prevent, mitigate and cure these impairments.

Communication is indispensable for learning, working, playing, and enjoying family life and friendships. Children with listening difficulties due to hearing loss continue to be an under-identified and underserved population. The earlier the problem is diagnosed and addressed, the less serious the long-term impact. That is why I was so pleased that provisions relating to hearing loss in infants were included in the Children's Health Act of 2000. My good friend from New York (Mr. WALSH) was instrumental in this effort.

This resolution commended the 41 States that have implemented routine hearing screening for every newborn delivered in a hospital. I am happy to report that my home State of Florida vigorously promotes this policy by screening the newborns at all birthing facilities prior to discharge. Recent developments have shown that interventions to address auditory problems in newborns greatly enhanced the success rate in overcoming hearing-loss issues. Each adult and child with hearing loss is affected differently, which is why it is critical to detect hearing loss early and to determine the extent of loss in order to intervene appropriately.

This resolution encourages all Americans to have their hearing checked regularly and encourages individuals to avoid environmental noise that can lead to hearing loss.

Mr. Speaker, I urge my colleagues to support H. Con. Res. 358.

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

Mr. BROWN of Ohio. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the National Institute of Deafness and Other Communication Disorders reports that some 40 million people suffer from a speech, voice, language, or hearing impediments.

Many of these impairments are found at birth. Every day about 33 babies are

born with hearing loss, the most common congenital disorder in newborns. For the past 75 years, May has been celebrated as National Better Hearing and Speech Month, raising awareness about speech, voice, hearing, and language impairments.

Federal, State, and local governments, as well as members of the speech and hearing profession, have used May as an opportunity to educate the public about preventing, mitigating, and treating these impairments.

This resolution commends their work and that of the 41 States that have implemented routine hearing screening for every newborn.

I want to thank my colleague, the gentleman from Kansas (Mr. RYUN), and others for introducing this resolution; and I hope my colleagues would support it.

I would add, Mr. Speaker, as we occupy time on the House floor today doing not inconsequential things but things that do not directly have major positive impact on people's lives, passing resolutions like this, which I do support, and using them to educate the public about preventing and mitigating and treating speech and hearing loss, I think this Congress needs to do more on real health issues. That means issues like prescription drugs, issues like access to health care, issues like ensuring 40 million Americans are insured. Because to be sure, Mr. Speaker, checking for hearing, doing screenings, all of these things are programs that we can do something about.

In addition to doing a resolution, I would hope this Congress would put aside its fervor to cut taxes on the wealthiest people and instead would be using some of those resources for prescription drugs, for hearing and speech screening, for all the kinds of things that will make people's health care better and make people's lives better.

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

Mr. BILIRAKIS. Mr. Speaker, I yield such time as he may consume to the gentleman from Kansas (Mr. RYUN), who not only is the author of this resolution but who has personally experienced this problem and who has shared that with many of us over the years.

Mr. RYUN of Kansas. Mr. Speaker, today I come to the House in support of the National Better Hearing and Speech Month. For 75 years, the month of May has been designated as a time to celebrate the hope available to Americans with speech and hearing impairments and to raise awareness about the need to protect their hearing.

Speech and hearing impairments impair the lives of many Americans. In fact, almost 28 million people in the United States suffer from a hearing loss. One out of every three people in the United States of an age greater than 65 suffer some sort of a hearing loss and every day in the United States approximately 33 babies are born with significant hearing loss.

As someone who has had a hearing impairment, I certainly know what a gift sound is, and I also know some of the struggles that go along with finding a proper hearing aid. My hearing loss is as a result of an illness that I had as a child. It was discovered a time later, and then it was decades before I could find the proper hearing devices to help me.

My wife, Ann, served as my hearing aid. She graciously helped me communicate for years before I could find the solution that would help me and I could work with.

Many dedicated professionals have assisted me over the years in my quest to find the help I have sought. And I would like to thank them for the work they have done in making not only my life better but so many others.

For those who have yet to have a hearing loss and have good hearing, I urge you to avoid harsh environments with noises that can damage your hearing and cause permanent hearing loss. Any sounds over 85 decibels can damage your hearing. For example, listening to an ambulance siren for 9 seconds, a smoke alarm for a minute and a half, or airplane cabin noise for a couple of minutes can damage your hearing. And I will say it is not retractable. It is much easier to protect your hearing now than to suffering from hearing impairments.

I urge my colleagues to support May as National Better Hearing and Speech Month. It would be an encouragement not only to your constituents but those who suffer some sort of hearing and speech impairment back in the district, as well as those dedicated professionals who have worked together to help make this a better field.

Mr. BROWN of Ohio. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, speaking earlier today, in fact, walking over from my office in Rayburn to the House floor to work with the gentleman from Florida (Mr. BILIRAKIS) on the Ryun legislation today, and I was talking to some people whose families have Alzheimer's, who are advocating for Alzheimer's patients, again, this Congress is falling short on substantive kinds of issues to help people with Alzheimer's. There are some four or five million people suffering from Alzheimer's today.

If we do not do the research right, if we do not take care of those people well enough, that number is going to be as high, they say, in the next few years as 14 million patients.

We are falling short on what we are doing for community health centers and the National Health Service Corps, from the Community Access Program that my friend, the gentleman from Texas (Mr. GREEN), has worked on, the Chronic Disease Prevention program with CDC, nurses shortage, pharmacist shortage, the problems with home health care reimbursement, the problems with physician reimbursements, the problems with hospitals, especially rural hospital and inner-city hospitals reimbursement.

Those are the kinds of issues this Congress should work on. Not to belittle this resolution, which is important to educate people on speech and hearing loss, but this Congress needs to get its act in gear and begin to deal with issues like prescription drugs and reimbursements issues for providers and all the kinds of public health issues that this Republican Congress does not seem too very interested in.

The gentleman from Florida (Mr. BILIRAKIS), the chairman of our subcommittee, has done yeoman's work in trying to bring these issues forward. Unfortunately, the Republican leadership is not nearly so interested as many of us are on the committee in moving forward on public health issues, on prescription drug issues, community health centers and community access programs and CDC, and all the things that really will make a difference beyond the passage of a few resolutions that this Congress seems intent on doing week after week after week.

□ 1630

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

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

Before I yield to the gentleman from New York (Mr. WALSH), I would thank the gentleman from Ohio (Mr. BROWN) for his kind remarks. Certainly I do not disagree with them. I think it is important that all of us, rather than just a lot of rhetoric, sit down and try to work these things out, and if we have basically hard, fast, nonobjective thoughts about how things ought to be, nothing is ever going to get done.

I dare say that the gentleman from Ohio is not among the category of some people who would rather have an issue November. I really feel with my heart that he wants to do something about these things, and hopefully, working together, we can accomplish it.

Mr. Speaker, I yield such time as he might consume to the gentleman from New York (Mr. WALSH), the author of the hearing bill in the year 2000, who along with the gentleman from Kansas (Mr. RYUN) has really been the conscience of the Congress on this issue.

Mr. WALSH. Mr. Speaker, I thank the gentleman from Florida (Mr. BILIRAKIS) for the leadership that he provides in this Congress on health issues and especially those that affect children.

I would respectfully disagree with my colleague from Ohio who spoke earlier. There is no partisanship in this issue. There is great leadership on both sides of the aisle from both parties. Our health is something we all hold in common.

I rise today in strong support of H. Con. Res. 358 designating May 2002 as National Better Hearing and Speech Month. I commend my colleague, the gentleman from Kansas (Mr. RYUN), for introducing this resolution and also for

his hard work and contributions as a co-chair of the bipartisan Congressional Hearing Health Caucus. Because of his personal experience with hearing loss, he brings firsthand knowledge of living with hearing loss to our caucus and to the public as a whole.

Thirteen years ago I began working with the deaf and hard-of-hearing community to craft legislation to have all infants screened for hearing loss at birth. At that time, only three hospitals in the country had programs, and only 3 percent of all infants born in the United States were being screened.

Since passage of the Newborn Infant Hearing Screening and Intervention Act of 1999, which gives States seed money through HRSA and CDC to set up their own screening and intervention programs, we are now screening 66 percent of infants born. This is remarkable progress, and yet we have much more to do.

Unfortunately, this year's budget zeros out funding at HRSA for these programs and basically level-funds the programs at CDC. I am working very closely with my fellow caucus co-chairs, the gentleman from Kansas (Mr. RYUN), the gentlewoman from California (Mrs. CAPP), and the gentlewoman from New York (Mrs. MCCARTHY), to ensure that this critical program receives additional appropriations so that we can screen all children.

The science in this area is clear. By identifying children with hearing loss by age 3 months and beginning intensive intervention by age 6 months, these children can and do develop communication skills on par with their normal hearing counterparts by the time they are ready to enter school. The next step is to ensure that children identified get appropriate interventions through the medical, audiological, educational and community support systems. All of these components are equally important.

Before I close, I want to invite all of my colleagues to a hearing health fair to be held on Wednesday, May 8, 2002, from 11:00 a.m. to 1:00 p.m. in the Rayburn House Office Building foyer. At this event our Federal agency counterparts, as well as several advocacy groups, will have representatives at booths to meet with anyone needing information on hearing health issues. I encourage everyone to attend as this will be a wonderful opportunity to have questions answered on anything from hearing aids to testing and living with hearing loss.

While most of my comments have focused on infants with hearing loss, the issue affects people of all ages. Regardless of whether hearing loss is genetic, disease-based, a function of the aging process or of unknown etiology, most people can be helped to maximize their hearing capabilities and communication skills, and I encourage my colleagues to take the opportunity to get a hearing screening during National Better Hearing and Speech Month.

Mr. Speaker, in closing, I would just like again to thank the gentleman from Florida (Mr. BILIRAKIS) for his leadership. He is one of the newest members of the Health Hearing Caucus. We are delighted that he is and we urge him to continue his important leadership.

Mr. DINGELL. Mr. Speaker, for 75 years, May has been designated Better Hearing and Speech Month. With an estimated 42 million Americans affected by speech, language, and hearing disorders, audiologist and speech language pathologist have made a special effort during this month to inform, educate, and raise awareness about this critical health care issue.

It is estimated that one in six Americans has a hearing, speech, or language problem—a condition that makes it difficult to communicate with others. An impairment of the ability to hear, speak, or understand effectively can affect anyone, of any age, at any time. If left untreated these problems can limit a person at home, school, and work. With proper treatment, however, the isolating effects of communication disorders can be minimized or completely eliminated.

As with most health care conditions, it is critical that communication disorders be diagnosed early. As the most common congenital birth defect, hearing loss can severely affect a child's social, emotional, and academic development. That is why I urge all 50 states to follow the example of my home state of Michigan, and implement routine hearing screens for every newborn before they leave the hospital. Also, hearing loss among Americans age 65 and over affects one out of three people, but without effective screening, many are condemned to suffer in silence. We must seek comprehensive hearing screening for all Americans.

Therefore, I support this resolution recognizing May as Better Hearing and Speech Month and urge the people of the United States to focus on preventing, mitigating, and curing communication disorders.

Mrs. MCCARTHY of New York. Mr. Speaker, I rise today in support of H. Con. Res. 358 and in celebration of May, National Better Hearing and Speech Month.

Did you know that 28 million people in the United States today suffer from hearing loss, and 16 million people have a speech or language disorder? 42 million people have a speech, language, voice or hearing impediment. Hearing loss is the most common congenital disorder found in newborns, and ten percent of children entering the first grade suffer from mild speech disorders like stuttering.

As a nurse, I know the issue of speech and hearing health affects many different people, from infants to adults to senior citizens. You can be born with a disorder, or you can develop one later in life due to late onset of a specific impediment, a stroke or traumatic event. But many Americans don't realize the extent to which our society deals with speech and hearing disorders. That is why, since 1927, the speech and hearing community has celebrated May as a month to increase national awareness of this health problem.

As a nurse, I understand the importance of getting the right healthcare immediately, especially when it comes to our children. Deafness is the most common birth defect; that out of the 12,000 babies born in the U.S. each year with hearing loss, 4,000 of them are pro-

foundly deaf and need a cochlear implant, and 8,000 need hearing aids. Unless a child gets medical attention by the time they are two, permanent damage is done to his or her language and speech.

A newborn hearing test is simple and easy, and only costs \$35. Our babies are subjected to batteries of other tests, and I think it's crucial for this one to be included.

As a founding member of the Congressional Hearing Caucus, I am extremely proud of H. Con. Res. 358. Not only does this resolution support the goals and ideals of National Better Hearing and Speech Month, it calls attention to and commends the 41 states that have implemented routine hearing screenings of every newborn before the baby leaves the hospital.

The resolution also supports the efforts of speech and hearing professionals to improve the speech and hearing development of children and encourages all Americans to have their hearing checked regularly and to avoid environmental noise that can lead to hearing loss.

All across the United States, people are trying to make a difference. I commend everyone in the speech and hearing community for their education and awareness efforts, as well as the extraordinary level of care and medical attention they give to their patients.

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

Mr. BILIRAKIS. Mr. Speaker, I do not have any 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 Florida (Mr. BILIRAKIS) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 358.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

#### ESTABLISHING A NATIONAL MINORITY HEALTH AND HEALTH DISPARITIES MONTH

Mr. BILIRAKIS. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 388) expressing the sense of the Congress that there should be established a National Minority Health and Health Disparities Month, and for other purposes.

The Clerk read as follows:

##### H. CON. RES. 388

Whereas in 2000, the Surgeon General of the Public Health Service announced as a goal the elimination by 2010 of health disparities experienced by racial and ethnic minorities in health access and outcome in 6 areas: infant mortality, cancer screening, cardiovascular disease, diabetes, acquired immunodeficiency syndrome and human immunodeficiency virus infection, and immunizations;

Whereas despite notable progress in the overall health of the Nation there are continuing health disparities in the burden of illness and death experienced by African-Americans, Hispanics, Native Americans,

Alaska Natives, Asians, and Pacific Islanders, compared to the United States population as a whole;

Whereas minorities are more likely to die from cancer, cardiovascular disease, stroke, chemical dependency, diabetes, infant mortality, violence, and, in recent years, acquired immunodeficiency syndrome;

Whereas there is a national need for scientists in the fields of biomedical, clinical, behavioral, and health services research to focus on how best to eliminate health disparities;

Whereas individuals such as underrepresented minorities and women in the workforce enable society to address its diverse needs; and

Whereas behavioral and social sciences research has increased awareness and understanding of factors associated with health care utilization and access, patient attitudes toward health services, and risk and protective behaviors that affect health and illness, and these factors have the potential to be modified to help close the health disparities gap among ethnic minority populations: Now, therefore, be it

*Resolved by the House of Representatives (the Senate concurring)*, That it is the sense of the Congress that—

(1) a National Minority Health and Health Disparities Month should be established to promote educational efforts on the health problems currently facing minorities and other health disparity populations;

(2) the Secretary of Health and Human Services should, as authorized by the Minority Health and Health Disparities Research and Education Act of 2000, present public service announcements on health promotion and disease prevention among minorities and other health disparity populations in the United States and educate the public and health care professionals about health disparities;

(3) the President should issue a proclamation recognizing the immediate need to reduce health disparities in the United States and encouraging all health organizations and Americans to conduct appropriate programs and activities to promote healthfulness in minority and other health disparity communities;

(4) Federal, State, and local governments should work in concert with the private and nonprofit sector to emphasize the recruitment and retention of qualified individuals from racial, ethnic, and gender groups that are currently underrepresented in health care professions;

(5) the Agency for Healthcare Research and Quality should continue to collect and report data on health care access and utilization on patients by race, ethnicity, socioeconomic status, and where possible, primary language, as authorized by the Minority Health and Health Disparities Research and Education Act of 2000, to monitor the Nation's progress toward the elimination of health care disparities; and

(6) the information gained from research about factors associated with health care utilization and access, patient attitudes toward health services, and risk and protective behaviors that affect health and illness, should be disseminated to all health care professionals so that they may better communicate with all patients, regardless of race or ethnicity, without bias or prejudice.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. BILIRAKIS) and the gentleman from Ohio (Mr. BROWN) each will control 20 minutes.

The Chair recognizes the gentleman from Florida (Mr. BILIRAKIS).

## GENERAL LEAVE

Mr. BILIRAKIS. 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. Con. Res. 388.

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

There was no objection.

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

Mr. Speaker, today I rise in support of H. Con. Res. 388. Thanks to numerous medical advances, Americans are healthier than they have ever been before.

Unfortunately, not all Americans have equally shared in this progress. During the 106th Congress, the Committee on Commerce, Subcommittee on Health and Environment, which I chaired, reviewed the health disparities that persist between minority groups and the non-Hispanic white population. Hepatitis C, heart disease, diabetes, lupus, lung cancer and cervical cancer are but a few of the diseases that disproportionately affect minorities in this country.

Congress took an important step forward in addressing health disparities when it passed the Minority Health and Health Disparities Research and Education Act of 2000 late in the 106th Congress. This important legislation created a new National Center on Minority Health and Health Disparities which coordinates biomedical and behavioral research on these issues at the National Institutes of Health. I was pleased to move this legislation through my subcommittee and support it on the House floor.

Among other things, the resolution we are considering today would call for the establishment of a National Minority Health and Health Disparities Month to focus educational efforts on the health problems disproportionately affecting minorities. It also calls on the Secretary of Health and Human Services to develop public service announcements on health promotion and disease prevention. Finally, H. Con. Res. 388 calls for dissemination of information that would help health care professionals communicate in a culturally sensitive manner with all of their patients.

Raising awareness of existing health disparities is necessary to improving the overall health and well-being of the American people. Mr. Speaker, I urge my colleagues to support H. Con. Res. 388.

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

Mr. BROWN of Ohio. Mr. Speaker, I yield myself 2 minutes.

I rise in support of the Christensen resolution. Our values and success as a Nation are a function of multiple races, multiple ethnicities and multiple cultures. The Nation's health care system, our medical research, our medical education and our medical care, should re-

flect that fact, but we have major work to do.

Minority populations have higher rates of cancer, higher rates of heart disease, especially higher rates of diabetes, higher rates of HIV/AIDS. Minorities have shorter life expectancies, higher infant mortality rates and a high, much too high, incidence of premature death. Minorities are less likely in this health care system to receive cancer screening and monitoring. Minorities are less likely to receive childhood and adult vaccinations.

Unless we initiate changes explicitly aimed at reducing disparities in health and health care, those disparities will persist. This resolution is a good start. Among other things, it would encourage the establishment of the Minority Health and Health Disparities Month. It asks the Secretary to deliver public service announcements on health promotion and disease prevention among minorities. It encourages governments to work with the private sector to recruit and to retain qualified individuals from racial and ethnic and gender groups underrepresented in health care professions.

Mr. Speaker, I want to thank the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) for sponsoring this resolution. I urge my colleagues to support it.

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

Mr. BILIRAKIS. Mr. Speaker, I am pleased to yield such time as he may consume to the gentleman from Oklahoma (Mr. WATTS), one of our Republican leaders who has been so very much involved in this legislation but also the legislation we passed in the last Congress.

Mr. WATTS of Oklahoma. Mr. Speaker, I appreciate the gentleman from Florida (Mr. BILIRAKIS) yielding me the time.

Mr. Speaker, I rise to support and increase the awareness of a very serious problem in our Nation today. Despite so much progress in the field of medicine, there is a significant discrepancy in the health of ethnic minorities compared to the rest of our American population. The silent reality should spur more than indignation. The facts and statistics that make up this crisis must be a wake-up call to all of us, regardless of the color of our skin.

The resolution before the House today aims to raise the level of awareness to the disparity of health care concerning members of minority communities. It calls for a dedicated month of minority health care recognition, urges the Secretary of Health and Human Services to develop public service announcements on health promotion and disease prevention among minorities, requests the President to issue a proclamation on minority health care, and encourages better use of data and statistics in order to help eliminate health disparities.

Hispanics, black Americans, Indians and other members of racial minorities

have had higher levels of cancer, cardiovascular disease, stroke, diabetes and infant mortality. This is more than a misfortune. It is a systemic emergency that we must view as a call to action.

Hippocrates recognized the importance of quality health care over 2400 years ago when he said, "A wise man should consider that health is the greatest of human blessings." Let us make sure that all Americans have access to the care they need to sustain a healthy life.

I thank the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) for sponsoring this resolution with me, and I urge my colleagues to support our legislation to increase the level of attention America pays to minority health disparities. With a heightened level of awareness, we can make our country a healthier Nation and better the lives of all her citizens.

Mr. BROWN of Ohio. Mr. Speaker, I yield 5 minutes to the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) who is the sponsor of this resolution.

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

Mrs. CHRISTENSEN. Mr. Speaker, I thank the gentleman from Ohio (Mr. BROWN) for yielding me the time.

I am pleased to rise in support of H. Con. Res. 388, expressing the sense of Congress that there should be established a National Minority Health and Disparities Month, and I want to begin by expressing my gratitude to my co-sponsors of the resolution, my colleagues, Chairman of the House Republican Conference, the gentleman from Oklahoma (Mr. WATTS), and chairman of the Subcommittee on Workforce Protections of the Committee on Education and the Workforce, the gentleman from Georgia (Mr. NORWOOD) for their willingness to join me in putting this important resolution forward.

I also want to thank the gentleman from Florida (Mr. BILIRAKIS) and the gentleman from Ohio (Mr. BROWN) for their support in making it possible to bring this resolution to the floor of the House today.

Mr. Speaker, pick any minority community across our great Nation or any of our Nation's rural areas and the reports will be the same. Minorities and people living in those rural areas, of all races and ethnicities, are dying of preventable diseases in alarmingly excessive numbers. Heart disease, hypertension, HIV/AIDS, cancer, diabetes, stroke and kidney disease predominate as the leading causes of death in these groups in far greater numbers than that of white suburban or urban America.

In addition, substance abuse and diminished mental health continue to take a staggering toll on many individuals in this group and undermine the well-being of our communities.

This resolution in establishing a special month of focus on this national

tragedy will hopefully forge a national resolve to close these gaps through increasing the awareness that gross disparities in health care continue to exist for people of color and those in our rural areas, which disrupt families, damage community and threaten our national security.

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While this resolution is only a beginning, I am pleased and honored to have had a role in bringing it to the floor today, because the existence and the impact of the centuries of disparities in health is a dark blot on this country's legacy, and it must be erased.

Achieving this important goal will not only take a strong and unwavering commitment, but also a significant investment, which would yield immeasurable dividends in terms of the health of our constituents and our Nation. To do otherwise would result in dire consequences of monumental and far-reaching threats, not only to the financial stability of this Nation, but also to our collective productivity, global competitiveness, and our defense capacity. These are risks we cannot afford and must not take.

While health is influenced by only three factors, genetics, environment and behavior, it is my belief that there has been too much focus on the behavior as individuals and not enough on the behavior of institutions that are supposed to serve us and the system that is supposed to provide us with health care. Just this past spring, following on three other important reports, failure to collect needed health data by race and ethnicity by Summit Health, a health care quality survey by the Commonwealth Fund, and another on language interpretation in health care settings by the National Health Law Program, the Institutes of Medicine, following on those, released a hard-hitting eye-opening report entitled *Unequal Treatment: Confronting Racial and Ethnic Disparities in Health Care*.

Mr. Speaker, I am grateful for the opportunity that H. Con. Res. 388 provides to highlight the disparities in health care experienced by racial and ethnic minorities in our country and in our rural communities. The importance of such a month cannot be overestimated. Again, I want to thank my colleagues for their cosponsorship and support, and I urge everyone to support its passage and hope in doing so it will serve as a catalyst to recommit all of us to the creation of a health care system in this country where there are disparities for none and equity in access for all.

Mr. Speaker, I am pleased to rise in support of H. Con. Res. 388, expressing the sense of Congress that there should be established a National Minority Health and Health Disparities Month.

I want to begin by expressing my gratitude to my cosponsors of the resolution, my colleagues, the Chairman of the House Republican Conference, JC WATTS and the Chair-

man of the Workforce Protections Subcommittee of the Education and the Workforce Committee, CHARLIE NORWOOD, for their willingness to join me in putting this important resolution forward.

I also want to thank the Chairman and Ranking Member of the Energy and Commerce Committee for their support in making it possible for the resolution to be on the floor of the House today.

Mr. Speaker, pick any minority community across our great country, whether it be California or Virginia, New York or Texas, the U.S. Virgin Islands or Illinois or any of our nation's rural areas and the reports will all be the same: Minorities and people living in our rural areas, of all races and ethnicities, are dying of preventable diseases in alarmingly excessive numbers. Heart disease, hypertension, HIV/AIDS, cancer, diabetes, stroke and kidney disease predominate as the leading causes on the death certificates these groups in far greater numbers than that of white suburban or urban America.

In addition, substance abuse and diminished mental health continue to take a staggering toll on many individuals in this group, and undermine the well-being of our communities.

This resolution in establishing a special month of focus on this national tragedy, will hopefully forge a national resolve to close these gaps through increasing the awareness that gross disparities in health care continue to exist for people of color and those in our rural areas, which disrupt families damage communities and threaten our national security.

While this resolution is only a beginning, I am pleased and honored to have had a role in bringing it to the floor today, because the existence and impact of the centuries of disparities in health is a dark blot on this country's legacy, and must be erased.

Achieving this important goal will not only take strong, and unwavering commitment, but also a significant investment, which would yield immeasurable dividends, in terms of the health of our constituents and of our nation. To do otherwise would result in dire consequences of monumental and far reaching threats not only to the financial stability of this nation, but also to our collective productivity, global competitiveness, and our defense capacity—Risks we cannot afford and must not take.

Let me share some statistics, but let us never forget that each number represents a real person, who is a part of a real and living family and a community that needs him to her to be a part;

Around 40 million Americans have no health insurance of which 50% are minorities.

Rural populations which are disproportionately poor, uninsured and underserved compared to urban populations, and whose residents are often eligible but unenrolled in publicly sponsored programs are also at particular risk.

This lack of coverage alone, results in 83,000 deaths every year.

HIV/AIDS has become primarily a disease and epidemic of communities of color: In 2002 the rate of reported AIDS cases among African Americans was 8 times the rate for whites and 2 times the rate for Hispanics, which was about three times that of whites.

All minorities except Alaska Natives have a prevalence of type 2 diabetes that is 2 to 6 times greater than that of the white population.

Native American elders are 173% more likely to experience diabetes than the general population;

African Americans and other people of color are likely to seek care later and die in greater numbers from cancer.

This is particularly true for African Americans, whose men, for example, are 2 to 3 times as likely to die of prostate cancer as white men.

According to the national Kidney Foundation, African Americans, Asian and Pacific Islanders and Hispanics are three-times more likely to suffer from end-stage renal disease—complete failure of the kidneys to function—than whites.

In my own district, the U.S. Virgin Islands, we have the highest adjusted mortality rate for circulatory disease (namely heart disease and hypertension) in the Americas.

Our nation's poor, who are more likely to be rural or of color are more likely to be living with mental illness, and be untreated.

These are just a few of many areas where disparities are rampant.

Why is this so? One leading health expert at the National Institutes of Health has repeatedly pointed out that health or lack of it is influenced by three factors, behavior, genetics and environment.

While there is much in the news today about the role of genetics in the diseases that we all face, the evidence is that it plays only a small part.

Today, we are learning more about the relationship between health and the environment, which requires more attention as we can directly seek redress of those issues. And while some point to the fact that many of us in communities of color wait too long to seek treatment, eat the wrong foods, don't exercise or that we continue to smoke or engage in high risk behavior, there are other significant factors, which continue to lead to early death in our families which until now have largely been ignored.

It is my belief that there has been too much focus on our behavior as individuals and as a community and not enough focus on the behavior of the institutions that are supposed to help to serve us, and the system that is supposed to provide us with healthcare.

Just this last spring, following on three other important reports, on failure to collect needed health data by race and ethnicity by SHIRE, and a Health Care quality survey by the Commonwealth Fund, and one on the need for language interpretation in health care settings by the National Health Law Program, the Institutes of Medicine at the National Academy of Sciences released a hard hitting, eye opening report entitled; *Unequal Treatment: Confronting Racial and Ethnic Disparities in Healthcare*.

Mr. Speaker, I ask to submit testimony and summaries of these reports and one from the Kaiser Family foundation, which expand on these issues into my statement, into the record.

In this review of all current research and reports on health care delivery in this country tells an ugly story of health care deferred and denied simply because of race, ethnicity and language.

Mr. Speaker, I am grateful for the opportunity that H. Con. Res. 388 provides to highlight the disparities in health care experienced by racial and ethnic minorities in our country.

The importance of such a month and the need to have one is underscored by the reminder just today at a briefing on the hill from Dr. Brian Smedley of the Institute of Medicine that the issue of disparities is one of life and death, and testimony from Dr. Marsha Lillie Blanton, Vice President for Health Policy of the Henry J. Kaiser Family Foundation at our recent hearing, who stated in a representative survey sample, that most Americans, including people of color did not know that Blacks generally fare worse than whites in terms of infant mortality or that Latinos are less likely than Whites to have health insurance as well as other important facts about health disparities. To further aggravate an already bad condition, some of the same misperceptions are shared by health care providers.

Again I want to thank my colleagues for their cosponsorship and support.

I urge my colleagues to support its passage and hope that in so doing it will serve as the catalyst to recommit all of us to the creation of a health care system where there are disparities for none and equity in access for all.

Mr. Speaker, I submit the summary report I referred to earlier for the RECORD.

ELIMINATING RACIAL/ETHNIC DISPARITIES IN MEDICAL CARE: PROGRESS AND CHALLENGES  
MARSHA LILLIE-BLANTON, DRPH, VICE-PRESIDENT, HEALTH POLICY, THE HENRY J. KAISER FAMILY FOUNDATION, FOR HEARING ON THE STATUS AND PROGRESS OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES INITIATIVE TO ELIMINATE RACIAL AND ETHNIC HEALTH DISPARITIES

THE CONGRESSIONAL BLACK CAUCUS, THE CONGRESSIONAL HISPANIC CAUCUS, AND THE CONGRESSIONAL ASIAN PACIFIC AMERICAN CAUCUS  
APRIL 12, 2002

Good morning. First, I'd like to thank the members of the Congressional Black Caucus (CBC), the Congressional Hispanic Caucus (CHC), and the Congressional Asian Pacific American Caucus (CAPAC) for holding today's hearing on the status and progress of the Department of Health and Human Services' initiative to eliminate racial and ethnic health disparities. I am Marsha Lillie-Blanton, a vice-president of the Henry J. Kaiser Family Foundation and director of the Foundation's work on access to care for vulnerable populations.

The recently released IOM report, *Unequal Treatment*, has helped to refocus the nation's attention on racial and ethnic disparities in medical care. The problem is by no means new, but seldom gets priority attention in public policy discussions around the health care system. Few would disagree that for most of this nation's history, race has been a major factor in determining if and where medical care was obtained; however, its influence today has become more subtle. Public policy efforts, most notably the enactment of Medicaid and Medicare and enforcement of the 1964 Civil Rights Act, have made an enormous difference in reducing the health care divides for some of this nation's most vulnerable populations. So much progress has been achieved that many tend to think that the problems that remain are inconsequential.

The IOW report provides compelling evidence to the contrary. After an extensive review of the research, IOM concluded that there is a "preponderance" of evidence that racial and ethnic disparities in medical care persist for a number of health conditions and services, some of which may contribute to the poorer health outcomes of people of color. The findings are consistent with those

of a comprehensive review of the literature by Robert Mayberry and colleagues from the Morehouse School of Medicine, undertaken about a year ago with funding support from the Foundation.

While there are some who will question whether the racial/ethnic differences in the studies cited by IOM are real or a function of factors not well-measured, the IOM report should help to shift the research focus from documenting disparities to investigating their underlying causes and the impact of interventions. Investigating the underlying causes will be a challenge in large part because the influence of race on the health care system is deeply intertwined with other forces—especially economic and educational opportunities—that shape life in America. Disentangling this web of interrelated factors should be helpful in developing more targeted interventions, but pursuing that research agenda need not delay efforts to address those factors now known to create a barrier in obtaining greater equity in access to quality medical care.

As noted in the IOM report, many factors likely contribute to racial/ethnic disparities in medical care, including patient, provider, and health system related factors. Differences in the extent of health insurance coverage (see Figure 1) are perhaps the most widely recognized of factors, other than health needs, that account for variations in the medical care obtained. The uninsured are less likely than those who are insured to get appropriate care. However, evidence of racial/ethnic differences among individuals who are similarly insured is particularly disturbing since health coverage is considered the "great equalizer" in the health system. In a recent study by Johns Hopkins University researchers Daumit and Powe, the racial disparity in cardiac procedures among men and women was sharply reduced when patients with chronic renal disease qualified for Medicare. However, this study also found that even after enrolling in Medicare, black men with chronic renal disease were less likely to undergo invasive cardiac procedures than white men who were of similar age, clinical characteristics, and other socio-demographic factors (see Figure 2). This study provides strong evidence that race—independent of other factors—is associated with the medical care obtained.

#### *Why such a challenging problem to address*

Efforts to address racial inequalities throughout varying sectors of society are challenging for many different reasons, including the troubling history of race relations in America. However, misperceptions about the nature and extent of the problem in the health care system adds a new level of complexity to efforts to eliminate health and health care disparities. The battle we are waging is with perceptions, as well as the reality of life in America. Two issues, in particular deserve note.

First, the public has a marginal, at best, awareness of racial/ethnic disparities in our health system. In a 1999 national survey of a representative sample of about 4,000 adults, we learned that most Americans, including people of color, didn't know that blacks generally fare worse than whites in terms of infant mortality, or that Latinos are less likely than whites to have health insurance—two indicators that have received considerable attention in the media. The survey also found that a significant majority of whites perceive that African Americans and Latinos get the same quality of care as they do; however, the majority of African Americans and Latinos perceive that they get lower quality care than whites (see Figure 3). These findings make it clear that the public's knowledge about disparities should not be assumed

and the challenge we face is one of public perceptions as well as reality. Not surprisingly, some of the misperceptions of the public are also found among providers of care.

Second, there is a common perception that disparities in medical care are largely a result of patient characteristics (their financial resources, education, help-seeking behavior, preferences for care). This perception persists despite an abundance of studies that control for patient level characteristics (e.g., as measured by income, education, severity of health condition). There are fewer studies that have assessed patient preferences for care, but some offer insight on this issue. In a study of the quality of medical care provided for congestive heart failure and pneumonia—two common health problems in which the care is fairly low-tech and thus assumed to be influenced less by patient choice—Harvard University researchers, Ayanian and colleagues, found that elderly black patients with Medicare received lower quality care than whites based on defined clinical criteria. Similar findings were observed for women relative to men. The analysis adjusted for age, income, and hospital teaching status and used the Rand appropriateness criteria to assess health need.

Perceptions of a problem often influence the actions taken (or not taken) to change policy and practices. If the public is unaware that a problem exists or misunderstands the nature of the problem, it will be difficult to mount effective efforts to address that problem. Societal change requires a public understanding and willingness as well as the resources to address the problem.

#### *Strengthening the Federal response*

In 1999, the U.S. Department of Health and Human Services (DHHS), under the leadership of former Surgeon General, Dr. David Satcher, took a bold step in announcing a national initiative to eliminate health disparities in six health areas by 2010. The Congress provided important leadership to this effort by legislatively mandating the IOM study of health care disparities, creating in statute a Center on Minority Health and Health Disparities at the National Institutes on Health (NIH), and requiring DHHS in 2003 to annually produce a report on the nation's progress in reducing health care disparities as a companion to the National Healthcare Quality Report.

From the leadership of the former Surgeon General and the Congress have come a number of DHHS agency-wide related efforts, including the establishment of Healthy People 2010 goals that are the same for everyone, regardless of race/ethnic identity. Also, DHHS agencies have developed strategic plans for their efforts to eliminate disparities and have funded new initiatives—both research and interventions—to address disparities. Most relevant to eliminating health care disparities are the nine centers of excellence grants of the Agency of Healthcare Research and Quality (AHRQ), which are financed through funds of AHRQ and NIH. These initiative also have served as the catalyst for a number of foundation and other private sector efforts to reduce disparities.

These efforts are an incredibly important start. Government, however, can and should do more. The interventions recommended by the IOM report are critical next steps. Moreover, the DHHS initiative now appears to lack visible senior leadership to direct and garner support for the efforts underway in the various agencies. Such leadership is essential for such a controversial initiative. To strengthen the federal response the initiative also will require, at the very least:

First, a strategic linking of the work to existing Department efforts around improving the quality of medical care and patient safety.

Initiatives on quality and patient safety have new dollars and the attention of clinicians and policymakers. It would be a missed opportunity if the medical care needs and concerns of people of color are not well integrated into the plans for research and new interventions in these areas. Also, efforts regarding disparities appear to be competing for scarce new resources. The view that focused efforts need new resources rather than an integration and allocation of some of the existing resources will hamper the short-term progress that can be achieved. This shift in direction will be no small feat to accomplish since DHHS staff and funded projects focused on quality issues and those focused on racial disparities generally are moving on separate tracks without much collaboration.

Second, an improvement of the information systems and the data used to answer questions about the health and medical care use of people of color.

DHHS has an important role to play in data collection and analysis. One reason we know so little about the health of Latinos, Asians, and Native Americans is that we simply have not collected the data. Even most national surveys that now over-sample African Americans and Latinos to produce reliable estimates are unable to provide estimates for Asian ethnic subgroups or Native Americans. Further complicating an assessment of disparities is that many health plans serving privately and publicly insured enrollees (whether in fee-for-service or managed care arrangements) do not collect data on the race and ethnicity of their patients. DHHS must encourage the collection of data in the private sector and collect and analyze the data on those who are publicly insured.

Third, a continuation of the Department's efforts to improve the public's awareness that the nation continues to be challenged in assuring that every American has timely access to high-quality medical care.

DHHS, through its partnerships and conferences, has already been engaged in efforts to promote dialogue and understanding about disparities. These efforts are extremely important. The Foundation, working in partnership with the medical community, is about to launch an initiative to raise physician awareness about racial disparities in medical care and encourage physicians to review the evidence and engage in a national dialogue about the issue. This is, at best, the beginning of national dialogue among one segment of the public—physicians. DHHS, working through respected and trusted leadership, should continue to improve awareness of disparities among the public generally. Whites need to be more aware of the real-life circumstances that face people of color. People of color need to be more aware of disparities so they can be more proactive in seeking needed care. This knowledge should result in greater acceptance of initiatives to remedy disparities.

In closing, let me say that race clearly matters in our health system, but so do many other factors—especially insurance coverage. Attention should be given to assuring that existing sources of coverage are not undermined. Medicaid, for example, is an essential source of coverage for about 1 in 5 non-elderly African Americans, Latinos, and Native Americans. In addition, people of color are disproportionately uninsured, and priority attention should be given to efforts to eliminate the insurance gap. It is also important to remember, however, that racial disparities among persons who are insured are an indication that expansions in cov-

erage, though necessary, are not sufficient. The IOM report provides a blueprint for comprehensive reform to close the racial/ethnic divide in the health system.

Thank you for the opportunity to testify. I welcome any questions.

Mr. BILIRAKIS. Mr. Speaker, I continue to reserve the balance of my time.

Mr. BROWN of Ohio. Mr. Speaker, I yield 4 minutes to the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON), Chair of the Congressional Black Caucus, who also is a nurse.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, let me express my appreciation for those who have helped to work on this resolution, because it is one that hopefully will start the ball rolling in getting some corrective action taken.

I stand before my colleagues today as a former health care professional to share really disturbing news. Sadly, in the year 2002, decades after the end of legal segregation, inequality based on race and ethnicity exists within our health care system. African Americans are 30 percent more likely to die of heart disease and cancer than Anglo Americans. Hispanics are more likely to be diagnosed with a chronic disease or a condition such as a heart attack, diabetes, or cancer than Anglo Americans. Infant mortality rates are more than twice as high for African Americans than Anglo Americans. In 2000, 47 percent of all HIV/AIDS cases reported in the U.S. were among African Americans and 21 percent among Hispanics.

Unfortunately, the bad news gets worse. Despite this glaring data revealing the health disparities between minorities and white Americans, the National Academy of Sciences tells us that minorities lag behind white Americans on nearly every measure of health care and treatment and are dying at higher rates. Minorities are less likely to be given appropriate cardiac medication or to undergo bypass surgery to treat a cardiovascular disease. Minorities are less likely to be placed on a waiting list for kidney transplants or to receive kidney dialysis or transplants.

My father was one of those. Minorities with HIV infection are less likely to receive antiretroviral therapy and other state-of-the-art treatments which could forestall the onset of AIDS. And minorities are less likely to receive appropriate cancer diagnostic tests and treatment.

There is really more bad news. Significantly, these disparities in treatment exist even when insurance status, income, age, and severity of conditions in minorities and whites are the same.

The good news is that we can address this problem by educating the public and the medical community about these disparities and take action to reduce them. House Concurrent Resolution 388 is a step in the right direction.

I agree with the gentleman, the chairman of the committee, it should not be a campaign issue. It is a serious

issue that must be addressed. It would establish a National Minority Health and Health Disparities Month and calls for the government, private and non-profit sectors, and the medical community to promote educational efforts, perform research, and conduct health care programs so that we may end health care disparities.

I urge my colleagues to support this resolution and work toward the elimination of racial and ethnic disparities in health care so that we can have some good news to share in the future.

Mr. BILIRAKIS. Mr. Speaker, I continue to reserve the balance of my time.

Mr. BROWN of Ohio. Mr. Speaker, I yield 3 minutes to the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Speaker, I thank the gentleman for yielding me this time, and I want to congratulate the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) for her continuing work as chair of the CBC Brain Trust and for bringing her practice of medicine, which she had to leave in order to become a Member of the House, right into this House in the way in which she fastens our attention on health care, and particularly for improved health care for minorities.

But I have to say, Mr. Speaker, when they give you a whole month, it is because of what you do not have. And what minorities in this country do not have is health. And that is like saying what you do not have is the difference between life and death.

The racial and ethnic disparities are quite intolerable. About 10 percent of whites in this country do not have health care; three times as many Hispanics; twice as many blacks. The fact is minorities have to do for themselves, because we know that a lot of health care is related to life-style. And I am a strong proponent, for example, of harnessing overweight and obesity. I am a race walker. You have to do what you can do to deal with your health care. But obesity and overweight is a national problem, and yet there are some folks who have some health care to get them some advice as to what to do about it.

The current recession and the consequences of September 11 and anthrax have simply exacerbated the health care crisis in our country. And we are not close to closing this intolerable gap with placebos like tax credits. Let me tell my colleagues something: Low-income people do not pay a lot of taxes because they do not have a lot of money. So tax credits, for example, is like throwing crumbs at people who are very hungry.

But let me tell my colleagues something else. The American middle class has a very sensitive barometer to health care. In the early 1990s, there were Members who lost their seats in this House and in the Senate over the single issue of health care. And the reason is that health care is always a

sleeper issue. And when we have the volatile mix of a recession and people losing their health care, watch out, Congress of the United States.

But we deserve to be called to account. The permanently uninsured are unable to raise the issue because they are the least powerful people in the society. It is only when there is a recession, when people who have a little bit of clout, the middle class, who lose their health care, that health care then rises to the top of the agenda. It is close to being there now.

In the 1990s, we were kind of creeping up on universal health care, going toward universal health care for children. And of course, there is universal health care for the very poor. But what about the working poor? What about the disincentive to go to work when you lose your health care? What about saying to welfare mothers you better go to work, and yet in the long run, lose your health care?

Poor health care in the United States has a disproportionately black and brown face, and yet in countries where there are nothing but black and brown faces, in many Third World countries, there is universal health care. Hey, what happened to the United States of America?

Some minimum of health care is what everybody deserves simply for being human. It is time we met that minimum standard in our own great country.

Mr. BILIRAKIS. Mr. Speaker, I yield myself such time as I may consume to advise the gentlewoman that in our Committee on Energy and Commerce, as the gentleman from Ohio (Mr. BROWN) knows, just last week we marked up a piece of welfare legislation which afforded transitional Medicaid assistance for those people, with a recognition that of course the words of the gentlewoman are so very true. And so, hopefully, we are helping towards that.

Mr. Speaker, I continue to reserve the balance of my time, but also make available to the gentleman from Ohio (Mr. BROWN) any additional time he may need for his speakers.

Mr. BROWN of Ohio. Mr. Speaker, I thank my friend for the generous offer. We have a couple more speakers. We may not need that time.

Mr. Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. DAVIS).

Mr. DAVIS of Illinois. Mr. Speaker, I want to thank the gentleman for yielding me this time, and I also want to commend the gentlewoman from the Virgin Islands for her outstanding work on this issue and commend all of these who have been instrumental in bringing this matter to the floor.

I rise in enthusiastic support of H. Con. Res. 388, which expresses the sense of Congress that there should be established a National Minority Health and Health Disparities Month. Dr. W.E.B. Dubois suggested that the problem of the 20th Century would be that of the color line. Dr. Dubois was profound and

prophetic in his analysis, but we still have not solved the problem of the color line in the 21st century and it is vivid in our health care delivery system.

The persistent problem of health disparities continues to be the reality; that there is serious separation in this Nation. I stand here today to suggest that as long as health disparities persist, we will remain a Nation divided; divided along the lines of those who have and those who have not.

According to the report that we have been discussing, issued by the Institute of Medicine last month, racial and ethnic minorities experience a lower quality of health services and are less likely to receive even routine medical procedures than whites. The report goes on to suggest that when it comes to diagnostic exams for heart disease, cancer, end-stage renal disease, and kidney transplantation, African Americans and other minority groups receive less care than whites.

This report suggests that African Americans and other racial minorities die early and often because of a lack of quality care. The report, which is extensive, entitled "Unequal Treatment," really underscores the need to establish a National Minority Health and Disparities Month, a month that is set aside so that we can refocus, take a hard look, better understand, better realize the disparities, and then find the resources that are necessary to move us from the position of inequities to equality, to equal treatment, equal understanding, and equal recognition.

So again, I commend all of those who have been instrumental. I commend the chairman, the gentleman from Florida (Mr. BILIRAKIS), the gentleman from Ohio (Mr. BROWN), and certainly the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) for all of their serious leadership on these matters.

Mr. BILIRAKIS. Mr. Speaker, I continue to reserve the balance of my time, but make available to the gentleman from Ohio (Mr. BROWN) any time he may need.

Mr. BROWN of Ohio. Mr. Speaker, I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

□ 1700

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the ranking member, the gentleman from Ohio (Mr. BROWN), for his constant and persistent leadership as it relates to health issues in general. I thank the gentleman from Florida (Mr. BILIRAKIS) for his leadership, and I acknowledge the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN), the gentleman from Oklahoma (Mr. WATTS), and the gentleman from Georgia (Mr. NORWOOD) for bringing this resolution to our attention.

Clearly this is a resolution that will speak loudly in its passage to the American people. In my district, I am often spoken to by constituents of

their caring and concern about those individuals far and wide that we have to address, such as the catastrophe in Afghanistan, the crisis in Africa with HIV-AIDS; and at the same time, they are clearly concerned with the home front.

This legislation deals with the importance of dealing with the questions of minority health. With some 50 percent of the minority community without insurance, with the impact on rural areas, with African Americans and Hispanics being impacted in large numbers by HIV-AIDS, and in particular with a study that was just recently issued that suggested that even when minorities access health care, the difficulty is that there is unequal treatment. There are determinations made as to whether or not the individual that accessed the health care should be treated long term for diabetes, should be given the opportunity for triple or quadruple bypass and surgery. We have a crisis.

What we want to do with this resolution is focus on changing the attitude. At the same time, let me acknowledge that I hope this legislation will encourage the Bush administration to not repeal the requirement of low-income children being tested for lead poisoning. That would put thousands of our children in minority communities at risk. My district happens to be a very multicultural district. It has people from all walks of life; but one of the most crowded places in my district is the Harris County Public Hospital system. It is because people desire health care, and do not have the ability to access private health coverage, so they are at our public hospital systems. Those institutions need assistance from the Federal Government to assist them in lead poisoning testing for our children. They need assistance in making sure that Medicaid payments are being paid, and making sure that if someone needs quadruple heart surgery, that they can be referred out to our very fine institutions in the medical center. The partnership is extremely important.

So this resolution is of utmost importance. I thank the members of the Committee on Energy and Commerce, the Congressional Black Caucus and the Hispanic Caucus Health Task Force, which the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) and Congressman RODRIGUEZ lead, and I am a member of, and for the leadership behind educating both Congress and the American public.

Finally, racial and ethnic minorities tend to receive lower-quality health care than whites do, even when insurance status, income, age, and severity of conditions are comparable according to the National Academies Institute of Health. Thousands of people suffer in America that is why we must pass this legislation to create a responsive and equal health system in America.

Mr. BROWN of Ohio. Mr. Speaker, I yield 2 minutes to the gentleman from Maryland (Mr. CUMMINGS).

Mr. BILIRAKIS. Mr. Speaker, I yield 2½ minutes to the gentleman from Maryland (Mr. CUMMINGS).

Mr. CUMMINGS. Mr. Speaker, this afternoon I rise in support of H. Con. Res. 388, a resolution to designate April as National Minority Health and Health Disparities Month.

In 2000, the Department of Health and Human Services and the U.S. Surgeon General established National Minority Health Month to promote national health and disease prevention. The goal was to build a public-private partnership, foster cultural competency among health care providers, encourage health education and training, and expand the use of state-of-the-art technology.

It is intended to be an inclusive initiative that addresses the health needs of African Americans, Hispanics, Asians, Native Americans, Pacific Islanders, Alaskan Natives and Native Hawaiians. Because the month will be nationally recognized, it will serve to raise awareness and reduce the problem of minority health disparity.

Mr. Speaker, a few weeks ago, the Congressional Black Caucus held its annual Health Braintrust. This year's focus was on minority health disparities. Testifying at the hearing from my district were Dr. Martha N. Hill, Dean of the Johns Hopkins School of Nursing; Professor Thomas E. Perez, who was the immediate past director of the Office on Civil Rights at HHS; and Dr. Thomas LaVeist, Johns Hopkins University, and an active health care researcher, including the role of race in health care services.

Also testifying were the authors of the Institute of Medicine's report, "Unequal Treatment: Confronting Racial and Ethnic Disparities in Health Care." The primary finding of this report publication, "Unequal Treatment," states that due to disparities in health care treatment, blacks and other minorities do not live as long as Caucasians.

Why is that? Because according to the Institute of Medicine's publication of "Unequal Treatment: Confronting Racial and Ethnic Disparities in Health Care," even those of us who are fortunate enough to have health insurance receive inferior medical care compared to our caucasian counterparts, even when insurance coverages are the same.

I would like to cite some of the specific facts for the record, and I think my colleagues might find them very, very disturbing.

African Americans were 1.5 times more likely to be denied managed care authorization in an urban emergency room. For senior citizens, African American patients were four times less likely than Caucasians to receive needed coronary bypass surgery. Black male seniors were nearly two times less likely to receive treatment for prostate cancer. And this is incredible, but black seniors were 3.6 times more likely to have lower limbs amputated due to diabetes. Think about it. Due to

poor health care, African Americans and other minorities do not live as long as Caucasians. Blacks are 24 percent less likely to receive life-preserving medications for HIV and AIDS; 20 percent of blacks and 33 percent of Hispanics lack health insurance. This is two and three times greater than the rate for Caucasians. These disparities permeate in minority communities.

For example, as a Social Security issue, blacks collect fewer retirement benefits because we die earlier. I guess on the upside, while we comprise about 12 percent of the United States population, we collect about 23 percent of the Social Security disability benefits. Think about it. This is not a Social Security issue; it is a health issue.

Mr. Speaker, if there were equity in health care, African Americans would be able to work longer and live longer. Think about it. The economic impact of poor health care created for all Americans is crucial.

Mr. Speaker, I urge all Members to vote in favor of this. I thank the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN), and I thank the other side for their courtesy and kindness.

Mr. DINGELL. Mr. Speaker, I rise to voice my strong support for H. Con. Res. 388, establishing a National Minority Health and Health Disparities Month. This resolution has been crafted by my good friend and colleague, Representative CHRISTENSEN. The resolution was reported unanimously by the Committee on Energy and Commerce last week.

Mr. Speaker, this resolution will help to keep our attention focused on a disturbing fact of life. That fact is that people of color face devastating disparities in research, quality, access, and other measures of health care. Women are particularly hard hit, as reflected in the statistics. The prestigious Institute of Medicine recently published yet another study that shows we still have a long way to go before we can say that all Americans share equally in the benefits of modern medicine.

Mr. Speaker, I am pleased that this resolution specifically mentions the Minority Health and Health Disparities Research and Education Act of 2000. I was proud to join my colleagues, including Representatives JOHN LEWIS and JESSE JACKSON, JR., in that effort. That bill recognized that disparities exist throughout the development and delivery of health care. It was a good step, but clearly much more needs to be done. The entire health care system, from "bench to bedside," needs to be vigilant and to address disparities wherever and however they occur.

I applaud Representative CHRISTENSEN for bringing this resolution to the floor. I urge my colleagues to support her work and to support substantive efforts to eradicate health disparities in all programs that come before this body.

Ms. WATERS. Mr. Speaker, I rise to support H. Con. Res. 388, which would support the establishment of a National Minority Health and Health Disparities Month. The United States is a nation with a health system marked by its disparities. Too often, low-income Americans, racial minorities and individuals who lack health insurance find that quality health care is unavailable to them. At the request of Congress, the Institute of Medicine

released a report this year confirming the existence of serious racial disparities in American health care.

Racial disparities in access to cancer screening contribute to higher cancer death rates for minorities. Black and Hispanic women are less likely to receive breast cancer screening with mammograms than white women, and black and Hispanic men are more likely to be diagnosed with more advanced forms of prostate cancer than white men. Last year, I introduced H.R. 3336, The Cancer Testing, Education, Screening and Treatment (Cancer TEST) Act, to provide cancer screening and treatment services for minorities and low-income populations. This bill now has 49 cosponsors.

Racial minorities have been disproportionately impacted by the HIV-AIDS epidemic. They now represent a majority of new AIDS cases and a majority of Americans living with AIDS. I am circulating a letter to the Chairman and Ranking Member of the House Subcommittee on Labor, Health and Human Services and Education Appropriations to request an appropriation of \$540 million for the Minority AIDS Initiative in fiscal year 2003. Ninety Members of Congress have agreed to sign my letter.

Unfortunately, the problems in our nation's health system are only getting worse. A survey of California employers by the Kaiser Family Foundation shows that health insurance premiums increased by 9.9 percent in 2001. That is more than double California's 4.3 percent inflation rate. Furthermore, Calpers, the State of California's employee benefits system, plans to raise rates for its HMO premiums by 25 percent next year.

I urge my colleagues to vote in favor of H. Con. Res. 388 and support legislation that will guarantee every man, woman and child in America quality health care services, regardless of race, level of income or place or employment. Quality health care should be for everyone.

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

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

The SPEAKER pro tempore (Mr. WHITFIELD). The question is on the motion offered by the gentleman from Florida (Mr. BILIRAKIS) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 388.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

#### HEMATOLOGICAL CANCER RESEARCH INVESTMENT AND EDUCATION ACT OF 2001

Mr. BILIRAKIS. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 1094) to amend the Public Health Service Act to provide for research, information, and education with respect to blood cancer.

The Clerk read as follows:

S. 1094

*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 "Hematological Cancer Research Investment and Education Act of 2001".

**SEC. 2. FINDINGS.**

Congress finds that:

(1) An estimated 109,500 people in the United States will be diagnosed with leukemia, lymphoma, and multiple myeloma in 2001.

(2) New cases of the blood cancers described in paragraph (1) account for 8.6 percent of new cancer cases.

(3) Those devastating blood cancers will cause the deaths of an estimated 60,300 persons in the United States in 2001. Every 9 minutes, a person in the United States dies from leukemia, lymphoma, or multiple myeloma.

(4) While less than 5 percent of Federal funds for cancer research are spent on those blood cancers, those blood cancers cause 11 percent of all cancer deaths in the United States.

(5) Increased Federal support of research into leukemia, lymphoma, and multiple myeloma has resulted and will continue to result in significant advances in the treatment, and ultimately the cure, of those blood cancers as well as other cancers.

**SEC. 3. RESEARCH, INFORMATION, AND EDUCATION WITH RESPECT TO BLOOD CANCER.**

Part C of title IV of the Public Health Service Act (42 U.S.C. 285 et seq.) is amended by inserting after section 419C the following: "**SEC. 417D. RESEARCH, INFORMATION, AND EDUCATION WITH RESPECT TO BLOOD CANCER.**

"(a) **JOE MOAKLEY RESEARCH EXCELLENCE PROGRAM.**—

"(1) **IN GENERAL.**—The Director of NIH shall expand, intensify, and coordinate programs for the conduct and support of research with respect to blood cancer, and particularly with respect to leukemia, lymphoma, and multiple myeloma.

"(2) **ADMINISTRATION.**—The Director of NIH shall carry out this subsection through the Director of the National Cancer Institute and in collaboration with any other agencies that the Director determines to be appropriate.

"(3) **AUTHORIZATION OF APPROPRIATIONS.**—For the purpose of carrying out this subsection, there is authorized to be appropriated such sums as may be necessary for fiscal year 2002 and each subsequent fiscal year. Such authorizations of appropriations are in addition to other authorizations of appropriations that are available for such purpose.

"(b) **GERALDINE FERRARO CANCER EDUCATION PROGRAM.**—

"(1) **IN GENERAL.**—The Secretary shall direct the appropriate agency within the Department of Health and Human Services, in collaboration with the Director of NIH, to establish and carry out a program to provide information and education for patients and the general public with respect to blood cancer, and particularly with respect to the treatment of leukemia, lymphoma, and multiple myeloma.

"(2) **ADMINISTRATION.**—The Agency determined by the Secretary under paragraph (1) shall carry out this subsection in collaboration with private health organizations that have national education and patient assistance programs on blood-related cancers.

"(3) **AUTHORIZATION OF APPROPRIATIONS.**—For the purpose of carrying out this subsection, there is authorized to be appropriated such sums as may be necessary for fiscal year 2002 and each subsequent fiscal year. Such authorizations of appropriations are in addition to other authorizations of ap-

propriations that are available for such purpose."

The **SPEAKER** pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. **BILIRAKIS**) and the gentleman from Ohio (Mr. **BROWN**) each will control 20 minutes.

The Chair recognizes the gentleman from Florida (Mr. **BILIRAKIS**).

**GENERAL LEAVE**

Mr. **BILIRAKIS**. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on S. 1094, and to insert extraneous material on the bill.

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

There was no objection.

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

Mr. Speaker, I rise today to encourage my colleagues to support S. 1094, the Hematological Cancer Research Investment and Education Act, introduced by Senator **KAY BAILEY HUTCHINSON** in the Senate, with a companion legislation in the House, H.R. 2629, introduced by the gentleman from Illinois (Mr. **CRANE**). Senator **KAY BAILEY HUTCHINSON** is present with us today, which is an indication of how significant the gentlewoman considers this legislation.

Blood cancers affect over 110,000 Americans. These devastating diseases are in desperate need of a cure. I am pleased to support the efforts of the National Institutes of Health to increase the research activities on these diverse cancers. Taxpayer dollars are wisely spent on research to help cure, and even better, prevent disease. For the past 5 years, Congress has committed to doubling the budget of the NIH. Last year alone, Congress dedicated over \$23.3 billion to NIH. As we double the budget of any agency, we must ensure that these funds are appropriately focused at finding cures to our Nation's health problems.

The Hematological Cancer Research Investment and Education Act ensures that the Federal Government focuses appropriate resources on programs to address blood cancers, particularly leukemia, lymphoma and multiple myeloma. In particular, the bill directs the NIH to coordinate all blood cancer programs under the newly named "Joe Moakley Research Excellence Program." The bill establishes the "Geraldine Ferraro Cancer Education Program," to provide detection and treatment options for blood cancers, and I might add that the former Congresswoman Geraldine Ferraro is with us here today.

I thank both Senator **KAY BAILEY HUTCHINSON** and the gentleman from Illinois (Mr. **CRANE**) for their tireless efforts to raise public awareness about blood cancers. And I also recognize the health staff of the gentleman from Illinois (Mr. **CRANE**), Shalla Ross, who has worked diligently to ensure passage of this important legislation. I urge my colleagues to support S. 1094.

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

Mr. **BROWN** of Ohio. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, I rise in support of this legislation which sets the stage for a coordinated Federal research effort to combat blood cancers and launches a patient and public education campaign to get the word out on these cancers.

The death of our colleague, the esteemed Joe Moakley, raised the profile in this institution of leukemia and other blood cancers for all of us. More than 100,000 Americans will be diagnosed with blood cancers this year, and more than 60,000 will lose their lives to one of these cancers.

Former Congresswoman Geraldine Ferraro, who has joined us today, was diagnosed with multiple myeloma a few years ago. Since her announcement, she has turned a very private battle with cancer into a public campaign, educating Americans and policy makers, making a difference in their lives, educating us all about the disease and the need for enhanced research on cancer.

The bill we are considering today includes two important initiatives in honor of these two remarkable American leaders. It establishes the Joe Moakley Research Excellence Program to expand and intensify NIH research on blood cancers; and the Geraldine Ferraro Cancer Education Program, which will establish education programs designed for patients and for their families. It is an excellent bill. I urge my colleagues to support this legislation.

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

Mr. **BILIRAKIS**. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. **BARTON**).

(Mr. **BARTON** of Texas asked and was given permission to revise and extend his remarks.)

□ 1715

Mr. **BARTON** of Texas. Mr. Speaker, I rise today in strong support of the Senate bill, S. 1094, presented in the Senate by my good friend, the Senator from Texas, Senator **KAY BAILEY HUTCHINSON**, who is on the floor with us today. Without her untiring work, we would not be here passing this bill on Blood Cancer Day. She has worked, I think, in a very positive, cooperative way. It is very rare for the Longhorns and the Aggies to work together, but on this bill the head Longhorn came to one of the head Aggies and we have made it happen.

There are a number of other people we need to thank: Obviously, the gentleman from Florida (Mr. **BILIRAKIS**) for allowing the bill to come on the suspension calendar; the full committee chairman, the gentleman from Louisiana (Mr. **TAUZIN**); the ranking member, the gentleman from Michigan (Mr. **DINGELL**); the gentleman from Ohio (Mr. **BROWN**); and the majority leader, the gentleman from Texas (Mr. **ARMEY**) has worked on this.

We have a number of distinguished visitors watching the proceedings today, I am told, including Senator HUTCHINSON's brother, Alan Bailey, who has a form of blood cancer. We also have the distinguished former Congresswoman and Vice Presidential candidate, Geraldine Ferraro, who has fought a courageous battle against blood cancer. Kathy Guisti is the President of the National Myeloma Association. And, as we pointed out, this is named in honor of former Congressman, Joe Moakley, and former Congresswoman Geraldine Ferraro, who is with us today.

Various forms of blood cancer afflict over 100,000 Americans every year. 60,000 Americans die of the disease. It is a disease that can strike with sudden swiftness and extreme ferocity. Some of the more common forms we know of are leukemia, lymphoma and multiple myeloma. If you have this disease in your family, it is a heartache to have to try to face up to it. My brother, the late John Barton, died of liver cancer, so I know from a personal perspective how tragic any kind of cancer is.

But with the passage of this bill that Senator HUTCHINSON has worked so hard for, we are going to begin to fight back. This would create an educational program, a research program, the Joe Moakley Research Excellence Program, and the Geraldine Ferraro Cancer Education Act. We can educate Americans all around the country. We can encourage the National Institutes of Health to provide more funding for research and education and outreach, and hopefully some day find a cure and find treatments for those that are already afflicted with the disease.

So I want to thank my good friend from Dallas, Texas, Senator HUTCHINSON, for moving the bill, I want to thank my good friend the gentleman from Florida (Mr. BILIRAKIS), for putting it on the suspension calendar, and I would encourage all Members to vote for it in the affirmative when we are given that opportunity.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. WHITFIELD). The Chair will remind all Members that it is not in order to refer to a Senator visiting the House Chamber.

Mr. BROWN of Ohio. Mr. Speaker, I yield 3 minutes to my friend, the gentleman from Massachusetts (Mr. MCGOVERN), who was a long-term colleague, friend and employee of Mr. Moakley.

Mr. MCGOVERN. Mr. Speaker, I want to first thank the gentleman from Florida (Chairman BILIRAKIS) and ranking member, the gentleman from Ohio (Mr. BROWN), for bringing this bill to the floor today. I want to thank our distinguished colleague from the other body, the junior Senator from Texas, for moving this bill forward. We are honored by her presence on the House floor today.

This bill, quite simply, directs the NIH to direct more funds to research,

information and education on blood cancer diseases. As my colleagues here on the floor know so well, while less than 5 percent of Federal funds for cancer research are spent on blood cancers, they cause 11 percent of all deaths. One of those deaths was our colleague, Joe Moakley.

As many in this Chamber know, I worked for Joe Moakley for many years, from 1982 to 1996. He served not only as my teacher and mentor, but he was also my dear friend, in fact, my best friend.

Joe was a guy who, in many respects, represented the miracles of medical research and science. During years I knew him, he survived kidney cancer, a gangrenous gall bladder, prostate cancer, skin cancer, and hepatitis, that ultimately led to a successful liver transplant. Through it all, Joe Moakley emerged with flying colors, stronger and better than ever. However, when he was diagnosed with leukemia, it was a disease that he just could not beat.

There is not a day that goes by, Mr. Speaker, that I do not miss Joe Moakley, and I wish he were still here with us fighting the good fight, standing up for the causes that he believed in, and even entertaining us with his humor. I wish there had been a cure for the leukemia that took his life, and I believe that some day there will be a cure. The issue is not can there be a cure, rather, the issue is when, and that will depend on the money and resources that we invest in medical research.

One section of this bill will establish the Joe Moakley Research Excellence Program at NIH to expand, intensify and coordinate programs that support research on blood cancers, particularly leukemia, lymphoma and multiple myeloma. This, Mr. Speaker, is a honorable legacy, but, as Joe Moakley would say, the name means nothing if we do not put the money down, and I hope that we will do that.

I also want to say I am honored that former Congresswoman Geraldine Ferraro is with us today. I was a staff person when she was a Member of this House, and, being from Massachusetts, I remember what Tip O'Neill once said about her when she was nominated to be the Vice Presidential candidate for the Democrats, he said she will be not only a great vice president, but some day she will be a great president. I think he was right in that assessment. I admire her courage for coming forward with her own health challenges. She indeed is the inspiration for another section of this bill which would result in disseminating information on blood cancer diseases throughout this country.

Mr. Speaker, I urge my colleagues to pass this bill, and I hope the funds are there to carry out this important authorization.

Mr. BILIRAKIS. Mr. Speaker, I continue to reserve my time.

Mr. BROWN of Ohio. Mr. Speaker, I yield 4 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, it was just a couple of months ago when a few current Members of Congress had the honor and pleasure of gathering to listen to the Honorable Geraldine Ferraro. It was a joyous occasion, and it was a delight to be able to fellowship with our colleague, someone that many of us admired, some who had the opportunity to serve with her, and some, like myself, who did not. But certainly her history and her leadership are well-known to women around the Nation.

Her remarks were instructive and inspiring. But, as she concluded, she made an announcement that caused a pause, and many of us stopped midway in our thoughts and our speech and caught our breath. But she did not allow us to linger on our thoughts about what we perceived to be a catastrophic illness which she had announced that she had. She began energizing us and speaking about living, and how we could support their legislation before us to help some lives.

So today I come to the floor of the House in tribute to Congresswoman Geraldine Ferraro, and as well, to acknowledge my support for S. 1094, focusing on the blood cancer diseases that have taken the lives of so many, and, yes, to likewise thank the Committee on Energy and Commerce and its leadership, the chairman and ranking member of the full committee and chairman and ranking member of this subcommittee, and to acknowledge my colleague-friend from the other body, the junior Senator from Texas, thanking both of them as women to acknowledge that we can fight these diseases.

We can fight the fact that an estimated 109,500 people in the United States will be diagnosed with leukemia, lymphoma and multiple myeloma in 2002. We can fight the fact that these devastating blood cancers will cause the deaths of an estimated 60,000 persons. We can fight the fact that while less than 5 percent of Federal funds for cancer research are spent on these blood cancers, these blood cancers cause 11 percent of all cancer deaths.

That is why I am proud to support legislation that creates the Congressman Joe Moakley Research Excellence Program, our friend and colleague, who was such a fighter. It will now instruct the director of NIH to expand, intensify and coordinate programs for the conduct and support of research in this area. Then, as well, to be able to affirm the Geraldine Ferraro Cancer Education Program, that will direct the secretary to direct the appropriate agency within the Department of Health, in collaboration with the director of NIH, to provide education and information and encouragement to those who would understand better.

The aspects of this bill are powerful, research and education, and I cannot

thank enough those who saw fit to carry this legislation in an expedited manner. Just sharing with both proponents on the floor of the House it was brought to my attention that those of us in the minority community may even be impacted in a more devastating manner. But this bill speaks to all of us as Americans, and it focuses on saving lives, for those who have suffered with blood cancer diseases, those who have lost their lives.

This is, in fact, an enormous tribute, but, most importantly, it shows we are going to act. I would encourage both the passage and the funding of this legislation, for tribute comes by action and not just words. I thank the distinguished members of this committee.

I ask my colleagues to support this legislation.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair would remind all Members that a proper reference to a Senator is as a sponsor of the measure.

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

Mr. BILIRAKIS. 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 Florida (Mr. BILIRAKIS) that the House suspend the rules and pass the Senate bill, S. 1094.

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

A motion to reconsider was laid on the table.

SUPPORTING NATIONAL CHARTER SCHOOLS WEEK

Mr. CASTLE. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 386) supporting a National Charter Schools Week, and for other purposes

The Clerk read as follows:

H. CON. RES. 386

Whereas charter schools are public schools authorized by a designated public body and operating on the principles of accountability, parental involvement, choice, and autonomy;

Whereas in exchange for the flexibility and autonomy given to charter schools, they are held accountable by their sponsors for improving student achievement and for their financial and other operations;

Whereas 37 States, the District of Columbia, and the Commonwealth of Puerto Rico have passed laws authorizing charter schools;

Whereas 37 States, the District of Columbia, and the Commonwealth of Puerto Rico will have received substantial assistance from the Federal Government by the end of the current fiscal year for planning, startup, and implementation of charter schools since their authorization in 1994 under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.);

Whereas 34 States, the District of Columbia, and the Commonwealth of Puerto Rico are serving over 580,000 students in more

than 2,431 charter schools during the 2001-2002 school year;

Whereas charter schools can be vehicles for improving student achievement for students who attend them, for stimulating change and improvement in all public schools, and for benefiting all public school students;

Whereas charter schools must meet the same Federal student achievement accountability requirements as all public schools, and often set higher and additional goals, to ensure that they are of high quality and truly accountable to the public;

Whereas charter schools assess and evaluate students annually and often even more frequently, and charter school student achievement is directly linked to charter school existence;

Whereas charter schools give parents new freedom to choose their public school, charter schools routinely measure parental approval, and charter schools must prove their ongoing and increasing success to parents, policymakers, and their communities;

Whereas two-thirds of charter schools report having a waiting list, the average size of such a waiting list is nearly one-half of the school's enrollment, and the total number of students on all such waiting lists is enough to fill another 1,000 average-sized charter schools;

Whereas students in charter schools nationwide have similar demographic characteristics as students in all public schools;

Whereas charter schools in many States serve significant numbers of students from families with lower income, minority students, and students with disabilities, and in a majority of charter schools, almost half the students are considered at risk or are former dropouts;

Whereas charter schools have enjoyed broad bipartisan support from the Administration, the Congress, State Governors and legislatures, educators, and parents across the Nation; and

Whereas charter schools are laboratories of reform and serve as models of how to educate children as effectively as possible: Now, therefore, be it

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

(1) the Congress honors the 10th anniversary of the opening of the Nation's first charter school;

(2) the Congress acknowledges and commends the charter school movement and charter schools, teachers, parents, and students across the Nation for their ongoing contributions to education and improving and strengthening the Nation's public school system;

(3) the Congress supports the goals of National Charter Schools Week, an event sponsored by charter schools and charter school organizations across the Nation and established to recognize the significant impacts, achievements, and innovations of the Nation's charter schools; and

(4) it is the sense of the Congress that the President should issue a proclamation calling on the people of the United States to conduct appropriate programs, ceremonies, and activities to demonstrate support for charter schools in communities throughout the Nation.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Delaware (Mr. CASTLE) and the gentleman from Indiana (Mr. ROEMER) each will control 20 minutes.

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

GENERAL LEAVE

Mr. CASTLE. Mr. Speaker, I ask unanimous consent that all Members

may have 5 legislative days within which to revise and extend their remarks on H. Con. Res. 386.

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

There was no objection.

Mr. CASTLE. Mr. Speaker, I yield 4 minutes to the distinguished gentleman from Florida (Mr. KELLER), who is the author of this legislation.

Mr. KELLER. Mr. Speaker, I thank the gentleman from Delaware for yielding me time.

Mr. Speaker, I rise today in support of my resolution to honor National Charter Schools Week House Concurrent Resolution 386. This resolution recognizes the many contributions charter schools have made to strengthen America's public school system. I introduced this resolution because of my firm conviction that charter schools work to benefit all students and all schools.

This resolution honors the 10th anniversary of the opening of the Nation's first charter schools. It acknowledges and commends the charter school movement and it honors the parents, teachers and students across the Nation for their ongoing contributions to education and for strengthening the Nation's public school system.

Since 90 percent of the children in this country go to public schools, it is critical that we do what we can to strengthen the public school systems. Charter schools have done just that. In just 10 short years, there are already almost 2,500 charter schools serving half a million students across the country.

Currently, 37 States, D.C. and Puerto Rico have passed charter school laws. Florida's public school system already has over 200 charter schools serving almost 30,000 children. There are 11 charter schools in my districts alone. I often hear of the successes of Lake Eola Charter School and Hope Charter School in Orlando, Florida.

What are charter schools and why do they offer alternatives for our parents and children? Charter schools are public schools established under State law that are given varying degrees of autonomy from State and local regulations. Charter schools must meet the same Federal student achievement accountability requirements as all other public schools, and they often set higher and additional goals to ensure that they are a high quality and truly accountable to the public.

□ 1730

This flexibility and exchange for accountability often translates into higher test scores and innovative practices. They provide an option to parents, often from low-income families, who desire an alternative to their local school.

Charter schools, by their very nature, place more emphasis on parental involvement, increased instruction, higher academic standards, and character education. They routinely measure parental approval and student

progress. Otherwise, they would cease to exist. A charter school is created out of the demand for an alternative to the local school and is often started up through a group of active parents and teachers. Many of them serve a specific need in the community. Some can be oriented toward math and sciences and others exist to satisfy a need for liberal arts. Each is unique, but necessary.

President Bush's landmark legislation, the No Child Left Behind Act, contains multiple provisions which support the expansion of charter schools. It provides for an additional \$200 million to help establish 700 new charter schools, and we expect an additional \$100 million this year for construction of new charter school facilities.

Mr. Speaker, I would again like to congratulate the students, parents, teachers, principals, and administrators who have embraced the charter school movement and have made it such a success. The bottom line is that charter schools work because they are free from burdensome regulations and, in return, are held accountable for academic results. I urge my colleagues to recognize the role charter schools have made to strengthen our public school system and vote "yes" on House Concurrent Resolution 386.

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

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

Mr. ROEMER. Mr. Speaker, I obviously rise in support, strong support, of this resolution commending the very important contribution that charter schools make to our public schools across this great land, and also to designate a week of Charter School Appreciation Week.

I want to talk a little bit about the past, the present, and the future of charter schools. Our families and our parents and our teachers are all very excited and very concerned about the prospect of public education in America today. It continues to rank as one of the highest issues when we poll, when we go to town meetings, when we ask any families about their priority concerns across the United States.

The past of charter schools, when we first got into this issue, was working with the new Democrats here in the House of Representatives and working with the DLC, the Democratic Leadership Council, and the PPI, and coming up with more opportunities for parents to get public school choice; not to rip money away from public schools and transfer it to private schools, but help support the foundation of public schools, while also helping the reform movement, the accountability movement, the change movement, the new opportunities for students, parents, and teachers movement; to try to get new curriculum and new ideas in our public schools. This has caught fire, and a host of States now have passed enabling legislation at the State level

to create charter schools. The Federal Government is passing new laws and new help, providing new resources for charter schools to go forward in today's education environment.

So the past has been our efforts to help at the national level to create incentives and carrots to foster more public school charter schools in the United States. Last year, Indiana became the 38th charter school State, and I am very proud of that.

What is the present state of charter schools? As I said before, charter schools stress accountability, parental involvement, choice, and autonomy, and I am glad that this type of innovation is now beginning in Indiana. Charter schools are public schools that respond to an increasingly high demand for choices from parents, from teachers, and from students. They represent reform, improvement, and innovation in public education. Charter schools often serve our at-risk students. Nearly 60 percent of charters serve a population in which more than 40 percent of students qualify for free or reduced lunches. More than half of all charter schools serve a population in which 40 percent of the students are minorities. Nearly half of all charter schools serve a population in which more than 40 percent of students are considered at risk or former dropouts.

So this is not going out and picking the best students and forming a school and then trying to raise test scores and separating the public students more and more, or cherry-picking the best and leaving some of the at-risk students behind. In fact, many of the charter schools are designed to go after those dropouts, to go after those at-risk students, to go after those students most in need.

Mr. Speaker, 34 States, including the District of Columbia and Puerto Rico, including Indiana, are serving more than 500,000 students in about 2,430 charter schools. I mentioned the District of Columbia, and I want to note the support of the gentlewoman from the District of Columbia (Ms. NORTON) for these charter schools. I have visited many of these schools in the D.C. area, and I want to say for the record that I think some of those schools are the most innovative, the strongest, some of the schools with the best teachers and students and success rates as any charter schools in America. I know that she is very proud of those charter schools.

So what is the future of charter schools? What do we need to concentrate on to make sure that these charter schools remain viable choices for parents, teachers, and students?

One obstacle for charter schools is to overcome the difficulties and problems of start-up costs. They need to get in a building, and oftentimes procuring that building is the single biggest impediment to starting that charter school. We need to provide Federal resources, maybe matching with bonds and other State incentives, to help start these charter schools.

Secondly, we need to share best practices. If there are some good charter schools in one State, we need to find ways to share those best practices, those successful schools with other charter movements in other States, and strengthen the accountability, because these schools need to be held accountable. If they are not working, they can be closed. We need to make sure that the State laws are good charter school laws.

Thirdly, we need to look at the per-pupil expenditures so that they are equal to other public schools. We are talking about public charter schools and other public schools, so let us make sure that these students get equal access, whether they go to a public charter school or a previous public school.

So I am very excited about this movement that is catching fire across this country. I am very excited about the New Democrats' support for this back 5 and 6 and 7 years ago when it was a new idea. I am very supportive in a bipartisan way of working with the Republicans and the administration to find new ways to support the growth of charter schools, as I have outlined, in the future.

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

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

Mr. Speaker, I am pleased to rise in support of H. Con. Res. 386, recognizing the charter school movement for its contribution to improving our Nation's public schools.

Charter schools are independent public schools that are created by parents and teachers and operated with exemptions from most State laws and regulations. In just 10 years, the charter school movement has grown to over 2,400 schools enrolling 580,000 students in 34 States, the District of Columbia, and Puerto Rico. These schools provide new choices for parents of public schoolchildren and they serve as laboratories for innovative educational practices that improve student achievement.

In my State of Delaware, the first charter school located in Wilmington opened in 1996. Unlike other schools, Wilmington Charter School focused its curriculum on math and science and it has achieved top scores in the Delaware assessments in math, reading, writing and science. Like many charter schools, Wilmington Charter School boasts high parental involvement, excellent student behavior, and state-of-the-art technology in every classroom. Unlike many traditional public schools, however, charter schools are subject to an unprecedented level of accountability. They have detailed written performance contracts, and where they are unable to meet the terms of the contracts, the schools are closed.

Recently citing financial instability, the Delaware Department of Education took a first step toward the revocation of the charter of a charter school in my

State. Many parents and students waged a heroic battle to keep the school doors open, attempting to fund the school with bake sales and auctions, and many are still reeling from the decision. Despite this setback, many Delaware charter schools continue to have more applications for admissions than they can currently accommodate. In my mind, this reinforces the need for alternative public education in Delaware.

Combined with high parent satisfaction and improved academic achievement, the strong support for Delaware charter schools has caused many school officials to acknowledge some of the failures of our traditional public schools, and they tell me it compels them to improve. With this week being National Charter Schools Week, April 29 to May 3, it is therefore fitting that we recognize our Nation's charter schools as another way to improve student achievement and increase parental involvement.

In conclusion, I want to thank the gentleman from Florida (Mr. KELLER) for his leadership on this issue, and I urge an "aye" vote.

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

Mr. ROEMER. Mr. Speaker, I yield 4 minutes to the gentlewoman from the District of Columbia (Ms. NORTON), my classmate.

Ms. NORTON. Mr. Speaker, I appreciate the gentleman for yielding me this time, and I appreciate all of his work on this issue. He has been one of the movers and shakers for charter schools in this Congress. This is only one of the reasons I am in mourning that he is leaving the Congress. I want to thank the author of the resolution, H. Con. Res. 386, as well.

Mr. Speaker, the District of Columbia, our Nation's Capital, is supporting charter schools in a way that counts with the largest number of charter schools per capita in the United States. Fourteen percent of our youngsters go to charter schools, more than in any other State. We have 2 chartering authorities, including one that was authorized by this Congress pursuant to a bill I sponsored in 1995 with the agreement of the District of Columbia. All of our charter schools are public, nonsectarian schools. There are 13 elementary schools, 11 middle schools, and 16 high schools. I want to draw attention to one in particular, the Seed School, which is the first inner city charter boarder school in the United States. Yes, that is right. A boarding school of 14 children in a classroom, and it has attracted all kinds of private funds. We can imagine how surrounding these children with what such a school has to offer, what it means in terms of their career opportunities and their ability to get into top-flight schools.

We think our charter school movement here is a model for how to promote competition to the traditional public schools. This House may recall that there was fierce opposition in the

District which this Congress tried to impose on the District vouchers, fierce opposition, rage, and yet the District has embraced charter schools like its second skin. They have proven to be better than vouchers because they are far less controversial and have a far greater variety of schools than we could ever have gotten with vouchers.

These schools are very independent. They are not tied to the bureaucracy of the public schools of the District of Columbia at all.

For those who say that the public schools need competition, they are right. Boy, have they been competition for our public schools. I think they have made our public schools better. The scores in the public schools are better than the scores in the charter schools, but at the very bottom, the very bottom, the charter schools are doing better, and that may be because of the teacher-student ratio, because there are a smaller number of students in those schools.

□ 1745

The competition is good, but it has been publicly accountable competition.

What the charter schools and the public schools do is really enable us to compare schools that are apples and apples, because there is an even playing field here. Both of them get public money; both of them must take every student; none of them can cream off the top; none of them can discriminate based on where they come from or what their parents are or what the test scores are; and they all have the same health, safety, financial, and reporting regulations.

So we are probably going to be the first jurisdiction with a critical mass that is able to compare how students do in charter schools with how students do in traditional public schools.

In some jurisdictions, I want to caution the Congress that charter schools have become more controversial. They are seen less as competition and more as a distraction. I regret that. That has not yet happened in the District of Columbia.

But caution has to be taken to make sure that where a critical mass of money is necessary to run a public school system, that that remains intact, and that the number of charter schools relative to the number of traditional public schools remains in some kind of balance, and people do not go off chartering, catch-as-catch-can, charter schools.

In any case, the District, its parents, its students, are embracing charter schools. What is happening in the District of Columbia, in the Nation's capital, there is a real, live, thriving charter school movement helping to improve educational opportunity by providing a variety of public school vehicles from which our public school children, indeed any child in the District of Columbia, can choose.

I urge Members to look at this model to see what it may have to offer for

their own jurisdiction. I thank the gentleman for his work on this issue.

Mr. CASTLE. Mr. Speaker, I yield 3½ minutes to the gentleman from Wisconsin (Mr. PETRI)

Mr. PETRI. Mr. Speaker, I am pleased to speak in support of this resolution, as it once again recognizes the charter school movement for its contribution to improving America's schools.

Although Congress has been supporting the growth of charter schools for almost 10 years now, we should remember that this is, in fact, a grassroots movement. The movement was really started in the early 1990s by concerned parents and frustrated teachers who were fed up with the status quo, weary of fighting the bureaucracy that defeats innovation, and tired of seeing their children consigned to mediocrity and to failure.

In my State of Wisconsin, I am proud to say that we have a strong charter school program that was one of the first in the Nation to be established. I recently participated in the charter school conference held near my district. I was excited to learn of the innovation going on in my State.

For example, Wisconsin will soon have two virtual charter schools, which are public charter schools that conduct classes online. Thanks to Wisconsin's open enrollment law, children from anywhere in the State can apply to enroll in these schools. These virtual charter schools will provide a computer and Internet access to the enrolled children.

In these virtual schools, the parents have great control, and the parents make final decisions as to their child's personalized learning plan while still having full access to professionally-prepared curriculum and teacher support. Thus, this approach utilizes the advantages of home schooling, charters, and public school choice to create a unique educational experience.

I would like to thank my colleague, the gentleman from Florida (Mr. KELLER) for bringing forward this resolution. I appreciate the opportunity to speak in its support, and I urge my colleagues to support a National Charter Schools Week, and to continue to encourage the growth of this important and successful reform movement.

Mr. CASTLE. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Ohio (Mr. BOEHNER), chairman of the Committee on Education and the Workforce.

Mr. BOEHNER. Mr. Speaker, in honor of National Charter Schools Week, I rise in strong support of House Concurrent Resolution 386 introduced by my friend and colleague, the gentleman from Florida (Mr. KELLER), also a member of our committee.

This week-long celebration, which runs through Friday, is cosponsored by more than 75 grassroots charter school support organizations in 45 States, and is coordinated by the Charter Friends National Network and the Center for Education Reform.

Also during this week there will be six charter school nights at major league baseball games in Colorado and in California. In addition, other national organizations have signed on as national supporting organizations for National Charter Schools Week, including the National Council of La Raza, the National Cooperative Bank Development Corporation, the Gates-EdVisions Project, and Youthbuild USA.

Although a relatively new phenomenon, charter schools have been at the cutting edge of educational reform for the past several years. Nowhere is this more true than in Dayton, Ohio, a new part of my district, the site of one of the fastest growing charter school movements in the Nation.

In Dayton, more than a dozen charter schools are up and running, serving thousands of area children. In Dayton and across the Nation, the contributions of charter schools are helping to strengthen our Nation's public schools. They are playing a key role in the effort to raise expectations and ensure that every child of every income and ethnic background has the chance for a safe and world-class education.

There are not many things that I and the editors of the Dayton Daily News agree on usually, but they were right on this one earlier this month when they wrote, and I will quote, "Charter schools deserve a chance. They can serve as models for public schools, and the competition they provide is a good thing."

In exchange for flexibility and freedom from regulations, charter schools are held accountable for improving the academic achievement of their students. This new-found flexibility and freedom has not only translated into higher test scores, but also innovative practices. I think it has empowered parents with the ability to seek out the best education possible for their own children.

In fact, we mirror these same principles of freedom, flexibility, and accountability through the Elementary and Secondary Education Act in H.R. 1, the No Child Left Behind Act, which the President signed into law earlier this year.

Currently, 37 States, the District of Columbia, and Puerto Rico have passed charter school laws, and more than a half a million students attend charter schools somewhere nationwide. My hope is that every State will have passed a charter school law in the very near future.

That said, Mr. Speaker, I would like to congratulate all of the students, parents, teachers, principals, and administrators who have embraced the charter school movement and are working to make it a success.

I would also like to recognize the efforts of two Ohio officials, State auditor Jim Petro and State Representative Jon Husted of Dayton, who have worked tirelessly on behalf of our State's charter schools.

Finally, I want to thank the gentleman from Florida (Mr. KELLER), the gentleman from Georgia (Mr. ISAKSON), the gentleman from Michigan (Mr. UPTON), and the gentleman from Indiana (Mr. ROEMER) for their efforts in bringing this resolution to the floor.

Mr. CASTLE. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. ISAKSON).

Mr. ISAKSON. Mr. Speaker, I thank the gentleman from Delaware for yielding time to me.

Mr. Speaker, I am pleased to rise in support of this resolution. I commend the gentleman from Florida (Mr. KELLER) for introducing it, because it recognizes an important principle: We in government know that regulation, with the best of intentions, is not always successful.

The charter school movement recognizes that empowerment of parents, teachers, and the children is almost always successful. That is the basic principle of the charter school movement. It engages the parents in setting the goals, it engages the faculty with the parents in setting the goals, and it asks for regulation waivers in return for the accountability for achievement and higher standards.

In my district in Georgia, the first charter school in our State was approved, and it has subsequently been reapproved. The results are remarkable. The parents are proud, the kids are engaged, and the faculty is a part of the decision-making process, the change, and the reform that has made the school movement a success.

So I commend the gentleman from Florida (Mr. KELLER), I commend those parents, as the gentleman from Ohio (Chairman BOEHNER) has said, and I commend those around the country that are trying to help public schools with that key process of parental involvement and teacher involvement in higher goals and better achievement.

Lastly, I want to add a comment. At our recess a few weeks ago, I traveled with USAID to Egypt and Ethiopia. In Ethiopia, I observed a program known as BESO, sponsored by Save the Children, CARE, World Learning, and USAID. It is a program that engaged, due to the following: It is basic educational structural overhaul. The result is, it is charter schools.

There in Ethiopia, where we have problems with AIDS, problems with Muslim children being able to go to school, problems with economic development because of poor job training, we are bringing in parents, most of whom never had an education, to be part of the school with their children and the teachers to set goals.

We saw children in the worst of impoverished situations achieving higher goals because their parents were involved, their government supported change, and because teachers, parents, and students were partners together.

The resolution of the gentleman from Florida (Mr. KELLER) is a good one. The charter school movement is a tre-

mendous asset to public education. I commend the gentleman from Florida for its introduction. I support the resolution.

Mr. CASTLE. Mr. Speaker, I yield 3 minutes to the gentleman from Minnesota (Mr. GUTKNECHT).

Mr. GUTKNECHT. Mr. Speaker, I thank the gentleman for yielding time to me. I rise in strong support of this important resolution.

Mr. Speaker, our Nation's charter schools have been a great boon to America's education system. My great State of Minnesota enjoys being at the forefront of many movements. Charter schools are no exception. St. Paul Academy in St. Paul, Minnesota, and Bluffview Montessori School in Winona, Minnesota, are America's first charter schools. These schools received their charters back in 1993.

Charter schools provide an innovative curriculum. Students are able to explore specific interests in a unique environment. Charter schools address the special needs of students who may not otherwise prosper in traditional public education systems.

Minnesota features charter schools that specifically address the needs of Hmong and Native American students.

A new agricultural charter school just opened in the Twin Cities. This is an excellent opportunity for urban students to expand their knowledge. Too many adults do not know enough about how food is produced. Charter schools are providing the innovative solutions to that gap of understanding.

As a component of public education, charter schools are a testing ground for education delivery systems, and they are proving very successful. With an enrollment of 175 students, Bluffview continues to prosper. Their students, with the guidance of 15 teachers, have consistently scored higher than national and State averages on standardized tests.

Charter schools provide a creative answer to the question of parental involvement, flexibility and accountability in the public school system, higher standards, and oversight by a sponsoring public district maintain quality and continuity in each school.

In the case of parental involvement, I want to tell Members about Sandy Bauer. Her children have already graduated from Bluffview. Her experience as a parent was so positive that she continues to be a volunteer. That is commitment. Her actions tell me that Bluffview is doing something right.

Accountability is best demonstrated by the creation of a charter document. This document specifically outlines the goals for achievement. I firmly believe in planning your work and working your plan. Charter schools, by their very nature, must meet the goals of their charter or they lose that charter.

I am proud to celebrate National Charter Schools Week. I wholeheartedly commend the charter schools, the movement, the charter school teachers, the parents, and the

students for their ongoing contributions to education. They are leading our country to a brighter future for all students, and I am happy to cosponsor this important resolution.

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

Mr. Speaker, I conclude by stating my very strong support for this resolution. I want to thank the gentleman from Delaware (Mr. CASTLE) for his support on this bipartisan resolution today, as well.

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

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

Mr. Speaker, I would like to thank the gentleman from Florida (Mr. KELLER) for his sponsorship of this, and the gentleman from Indiana (Mr. ROEMER).

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

The SPEAKER pro tempore (Mr. WHITFIELD). The question is on the motion offered by the gentleman from Delaware (Mr. CASTLE) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 386.

The question was taken.

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

Mr. CASTLE. 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.

□ 1800

EDUCATION SCIENCES REFORM ACT OF 2002

Mr. CASTLE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3801) to provide for improvement of Federal education research, statistics, evaluation, information, and dissemination, and for other purposes, as amended.

The Clerk read as follows:

H.R. 3801

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

**TITLE I—EDUCATION SCIENCES REFORM**  
**SEC. 101. SHORT TITLE.**

This title may be cited as the "Education Sciences Reform Act of 2002".

**SEC. 102. TABLE OF CONTENTS.**

The table of contents for this title is as follows:

- Sec. 101. Short title.
- Sec. 102. Table of contents.

**PART A—ACADEMY OF EDUCATION SCIENCES**

- Sec. 111. Establishment.
- Sec. 112. Organization.
- Sec. 113. Functions.
- Sec. 114. Delegation.
- Sec. 115. Office of the Director.
- Sec. 116. Priorities.
- Sec. 117. National Board for Education Sciences.

Sec. 118. Commissioners of the National Education Centers.

Sec. 119. Office of Educational Resources and Dissemination.

**PART B—NATIONAL CENTER FOR EDUCATION RESEARCH**

- Sec. 131. Establishment.
- Sec. 132. Commissioner for Education Research.
- Sec. 133. Duties.
- Sec. 134. Biennial report.
- Sec. 135. Standards for conduct and evaluation of research.

**PART C—NATIONAL CENTER FOR EDUCATION STATISTICS**

- Sec. 151. Establishment.
- Sec. 152. Commissioner for Education Statistics.
- Sec. 153. Duties.
- Sec. 154. Performance of duties.
- Sec. 155. Reports.
- Sec. 156. Dissemination.
- Sec. 157. Cooperative education statistics systems.
- Sec. 158. State defined.

**PART D—NATIONAL CENTER FOR EDUCATION EVALUATION**

- Sec. 171. Establishment.
- Sec. 172. Commissioner for Education Evaluation.
- Sec. 173. Duties.

**PART E—GENERAL PROVISIONS**

- Sec. 181. Definitions.
- Sec. 182. Interagency data sources and formats.
- Sec. 183. Prohibitions.
- Sec. 184. Confidentiality.
- Sec. 185. Availability of data.
- Sec. 186. Performance management.
- Sec. 187. Authority to publish.
- Sec. 188. Vacancies.
- Sec. 189. Scientific or technical employees.
- Sec. 190. Voluntary service.
- Sec. 191. Fellowships.
- Sec. 192. Rulemaking.
- Sec. 193. Authorization of appropriations.

**PART A—ACADEMY OF EDUCATION SCIENCES**

**SEC. 111. ESTABLISHMENT.**

(a) ESTABLISHMENT.—There shall be in the Department an Academy of Education Sciences, to be administered by a Director (as provided in section 115) and a board of directors (as provided in section 117).

(b) MISSION.—The mission of the Academy is to provide national leadership in expanding fundamental knowledge and understanding of education, in order to provide parents, educators, students, researchers, policymakers, and the general public with reliable information about the condition and progress of education in the United States, educational practices that support learning and improve academic achievement for all students, and the effectiveness of Federal and other education programs. In carrying out this mission, the Academy shall conduct research, evaluation, statistics, and dissemination activities supported by Federal funds through the Academy and ensure that such activities—

- (1) conform to high standards of quality, integrity, and accuracy; and
- (2) are objective, secular, neutral, and non-ideological and are free of partisan political influence and racial, cultural, gender, or regional bias.

**SEC. 112. ORGANIZATION.**

- The Academy consists of the following:
- (1) The Office of the Director (as set out in section 115).
  - (2) The National Board for Education Sciences (as set out in section 117).
  - (3) The Office of Educational Resources and Dissemination (as set out in section 119).

(4) The National Education Centers, which include—

- (A) the National Center for Education Research (as set out in part B);
- (B) the National Center for Education Statistics (as set out in part C); and
- (C) the National Center for Education Evaluation (as set out in part D).

**SEC. 113. FUNCTIONS.**

The Academy, directly or through grants, contracts, or cooperative agreements, shall—

- (1) conduct and support scientifically valid research activities, including basic and applied research, statistics activities, scientifically valid education evaluation, development, and dissemination;
- (2) disseminate the findings and results of scientifically valid research in education;
- (3) promote the application of knowledge gained from scientifically valid research activities;
- (4) strengthen the national capacity to conduct scientifically valid research in education; and
- (5) promote the coordination of scientifically valid research in education within the Department and the Federal Government.

**SEC. 114. DELEGATION.**

(a) DELEGATION OF AUTHORITY.—Notwithstanding section 412 of the Department of Education Organization Act (20 U.S.C. 3472), the Secretary shall delegate to the Director all functions for carrying out this title (other than administrative and support functions), except that—

(1) nothing in this title or in the National Assessment of Educational Progress Authorization Act may be construed to alter or diminish the role, responsibilities, or authority of the National Assessment Governing Board with respect to the National Assessment of Educational Progress from those authorized by the National Education Statistics Act of 1994 immediately before the enactment of this Act;

(2) members of the National Assessment Governing Board shall continue to be appointed by the Secretary;

(3) section 302(f)(1) of the National Assessment of Educational Progress Authorization Act shall apply to the National Assessment Governing Board in the exercise of its responsibilities under this Act;

(4) sections 116 and 117(b)(2) shall not apply to the National Assessment of Educational Progress; and

(5) sections 116 and 117 shall not apply to the National Assessment Governing Board.

(b) OTHER ACTIVITIES.—The Secretary may assign the Academy responsibility for administering other activities, if those activities are consistent with—

- (1) the Academy's priorities, as approved by the National Board for Education Sciences under section 116; or
- (2) the Academy's mission, if the activities are not consistent with such priorities.

**SEC. 115. OFFICE OF THE DIRECTOR.**

(a) APPOINTMENT.—Except as provided in subsection (b)(2), the President, with the advice and consent of the Senate, shall appoint the Director of the Academy.

(b) TERM.—

(1) IN GENERAL.—The Director shall serve for a term of 6 years, beginning on the date of appointment of the Director, but may be removed by the President prior to the expiration of that term.

(2) FIRST DIRECTOR.—The President, without the advice and consent of the Senate, may appoint the Assistant Secretary for the Office of Educational Research and Improvement (as such office existed on the day before the date of enactment of this Act) to serve as the first Director of the Academy.

(3) SUBSEQUENT DIRECTORS.—The Board may make recommendations to the President with respect to the appointment of a

Director, other than a Director appointed under paragraph (2).

(c) **PAY.**—The Director shall receive the rate of basic pay for level III of the Executive Schedule.

(d) **QUALIFICATIONS.**—The Director shall be selected from individuals who are highly qualified authorities in the fields of scientifically valid research, statistics, or evaluation in education, as well as management within such areas, and have a demonstrated capacity for sustained productivity and leadership in these areas.

(e) **ADMINISTRATION.**—The Director shall—

(1) administer, supervise, and coordinate the activities carried out under the Academy, including the activities of the National Education Centers; and

(2) coordinate and approve budgets and operating plans for each of the National Education Centers for submission to the Secretary.

(f) **DUTIES.**—The duties of the Director shall include the following:

(1) To propose to the Board priorities for the Academy, in accordance with section 116(a).

(2) To ensure the methodology applied in conducting research, evaluation, and statistical analysis is consistent with the standards for such activities under this title.

(3) To coordinate education research and related activities carried out by the Academy with such research and activities carried out by other agencies within the Department and the Federal Government.

(4) To advise the Secretary on research, evaluation, and statistics activities relevant to the activities of the Department.

(5) To establish necessary procedures for technical and scientific peer review of the activities of the Academy, consistent with section 117(b)(3).

(6) To ensure that all participants in research conducted or supported by the Academy are afforded their privacy rights and other relevant protections as research subjects, in accordance with section 184 of this title, section 552a of title 5, United States Code, and sections 444 and 445 of the General Education Provisions Act (20 U.S.C. 1232g, 1232h).

(7) To ensure that activities conducted or supported by the Academy are objective, secular, neutral, and nonideological and are free of partisan political influence and racial, cultural, gender, or regional bias.

(8) To undertake initiatives and programs to increase the participation of researchers and institutions that have been historically underutilized in Federal education research activities in the activities of the Academy, including historically Black colleges and universities and other institutions of higher education with large numbers of minority students.

(9) To coordinate with the Secretary to promote and provide for the coordination of research and development activities and technical assistance activities between the Academy and the regional governing boards and regional entities described in section 203 of the Regional Assistance Act of 2002 to ensure collaboration and resource sharing and reduce redundancy in such activities.

(10) To solicit and consider the recommendations of education stakeholders, in order to ensure that there is broad and regular public and professional input from the educational field in the planning and carrying out of the Academy's activities.

(11) At the discretion of the Director and in consultation with the National Academy of Sciences, to conduct a study to determine—

(A) a standard by which States may accurately measure the rate at which students drop out of or graduate from secondary

schools in the United States (including on-time graduation); and

(B) the use of alcohol or illegal narcotics as contributing factors to incidents of school violence committed by students during the regular school day and while participating in other school-related activities.

(12) To carry out and support other activities consistent with the priorities and mission of the Academy.

(g) **EXPERT GUIDANCE AND ASSISTANCE.**—The Director may establish technical and scientific peer-review groups and scientific program advisory committees that the Director determines are necessary to carry out the requirements of this title. The Director shall appoint such personnel, except that officers and employees of the United States shall comprise no more than one-fourth of the members of any such group or committee and shall not receive additional compensation for their service as members of such a group or committee. The Director shall ensure that reviewers are highly qualified and capable to appraise education research and development projects. The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to a peer-review group or an advisory committee established under this subsection.

#### **SEC. 116. PRIORITIES.**

(a) **PROPOSAL.**—The Director shall propose to the Board priorities for the Academy (taking into consideration long-term research and development on core issues conducted through the national research and development centers (as defined in section 181)) identifying topics that may require long-term research and topics that are focused on understanding and solving particular education problems and issues, including those associated with the goals and requirements established in the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.), such as—

(1) closing the achievement gap between high-performing and low-performing children, especially achievement gaps between minority and nonminority children and between disadvantaged children and their more advantaged peers; and

(2) ensuring that all children reach, at a minimum, proficiency on challenging State academic achievement standards and assessments.

(b) **APPROVAL.**—The Board shall approve or disapprove the priorities for the Academy proposed by the Director, including any necessary revision of those priorities. The Board shall transmit any priorities so approved to the appropriate congressional committee.

(c) **CONSISTENCY.**—The Board shall ensure that priorities of the Academy and the National Education Centers are consistent with the mission of the Academy.

(d) **PUBLIC AVAILABILITY AND COMMENT.**—

(1) **PRIORITIES.**—Before submitting to the Board proposed priorities for the Academy, the Director shall make such priorities available to the public for comment (including by means of the Internet and through publishing such priorities in the Federal Register). The Director shall provide to the Board a copy of each such comment submitted.

(2) **PLAN.**—Upon approval of such priorities, the Director shall make the Academy's plan for addressing such priorities available for public comment in the same manner as under paragraph (1).

#### **SEC. 117. NATIONAL BOARD FOR EDUCATION SCIENCES.**

(a) **ESTABLISHMENT.**—The Academy shall have a board of directors, which shall be known as the National Board for Education Sciences.

(b) **DUTIES.**—The duties of the Board shall be the following:

(1) To advise the Director on the policies of the Academy.

(2) To consider and approve priorities under section 116 to guide the work of the Academy.

(3) To review and approve procedures for scientific peer review of the activities of the Academy.

(4) To advise the Director on the development of activities to be supported by the Academy, including the general areas of research to be carried out by the National Center for Education Research.

(5) To present to the Director such recommendations as it may find appropriate for—

(A) the strengthening of education research; and

(B) the funding of the Academy.

(6) To advise the Director on the funding of applications for grants, contracts, and cooperative agreements for research, after the completion of peer review.

(7) To review and regularly evaluate the work of the Academy, to ensure that scientifically valid research, evaluation, and statistical analysis are consistent with the standards for such activities under this title.

(8) To advise the Director on ensuring that activities conducted or supported by the Academy are objective, secular, neutral, and nonideological and are free of partisan political influence and racial, cultural, gender, or regional bias.

(9) To solicit advice and information from those in the educational field, particularly practitioners and researchers, to recommend to the Director topics that require long-term, sustained, systematic, programmatic, and integrated research efforts, including knowledge utilization and dissemination of research, consistent with the priorities and mission of the Academy.

(10) To advise the Director on opportunities for the participation in, and the advancement of, women, minorities, and persons with disabilities in education research, statistics, and evaluation activities of the Academy.

(11) To recommend to the Director ways to enhance strategic partnerships and collaborative efforts among other Federal and State research agencies.

(12) To recommend to the Director individuals to serve as Commissioners of the National Education Centers.

(c) **COMPOSITION.**—

(1) **VOTING MEMBERS.**—The Board shall have 15 voting members appointed by the President, with the advice and consent of the Senate.

(2) **ADVICE.**—The President shall solicit advice on individuals to serve on the Board from the National Academy of Sciences, the National Science Foundation, and the Office of Science and Technology Policy.

(3) **NONVOTING EX OFFICIO MEMBERS.**—The Board shall have the following nonvoting ex officio members:

(A) The Director of the Academy of Education Sciences.

(B) Each of the Commissioners of the National Education Centers.

(C) The Director of the National Institute of Child Health and Human Development.

(D) The Director of the Census.

(E) The Commissioner of Labor Statistics.

(F) The Director of the National Science Foundation.

(4) **APPOINTED MEMBERSHIP.**—

(A) **QUALIFICATIONS.**—Members appointed under paragraph (1) shall be highly qualified to appraise education research, statistics, evaluations, or development, and shall include individuals from each of the following groups:

(i) Educators, including classroom teachers, principals, and other school administrators.

(ii) Parents.

(iii) Business leaders.

(iv) Experts and scientists in research, statistics, evaluation, or development, who are recognized in their discipline as highly qualified to represent such discipline.

(B) SPECIAL RULE.—A majority of the voting members of the Board must be appointed from the groups described in clauses (i) and (iv) of subparagraph (A).

(C) TERMS.—Each member appointed under paragraph (1) shall serve for a term of 4 years, except that—

(i) each such member may be removed by the President before the expiration of that term;

(ii) the terms of the initial members appointed under such paragraph shall (as determined by a random selection process at the time of appointment) be for staggered terms of—

(I) 4 years for each of five members;

(II) 3 years for each of five members; and

(III) 2 years for each of five members; and

(iii) no member appointed under such paragraph shall serve for more than two consecutive terms.

(D) UNEXPIRED TERMS.—Any member appointed to fill a vacancy occurring before the expiration of the term for which the member's predecessor was appointed shall be appointed only for the remainder of that term.

(5) CHAIR.—The Board shall elect a chairperson from among the members of the Board.

(6) COMPENSATION.—Members of the Board shall serve without pay for such service. Members of the Board who are officers or employees of the United States may not receive additional pay, allowances, or benefits by reason of their service on the Board.

(7) TRAVEL EXPENSES.—The members of the Board shall receive travel expenses, including per diem in lieu of subsistence, in accordance with subchapter I of chapter 57 of title 5, United States Code.

(8) POWERS OF THE BOARD.—

(A) EXECUTIVE DIRECTOR.—The Board shall have an Executive Director who shall be appointed by the Board.

(B) ADDITIONAL STAFF.—The Board shall utilize such additional staff as may be appointed or assigned by the Director, in consultation with the Chair.

(C) DETAIL OF PERSONNEL.—The Board may use the services and facilities of any department or agency of the Federal Government. Upon the request of the Board, the head of any Federal department or agency may detail any of the personnel of that department or agency to the Board to assist the Board in carrying out this Act.

(D) CONTRACTS.—The Board may enter into contracts or make other arrangements as may be necessary to carry out its functions.

(E) INFORMATION.—The Board may, to the extent otherwise permitted by law, obtain directly from any executive department or agency of the Federal Government such information as the Board deems necessary to carry out its functions.

(9) MEETINGS.—The Board shall meet not less than four times each year. The Board shall hold additional meetings at the call of the chairperson or upon the written request of at least six voting members of the Board.

(10) QUORUM.—A majority of the voting members of the Board shall constitute a quorum.

(d) STANDING COMMITTEES.—

(1) ESTABLISHMENT.—The Board may establish standing committees—

(A) to each serve one of the National Education Centers; and

(B) to advise, consult with, and make recommendations to the Director and the Commissioner of the appropriate National Education Centers.

(2) MEMBERSHIP.—A majority of the members of each standing committee shall be voting members of the Board whose expertise is needed for the functioning of the committee. In addition, the membership of each standing committee may include, as appropriate—

(A) experts and scientists in research, statistics, evaluation, or development who are recognized in their discipline as highly qualified to represent such discipline and who are not members of the Board, but who may have been recommended by the Commissioner of the appropriate National Education Center and approved by the Board;

(B) ex officio members of the Board; and

(C) policymakers and expert practitioners with knowledge of, and experience using, the results of research, evaluation, and statistics who are not members of the Board, but who may have been recommended by the Commissioner of the appropriate National Education Center and approved by the Board.

(3) DUTIES.—Each standing committee shall—

(A) at the discretion of the Board or the standing committee, review and comment on any grant, contract, or cooperative agreement entered into (or proposed to be entered into) by the applicable National Education Center;

(B) prepare for, and submit to, the Board an annual evaluation of the operations of the applicable National Education Center;

(C) review and comment on the relevant plan for activities to be undertaken by the applicable National Education Center for each fiscal year; and

(D) periodically report to the Board regarding the activities of the committee and the applicable National Education Center.

(e) ANNUAL REPORT.—The Board shall submit to the Director, the Secretary, and the appropriate congressional committees, not later than July 1 of each year, a report that assesses the effectiveness of the Academy in carrying out its priorities and mission, especially as such priorities and mission relate to carrying out scientifically valid research, conducting unbiased evaluations, and collecting and reporting accurate education statistics.

(f) RECOMMENDATIONS.—The Board shall submit to the Director, the Secretary, and the appropriate congressional committees a report that includes any recommendations regarding any actions that could be taken to enhance the ability of the Academy to carry out its priorities and mission. The Board shall submit an interim report not later than 3 years after the date of enactment of this Act and a final report not later than 5 years after such date of enactment.

**SEC. 118. COMMISSIONERS OF THE NATIONAL EDUCATION CENTERS.**

(a) APPOINTMENT.—The National Education Centers shall each be headed by a Commissioner appointed by the Director. In appointing Commissioners, the Director shall seek to promote continuity in leadership of the National Education Centers and shall consider individuals recommended by the Board. The Director may appoint a Commissioner to carry out the functions of a National Education Center without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates.

(b) PAY.—The Commissioners shall each receive the rate of basic pay for level IV of the Executive Schedule.

(c) QUALIFICATIONS.—Each Commissioner shall be highly qualified in the field of education research, statistics, or evaluation.

(d) SERVICE AND REMOVAL.—Each Commissioner shall report to the Director and may be removed by the Director. A Commissioner shall serve for a period of no more than 6 years, unless reappointed by the Director, except that a Commissioner may serve for an additional period, not to exceed 1 year, until a successor has been appointed by the Director.

**SEC. 119. OFFICE OF EDUCATIONAL RESOURCES AND DISSEMINATION.**

(a) ESTABLISHMENT.—There is established within the Academy an Office of Educational Resources and Dissemination.

(b) DUTIES.—The Office of Educational Resources and Dissemination shall—

(1) disseminate information on scientifically valid research, statistics, and evaluation on education to the public, the media, voluntary organizations, and other constituencies, especially with respect to information relating to, at a minimum—

(A) the core academic areas of reading, mathematics, and science;

(B) closing the achievement gap between high-performing students and low-performing students;

(C) educational practices that improve academic achievement and promote learning; and

(D) education technology, including software;

(2) manage the National Library of Education described in subsection (e), and other sources of digital information on education research; and

(3) make such information accessible in a user-friendly, timely, and efficient manner (including through use of a searchable Internet web-based online database) to schools, educators, parents, administrators, policymakers, researchers, public and private entities, entities responsible for carrying out technical assistance through the Department, and the general public.

(c) ADDITIONAL DUTIES.—In carrying out subsection (b), the Office of Educational Resources and Dissemination shall—

(1) ensure that information disseminated under this section is provided in a cost-effective, nonduplicative manner, including the most current research findings, which may include through the continuation of individual clearinghouses authorized under the Educational Research, Development, Dissemination, and Improvement Act of 1994 (title IX of the Goals 2000: Educate America Act; 20 U.S.C. 6001 et seq.) (as such Act existed on the day before the date of enactment of this Act) or the clearinghouse authorized under section 2102(b) of the Elementary and Secondary Education Act of 1965 (as such section existed on the day before the date of enactment of the No Child Left Behind Act of 2001 (Public Law 107-110));

(2) prominently describe the type of scientific evidence that is used to support the findings that are disseminated;

(3) clearly explain the scientifically appropriate and inappropriate uses of—

(A) the findings that are disseminated; and

(B) the types of evidence used to support those findings; and

(4) respond, as appropriate, to inquiries from schools, educators, parents, administrators, policymakers, researchers, public and private entities, and entities responsible for carrying out technical assistance.

(d) CONTINUATION.—The Director shall continue the existing awards of the Educational Resources Information Center Clearinghouses (established under section 941(f) of the Educational Research, Development, Dissemination, and Improvement Act of 1994 (as such provision existed on the day before the

date of enactment of this Act)) for the duration of those existing awards, in accordance with the terms and agreements of such awards.

(e) NATIONAL LIBRARY OF EDUCATION.—There is established within the Office of Educational Resources and Dissemination a National Library of Education that shall be headed by an individual who is highly qualified in library science and shall collect and archive information, including products and publications developed through, or supported by, the Academy, and other relevant and useful education-related research, statistics, and evaluation and other information, projects, and publications that are consistent with scientifically valid research or the priorities and mission of the Academy and are developed by the Department, other Federal agencies, or entities (including entities supported under the Regional Educational Technical Assistance Act).

#### **PART B—NATIONAL CENTER FOR EDUCATION RESEARCH**

##### **SEC. 131. ESTABLISHMENT.**

(a) ESTABLISHMENT.—There is established in the Academy a National Center for Education Research (in this part referred to as the “Research Center”).

(b) MISSION.—The mission of the Research Center is—

(1) to sponsor sustained research that will lead to the accumulation of knowledge and understanding of education, particularly to improve student academic achievement and close the achievement gap between high-performing and low-performing students, including through the improvement of teaching and learning of reading, writing, mathematics, science, and other academic subjects;

(2) to support the synthesis and, as appropriate, the integration of education research;

(3) to promote quality and integrity through the use of accepted practices of scientific inquiry to obtain knowledge and understanding of the validity of education theories, practices, or conditions; and

(4) to promote scientifically valid research findings that can provide the basis for improving academic instruction and lifelong learning.

##### **SEC. 132. COMMISSIONER FOR EDUCATION RESEARCH.**

The Research Center shall be headed by a Commissioner for Education Research (in this part referred to as the “Research Commissioner”) who shall have substantial knowledge of the activities of the Research Center, including a high level of expertise in the fields of research and research management.

##### **SEC. 133. DUTIES.**

(a) GENERAL DUTIES.—The Research Center shall—

(1) maintain published peer-review standards and standards for the conduct and evaluation of all research and development carried out under the auspices of the Research Center in accordance with this part;

(2) propose to the Director a research plan that—

(A) is consistent with the priorities and mission of the Academy and the mission of the Research Center and includes the activities described in paragraph (3); and

(B) shall be carried out pursuant to paragraph (4) and, as appropriate, be updated and modified;

(3) carry out specific, long-term research activities that are consistent with the priorities and mission of the Academy, and are approved by the Director;

(4) implement the plan proposed under paragraph (2) to carry out scientifically valid research that—

(A) uses objective and measurable indicators, including timelines, that are used to as-

sess the progress and results of such research;

(B) meets the procedures for peer review established by the Director under section 115(f)(5) and the standards of research described in section 135; and

(C) includes both basic research and applied research, which shall include research conducted through field-initiated studies and may include ongoing research initiatives;

(5) promote the use of scientifically valid research within the Federal Government, including active participation in interagency research initiatives;

(6) ensure that research conducted by the Research Center is relevant to education practice and policy;

(7) synthesize and disseminate, through the Office of Educational Resources and Dissemination, the findings and results of education research conducted or supported by the Research Center;

(8) prepare and submit to the Director for approval a biennial report, as described in section 134, which shall be made available to the public through such means as the Internet; and

(9) carry out research on successful State and local education reform activities that result in increased academic achievement and narrowing of achievement gaps, as approved by the Director.

(b) ELIGIBILITY.—Research carried out under subsection (a) through contracts, grants, or cooperative agreements shall be carried out only by recipients with the ability and capacity to conduct scientifically valid research.

##### **(c) NATIONAL RESEARCH AND DEVELOPMENT CENTERS.—**

(1) SUPPORT.—In carrying out activities under subsection (a)(3), the Director, acting through the Research Commissioner, shall support national research and development centers.

(2) SCOPE.—Support for a national research and development center shall be for a period of not more than 5 years, shall be of sufficient size and scope to be effective, and notwithstanding section 135(b), may be renewed without competition for not more than 5 additional years if the Director, in consultation with the Research Commissioner and the Board, determines that the research of the national research and development center—

(A) continues to address priorities of the Academy; and

(B) merits renewal (applying the procedures and standards established in section 135).

(3) LIMIT.—No national research and development center may be supported under this subsection for a period of more than 10 years without competition.

(4) CONTINUATION OF AWARDS.—The Director, acting through the Research Commissioner, shall continue awards made to the national research and development centers in effect on the day before the date of enactment of this Act in accordance with the terms of those awards and may renew them in accordance with paragraphs (2) and (3).

##### **SEC. 134. BIENNIAL REPORT.**

The Director shall, on a biennial basis, transmit to the President, the Board, and the appropriate congressional committees and make widely available to the public (including by means of the Internet), a report containing the following:

(1) A description of the activities carried out by and through the Research Center during the prior fiscal year.

(2) A detailed summary of each grant, contract, and cooperative agreement in excess of \$100,000 funded during the prior fiscal year, including, at a minimum, the amount,

duration, recipient, purpose, and goal of the award and its relationship to the priorities and mission of the Academy, and the reports and publications produced, which shall be available in a user-friendly electronic database.

(3) A description of how the activities of the Research Center are consistent with the principles of scientifically valid research and the priorities and mission of the Academy.

(4) Such additional comments, recommendations, and materials as the Director considers appropriate.

##### **SEC. 135. STANDARDS FOR CONDUCT AND EVALUATION OF RESEARCH.**

(a) IN GENERAL.—In carrying out this part, the Director, acting through the Research Commissioner, shall—

(1) ensure that all research conducted under the direction of the Research Center follows scientifically based research standards;

(2) develop such other standards as may be necessary to govern the conduct and evaluation of all research, development, and dissemination activities carried out by the Research Center to assure that such activities meet the highest standards of professional excellence;

(3) review the procedures utilized by the National Institutes of Health, the National Science Foundation, and other Federal departments or agencies engaged in research and development and actively solicit recommendations from research organizations and members of the general public in the development of the standards described in paragraph (2); and

(4) ensure that all research complies with Federal guidelines relating to research misconduct.

##### **(b) RESEARCH AWARDS.—**

(1) IN GENERAL.—Research carried out under this part through grants, contracts, or cooperative agreements, at a minimum, shall—

(A) be awarded through a process of open competition; and

(B) be subject to a system of peer review of highly qualified individuals with an in-depth knowledge of the subject to be investigated—

(i) for reviewing and evaluating all applications for grants and cooperative agreements and bids for contracts that exceed \$100,000; and

(ii) for evaluating and assessing the performance of all recipients of grants, cooperative agreements, and contracts.

(2) EVALUATION.—The Director, acting through the Research Commissioner, shall—

(A) develop the procedures to be used in evaluating applications for research grants, cooperative agreements, and contracts and specify the criteria and factors which shall be considered in making such evaluations; and

(B) evaluate the performance of each recipient of an award of a research grant, contract, or cooperative agreement at the conclusion of the award.

(c) LONG-TERM RESEARCH.—The Director, acting through the Research Commissioner, shall assure that not less than 50 percent of the funds made available for research for each fiscal year shall be used to fund long-term research programs of not less than 5 years, which support the priorities and mission of the Academy and the mission of the Research Center.

#### **PART C—NATIONAL CENTER FOR EDUCATION STATISTICS**

##### **SEC. 151. ESTABLISHMENT.**

(a) ESTABLISHMENT.—There is established in the Academy a National Center for Education Statistics (in this part referred to as the “Statistics Center”).

(b) MISSION.—The mission of the Statistics Center shall be—

(1) to collect and analyze education information and statistics in a manner that meets the highest methodological standards;

(2) to report education information and statistics in a timely manner; and

(3) to collect, analyze, and report education information and statistics in a manner that—

(A) is objective, secular, neutral, and non-ideological and is free of partisan political influence and racial, cultural, gender, or regional bias; and

(B) is relevant and useful to practitioners, researchers, policymakers, and the public.

**SEC. 152. COMMISSIONER FOR EDUCATION STATISTICS.**

The Statistics Center shall be headed by a Commissioner for Education Statistics (in this part referred to as the “Statistics Commissioner”) who shall have substantial knowledge of statistical methodologies and activities undertaken by the Statistics Center.

**SEC. 153. DUTIES.**

(a) **GENERAL DUTIES.**—The Statistics Center shall collect, report, analyze, and disseminate statistical data related to education in the United States and in other nations, including—

(1) collecting, acquiring, compiling (where appropriate, on a State-by-State basis), and disseminating full and complete statistics on the condition and progress of education, at the preschool, elementary, secondary, postsecondary, and adult levels in the United States, including data on—

(A) student achievement in, at a minimum, the core academic areas of reading, mathematics, and science at all levels of education;

(B) secondary school completions, dropouts, and adult literacy and reading skills;

(C) educational access to, and opportunity for, postsecondary education, including data on financial aid to postsecondary students;

(D) teaching, including—

(i) data on in-service professional development, including a comparison of courses taken in the core academic areas of reading, mathematics, and science with courses in noncore academic areas; and

(ii) the percentage of teachers who are highly qualified (as such term is defined in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)) in each State and, where feasible, in each local educational agency and school;

(E) instruction, the conditions of the education workplace, and the supply of, and demand for, teachers;

(F) the incidence, frequency, seriousness, and nature of violence affecting students, school personnel, and other individuals participating in school activities, as well as other indices of school safety, including information regarding—

(i) the relationship between victims and perpetrators;

(ii) demographic characteristics of the victims and perpetrators; and

(iii) the type of weapons used in incidents, as classified in the Uniform Crime Reports of the Federal Bureau of Investigation;

(G) the financing and management of education, including data on revenues and expenditures;

(H) the social and economic status of children, including their academic achievement;

(I) the existence and use of educational technology and access to the Internet in elementary schools and secondary schools;

(J) educational access to, and opportunity for, early childhood education; and

(K) the availability of, and access to, before-school and after-school programs (including such programs during school recesses);

(2) conducting and publishing reports on the meaning and significance of the statistics described in paragraph (1);

(3) collecting, analyzing, cross-tabulating, and reporting, to the extent feasible, information by gender, race, ethnicity, socioeconomic status, limited English proficiency, mobility, and disability, when such disaggregated information would facilitate educational and policy decisionmaking;

(4) assisting public and private educational agencies, organizations, and institutions in improving and automating statistical and data collection activities, which may include assisting State educational agencies and local educational agencies with the disaggregation of data;

(5) acquiring and disseminating data on educational activities and student achievement (such as the Third International Math and Science Study) in the United States compared with foreign nations; and

(6) conducting longitudinal and special data collections necessary to report on the condition and progress of education.

(b) **TRAINING PROGRAM.**—The Director, acting through the Statistics Commissioner, may establish a program to train employees of public and private educational agencies, organizations, and institutions in the use of standard statistical procedures and concepts and may establish a fellowship program to appoint such employees as temporary fellows at the Statistics Center in carrying out its duties.

**SEC. 154. PERFORMANCE OF DUTIES.**

(a) **GRANTS, CONTRACTS, AND COOPERATIVE AGREEMENTS.**—In carrying out the duties under this part, the Director, acting through the Statistics Commissioner, may award grants, enter into contracts and cooperative agreements, and provide technical assistance.

(b) **GATHERING INFORMATION.**—

(1) **SAMPLING.**—The Statistics Commissioner may use the statistical method known as sampling (including random sampling) to carry out this part.

(2) **SOURCE OF INFORMATION.**—The Statistics Commissioner may, as appropriate, use information collected—

(A) from States, local educational agencies, public and private schools, preschools, institutions of postsecondary education, vocational and adult education programs, libraries, administrators, teachers, students, the general public, and other individuals, organizations, agencies, and institutions (including information collected by States and local educational agencies for their own use); and

(B) by other offices within the Academy and by other Federal departments, agencies, and instrumentalities.

(3) **COLLECTION.**—The Director, acting through the Statistics Commissioner, may—

(A) enter into interagency agreements for the collection of statistics;

(B) arrange with any agency, organization, or institution for the collection of statistics; and

(C) assign employees of the Statistics Center to any such agency, organization, or institution to assist in such collection.

(4) **TECHNICAL ASSISTANCE AND COORDINATION.**—In order to maximize the effectiveness of Department efforts to serve the educational needs of children and youth, the Statistics Commissioner shall—

(A) provide technical assistance to the Department offices that gather data for statistical purposes; and

(B) coordinate with other Department offices in the collection of data.

**SEC. 155. REPORTS.**

(a) **PROCEDURES FOR ISSUANCE OF REPORTS.**—The Director, acting through the

Statistics Commissioner, shall establish procedures, in accordance with section 187, to ensure that the reports issued under this section are relevant, of high quality, useful to customers, subject to rigorous peer review, produced in a timely fashion, and free from any partisan political influence.

(b) **REPORT ON CONDITION AND PROGRESS OF EDUCATION.**—Not later than June 1, 2002, and each succeeding June 1 thereafter, the Director, acting through the Statistics Commissioner, shall submit to the President and the appropriate congressional committees a statistical report on the condition and progress of education in the United States.

(c) **STATISTICAL REPORTS.**—The Director, acting through the Statistics Commissioner, shall issue regular and, as necessary, special statistical reports on education topics, particularly in the core academic areas of reading, mathematics, and science, consistent with the priorities and mission of the Academy and the mission of the Statistics Center.

**SEC. 156. DISSEMINATION.**

(a) **GENERAL REQUESTS.**—

(1) **IN GENERAL.**—The Statistics Center may furnish transcripts or copies of tables and other statistical records and make special statistical compilations and surveys for State and local officials, public and private organizations, and individuals.

(2) **COMPILATIONS.**—The Statistics Center shall provide State and local educational agencies opportunities to suggest the development of particular compilations of statistics, surveys, and analyses that would assist those educational agencies.

(b) **CONGRESSIONAL REQUESTS.**—The Statistics Center shall furnish such special statistical compilations and surveys as the relevant congressional committees may request.

(c) **JOINT STATISTICAL PROJECTS.**—The Statistics Center may engage in joint statistical projects related to the mission of the Center, or other statistical purposes authorized by law, with nonprofit organizations or agencies, and the cost of such projects shall be shared equitably.

(d) **FEEES.**—

(1) **IN GENERAL.**—Statistical compilations and surveys under this section, other than those carried out pursuant to subsections (b) and (c), may be made subject to the payment of the actual or estimated cost of such work.

(2) **FUNDS RECEIVED.**—All funds received in payment for work or services described in this subsection may be used to pay directly the costs of such work or services, to repay appropriations that initially bore all or part of such costs, or to refund excess sums when necessary.

(e) **ACCESS.**—

(1) **OTHER AGENCIES.**—The Statistics Center shall, consistent with section 184, cooperate with other Federal agencies having a need for educational data in providing access to educational data received by the Statistics Center.

(2) **INTERESTED PARTIES.**—The Statistics Center shall, in accordance with such terms and conditions as the Center may prescribe, provide all interested parties, including public and private agencies, parents, and other individuals, direct access, in the most appropriate form (including, where possible, electronically), to data collected by the Statistics Center for the purposes of research and acquiring statistical information.

**SEC. 157. COOPERATIVE EDUCATION STATISTICS SYSTEMS.**

The Statistics Center may establish one or more national cooperative education statistics systems for the purpose of producing and maintaining, with the cooperation of the States, comparable and uniform information

and data on early childhood education, elementary and secondary education, postsecondary education, adult education, and libraries, that are useful for policymaking at the Federal, State, and local levels.

#### SEC. 158. STATE DEFINED.

In this part, the term "State" means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

### PART D—NATIONAL CENTER FOR EDUCATION EVALUATION

#### SEC. 171. ESTABLISHMENT.

(a) ESTABLISHMENT.—There is established in the Academy a National Center for Education Evaluation (in this part referred to as the "Evaluation Center").

(b) MISSION.—The mission of the Evaluation Center shall be to conduct evaluations of Federal education programs administered by the Secretary (and as time and resources allow, other education programs) to determine the impact of such programs (especially on student academic achievement in the core academic areas of reading, mathematics, and science), to support synthesis and dissemination of results of evaluation research, and to encourage the use of scientifically valid education evaluation throughout the United States.

#### SEC. 172. COMMISSIONER FOR EDUCATION EVALUATION.

(a) IN GENERAL.—The Evaluation Center shall be headed by a Commissioner for Education Evaluation (in this part referred to as the "Evaluation Commissioner") who—

(1) shall possess a demonstrated capacity for sustained productivity and leadership in education evaluation, and be technically competent in conducting scientifically valid education evaluations; and

(2) shall oversee all evaluation activities of the Evaluation Center, the development of evaluation methodology, the reporting of findings of evaluations to the public and appropriate congressional committees, and other duties essential to carrying out the mission of the Evaluation Center.

(b) GRANTS, CONTRACTS, AND COOPERATIVE AGREEMENTS.—In carrying out the duties under this part, the Director, acting through the Evaluation Commissioner, may award grants, enter into contracts and cooperative agreements, and provide technical assistance.

#### SEC. 173. DUTIES.

(a) GENERAL DUTIES.—

(1) IN GENERAL.—The Evaluation Center shall—

(A) conduct or support evaluations consistent with the Evaluation Center's mission as described in section 171(b);

(B) evaluate programs under title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.);

(C) coordinate the activities of the Evaluation Center with other evaluation activities in the Department; and

(D) review and, where feasible, supplement Federal education program evaluations, particularly those by the Department, to determine or enhance the quality and relevance of the evidence generated by those evaluations.

(2) ADDITIONAL REQUIREMENTS.—Each evaluation conducted by the Evaluation Center pursuant to paragraph (1) shall adhere to the highest possible standards of quality for conducting scientifically valid education evaluation.

(3) REPORT.—The Director, acting through the Evaluation Commissioner, shall submit to the President and the appropriate congressional committees a report on the Evaluation Center's evaluation activities on a biennial basis.

(b) ADMINISTRATION OF EVALUATIONS UNDER TITLE I OF THE ELEMENTARY AND SECONDARY

EDUCATION ACT OF 1965.—The Director, acting through the Evaluation Commissioner, consistent with the mission of the Evaluation Center under section 171(b), shall administer all operations and contracts associated with evaluations authorized by part E of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6491 et seq.) and administered by the Department as of the date of enactment of this Act.

### PART E—GENERAL PROVISIONS

#### SEC. 181. DEFINITIONS.

In this title:

(1) The terms "elementary school", "secondary school", "local educational agency", and "State educational agency" have the meanings given those terms in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801) and the terms "freely associated states" and "outlying area" have the meanings given those terms in section 1121(c) of such Act (20 U.S.C. 6331(c)).

(2) The term "Academy" means the Academy of Education Sciences established under section 111.

(3) The term "applied research" means research—

(A) to gain knowledge or understanding necessary for determining the means by which a recognized and specific need may be met; and

(B) that is specifically directed to the advancement of practice in the field of education.

(4) The term "basic research" means research—

(A) to gain fundamental knowledge or understanding of phenomena and observable facts, without specific application toward processes or products; and

(B) for the advancement of knowledge in the field of education.

(5) The term "Board" means the National Board for Education Sciences established under section 117.

(6) The term "Department" means the Department of Education.

(7) The term "development" means the systematic use of knowledge or understanding gained from the findings of scientifically valid research that may prove useful in areas (such as the preparation of materials and new methods of instruction and practices in teaching), that may lead to the improvement of the academic skills of students, and that are replicable in different educational settings.

(8) The term "Director" means the Director of the Academy of Education Sciences.

(9) The term "dissemination" means the communication and transfer of the results of scientifically valid research, statistics, and evaluations, in forms that are understandable, easily accessible, and usable, or adaptable for use in, the improvement of educational practice by teachers, administrators, librarians, other practitioners, researchers, policymakers, and the public, through the provision of technical assistance, electronic transfer, and other means.

(10) The term "field-initiated research" means basic research or applied research in which specific questions and methods of study are generated by investigators (including teachers and other practitioners) and that conforms to standards of scientifically valid research.

(11) The term "institution of higher education" has the meaning given that term in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

(12) The term "national research and development center" means a research and development center under section 931(c)(1)(B) of the Education Research, Development, Dissemination, and Improvement Act of 1994 (20

U.S.C. 6031(c)(1)(B)) (as such provision existed on the day before the date of enactment of this Act).

(13)(A) The term "scientifically based research standards" means research standards that—

(i) apply rigorous, systematic, and objective methodology to obtain reliable and valid knowledge relevant to education activities and programs; and

(ii) present findings and make claims that are appropriate to and supported by the methods that have been employed.

(B) The term includes, appropriate to the research being conducted—

(i) employing systematic, empirical methods that draw on observation or experiment;

(ii) involving data analyses that are adequate to support the general findings;

(iii) relying on measurements or observational methods that provide reliable data;

(iv) making claims of causal relationships only in random assignment experiments or other designs (to the extent such designs substantially eliminate plausible competing explanations for the obtained results);

(v) ensuring that studies and methods are presented in sufficient detail and clarity to allow for replication or, at a minimum, to offer the opportunity to build systematically on the findings of the research;

(vi) obtaining acceptance by a peer-reviewed journal or approval by a panel of independent experts through a comparably rigorous, objective, and scientific review; and

(vii) using research designs and methods appropriate to the research question posed.

(14) The term "scientifically valid education evaluation" means an evaluation that—

(A) adheres to the highest possible standards of quality with respect to research design and statistical analysis;

(B) provides an adequate description of the programs evaluated and, to the extent possible, examines the relationship between program implementation and program impacts;

(C) provides an analysis of the results achieved by the program with respect to its projected effects;

(D) employs experimental designs using random assignment, when feasible, and other research methodologies that allow for the strongest possible causal inferences when random assignment is not feasible; and

(E) may study program implementation through a combination of scientifically valid and reliable methods.

(15) The term "scientifically valid research" includes applied research, basic research, and field-initiated research in which the rationale, design, and interpretation are soundly developed in accordance with scientifically based research standards.

(16) The term "Secretary" means the Secretary of Education.

(17) The term "State" includes (except as provided in section 158 and in the National Assessment of Educational Progress Authorization Act) each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, the freely associated states, and the outlying areas.

(18) The term "technical assistance" means—

(A) assistance in identifying, selecting, or designing solutions (including professional development and training to implement such solutions) leading to—

(i) improved educational practices and classroom instruction based on scientifically valid research; and

(ii) improved planning, design, and administration of programs;

(B) assistance in interpreting, analyzing, and utilizing statistics and evaluations; and

(C) other assistance necessary to encourage the adoption or application of scientifically valid research.

**SEC. 182. INTERAGENCY DATA SOURCES AND FORMATS.**

The Secretary, in consultation with the Director, shall ensure that the Department and the Academy use common sources of data in standardized formats.

**SEC. 183. PROHIBITIONS.**

(a) NATIONAL DATABASE.—Nothing in this title may be construed to authorize the development of a nationwide database of individually identifiable information on individuals involved in studies or other collections of data under this title.

(b) FEDERAL GOVERNMENT AND USE OF FEDERAL FUNDS.—Nothing in this title may be construed to authorize an officer or employee of the Federal Government to mandate, direct, or control the curriculum, program of instruction, or allocation of State or local resources of a State, local educational agency, or school, or to mandate a State, or any subdivision thereof, to spend any funds or incur any costs not provided for under this title.

(c) ENDORSEMENT OF CURRICULUM.—Notwithstanding any other provision of Federal law, no funds provided under this title to the Academy, including any office, board, committee, or center of the Academy, may be used by the Academy to endorse, approve, or sanction any curriculum designed to be used in an elementary school or secondary school.

(d) FEDERALLY SPONSORED TESTING.—

(1) IN GENERAL.—Subject to paragraph (2), no funds provided under this title to the Secretary or to the recipient of any award may be used to develop, pilot test, field test, implement, administer, or distribute any federally sponsored national test in reading, mathematics, or any other subject, unless specifically and explicitly authorized by law.

(2) EXCEPTIONS.—Subsection (a) shall not apply to international comparative assessments developed under the authority of section 153(a)(5) of this title or section 404(a)(6) of the National Education Statistics Act of 1994 (20 U.S.C. 9003(a)(6)) (as such section existed on the day before the date of enactment of this Act) and administered to only a representative sample of pupils in the United States and in foreign nations.

**SEC. 184. CONFIDENTIALITY.**

(a) IN GENERAL.—All collection, maintenance, use, and dissemination of data by the Academy, including each office, board, committee, and center of the Academy, shall conform with the requirements of section 552a of title 5, United States Code, the confidentiality standards of subsection (c) of this section, and sections 444 and 445 of the General Education Provisions Act (20 U.S.C. 1232g, 1232h).

(b) STUDENT INFORMATION.—The Director shall ensure that all individually identifiable information about students, their academic achievements, and their families, and information with respect to individual schools, remains confidential in accordance with section 552a of title 5, United States Code, subsection (c) of this section, and sections 444 and 445 of the General Education Provisions Act (20 U.S.C. 1232g, 1232h).

**SEC. 185. AVAILABILITY OF DATA.**

Subject to section 184, data collected by the Academy, including any office, board, committee, or center of the Academy, in carrying out the priorities and mission of the Academy, shall be made available to the public, including through use of the Internet.

**SEC. 186. PERFORMANCE MANAGEMENT.**

The Director shall ensure that all activities conducted or supported by the Academy or a National Education Center make customer service a priority. The Director shall

ensure a high level of customer satisfaction through the following methods:

(1) Establishing and improving feedback mechanisms in order to anticipate customer needs.

(2) Disseminating information in a timely fashion and in formats that are easily accessible and usable by researchers, practitioners, and the general public.

(3) Utilizing the most modern technology and other methods available, including arrangements to use data collected electronically by States and local educational agencies, to ensure the efficient collection and timely distribution of information, including data and reports.

(4) Establishing and measuring performance against a set of indicators for the quality of data collected, analyzed, and reported.

(5) Continuously improving management strategies and practices.

(6) Making information available to the public in an expeditious fashion.

**SEC. 187. AUTHORITY TO PUBLISH.**

(a) PUBLICATION.—The Director may prepare and publish (including through oral presentation) such research, statistics, and evaluation information and reports from any office, board, committee, and center of the Academy as needed to carry out the priorities and mission of the Academy.

(b) PEER REVIEW.—All research, statistics, and evaluation reports conducted by, or supported through, the Academy shall be subjected to rigorous peer review before being published or otherwise made available to the public.

(c) ADVANCE COPIES.—The Director shall provide the Secretary an advance copy of any information to be published under this section at least 30 days before publication.

(d) ITEMS NOT COVERED.—Nothing in subsection (a) or (b) shall be construed to apply to—

(1) information on current or proposed budgets, appropriations, or legislation;

(2) information prohibited from disclosure by law or the Constitution, classified national security information, or information described in section 552(b) of title 5, United States Code; and

(3) review by officers of the United States in order to prevent the unauthorized disclosure of information described in paragraph (1) or (2).

**SEC. 188. VACANCIES.**

Any member appointed to fill a vacancy on the Board occurring before the expiration of the term for which the member's predecessor was appointed shall be appointed only for the remainder of that term. A vacancy in an office, board, committee, or center of the Academy shall be filled in the manner in which the original appointment was made. This section does not apply to employees appointed under section 189.

**SEC. 189. SCIENTIFIC OR TECHNICAL EMPLOYEES.**

(a) APPOINTMENT AND PAY.—The Director may appoint for limited periods of time and fix the pay of certain scientific or technical employees to carry out the functions of the Academy or the office, board, committee, or center, respectively, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, provided that—

(1) at least 30 days before the appointment of any employee under this subsection, the Director shall give public notice of the availability of such position and shall provide an opportunity for qualified individuals to apply and compete for the position; and

(2) the Director may not appoint an employee under this subsection unless the em-

ployee is necessary to provide the Academy with scientific or technical expertise that could not otherwise be obtained by the Academy through the competitive service and such necessity can be justified in a clear and convincing fashion.

(b) MAXIMUM NUMBER.—Employees appointed under this section and employed at the Academy at any particular time shall not exceed the greater of 20 percent of the total employees of the Academy or a total of 60 individuals.

(c) MAXIMUM PAY RATE.—An employee appointed under this section may not be paid at a rate that exceeds the rate of basic pay for level V of the Executive Schedule, except that not more than 10 individuals appointed under this section may be paid at a rate that does not exceed the rate of basic pay for level IV of the Executive Schedule.

(d) DURATION.—An employee appointed under this section may not serve longer than 6 years.

**SEC. 190. VOLUNTARY SERVICE.**

The Secretary, acting through the Director, may accept voluntary and uncompensated services to carry out and support activities that are consistent with the priorities and mission of the Academy.

**SEC. 191. FELLOWSHIPS.**

In order to strengthen the national capacity to carry out high-quality research, evaluation, and statistics related to education, the Director shall establish and maintain research, evaluation, and statistics fellowships in the Academy and institutions of higher education (which may include the establishment of such fellowships in historically Black colleges and universities and other institutions of higher education with large numbers of minority students) that support graduate and postdoctoral study, particularly for women and minorities, with such stipends and allowances (including travel and subsistence expenses) as the Director may determine necessary to obtain the assistance of highly qualified research, evaluation, and statistics fellows.

**SEC. 192. RULEMAKING.**

Notwithstanding section 437(d) of the General Education Provisions Act (20 U.S.C. 1232(d)), the exemption for public property, loans, grants, and benefits in section 553(a)(2) of title 5, United States Code, shall apply to the Academy.

**SEC. 193. AUTHORIZATION OF APPROPRIATIONS.**

(a) IN GENERAL.—There are authorized to be appropriated to administer and carry out this title \$400,000,000 for fiscal year 2003 and such sums as may be necessary for each of the 5 succeeding fiscal years, of which—

(1) no less than the amount provided to the National Center for Education Statistics (as such Center was in existence on the day before the date of enactment of this Act) for fiscal year 2002 shall be provided to the National Center for Education Statistics, as authorized under part C; and

(2) the lesser of 2 percent of such funds or \$1,000,000 shall be made available to carry out section 117 (relating to the National Board for Education Sciences).

(b) AVAILABILITY.—Amounts made available under this section shall remain available until expended.

**TITLE II—REGIONAL EDUCATIONAL APPLIED RESEARCH AND TECHNICAL ASSISTANCE**

**SEC. 201. SHORT TITLE.**

This title may be cited as the "Regional Assistance Act of 2002".

**SEC. 202. TABLE OF CONTENTS.**

The table of contents for this title is as follows:

Sec. 201. Short title.

Sec. 202. Table of contents.

Sec. 203. Regional educational applied research and technical assistance entities.

Sec. 204. Regional advisory committees.

Sec. 205. Priorities and evaluations.

Sec. 206. Authorization of appropriations.

Sec. 207. General provisions.

**SEC. 203. REGIONAL EDUCATIONAL APPLIED RESEARCH AND TECHNICAL ASSISTANCE ENTITIES.**

(a) ESTABLISHMENT.—

(1) IN GENERAL.—The Secretary shall support, through competitive contracts, a system of regional educational applied research and technical assistance entities (in this title referred to as “regional entities”) to provide applied research, dissemination, training, technical assistance, and development activities related to the administration and implementation of Federal education programs and other regional education needs to States, local educational agencies, schools, Indian tribes, community-based organizations, and other appropriate entities.

(2) REGIONS.—In establishing geographical regions to be served by the regional entities, the Secretary shall serve the same geographical regions as served by the regional educational laboratories established under section 941(h) of the Educational Research, Development, Dissemination, and Improvement Act of 1994 (as such provision existed on the day before the date of enactment of this Act).

(3) ALLOCATION.—From the funds appropriated under section 206, the Secretary shall allocate for each region for each fiscal year an amount of funds that is comparable in proportion to the amount of funds awarded to serve the needs of that region under prior regional assistance programs under section 3141 and parts A and C of title XIII of the Elementary and Secondary Education Act of 1965 (as such provisions existed on the day before the date of enactment of the No Child Left Behind Act of 2001 (Public Law 107–110)) and section 941(h) of the Educational Research, Development, Dissemination, and Improvement Act of 1994 (as such Act existed on the day before the date of enactment of this Act).

(b) ACTIVITIES OF THE REGIONAL ENTITIES.—

(1) REGIONAL SUPPORT ACTIVITIES.—The system of regional entities, established under subsection (a)(1), shall support applied research, development, dissemination, and technical assistance activities by—

(A) providing training and technical assistance regarding, at a minimum—

(i) the administration and implementation of programs under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.);

(ii) scientifically valid research in education on teaching methods and assessment tools for use by teachers and administrators in, at a minimum—

(I) the core academic areas of mathematics, science, and reading; and

(II) education technology; and

(iii) the facilitation of communication between education experts, school officials, teachers, parents, and librarians, as appropriate;

(B) disseminating and providing scientifically valid research, information, reports, and publications that are usable for improving academic achievement, narrowing achievement gaps, and encouraging and sustaining school improvement, to—

(i) schools, educators, parents, and policymakers within the applicable region in which the entity is located; and

(ii) the Office of Educational Resources and Dissemination;

(C) carrying out applied research projects that are designed to serve the particular edu-

cational needs of the region, that reflect findings from scientifically valid research, and that result in user-friendly, replicable classroom applications geared toward promoting increased student achievement; and

(D) supporting development activities and contributing to the current base of education knowledge by addressing enduring problems in elementary and secondary education.

(2) COORDINATION AND COLLABORATION.—Each regional entity shall coordinate its activities, collaborate, and regularly exchange information with the Secretary, the Director of the Academy of Education Sciences, the Office of Educational Resources and Dissemination of the Academy, and other appropriate entities (including educational service agencies, as defined in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)).

(3) ALLOCATION OF RESOURCES.—Each regional entity shall direct its resources under this title to, and within, each State in a manner that reflects the need for assistance, taking into account factors such as the proportion of economically disadvantaged students and the cost burden in areas of sparse populations, and giving priority to—

(A) schools with high percentages or numbers of students from low-income families, as determined under section 1113(a)(5) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6313(a)(5)), including such schools in rural and urban areas, and schools participating in schoolwide programs under title I of that Act (20 U.S.C. 6301 et seq.);

(B) local educational agencies in which high percentages or numbers of school-age children are from low-income families, as determined under section 1124(c)(1)(A) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6333(c)(1)(A)), including such local educational agencies in rural and urban areas; and

(C) schools that have been identified for school improvement under section 1116 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6316).

(4) REPORT TO SECRETARY.—Each regional entity shall submit to the Secretary an annual report, at such time, in such manner, and containing such information as the Secretary may require, which shall include the following:

(i) The information described in paragraph (5)(E).

(ii) A summary of the entity’s activities during the preceding year.

(iii) A listing of the States, local educational agencies, and schools the entity assisted during the preceding year.

(5) REGIONAL CONTRACT BOARDS.—

(A) ESTABLISHMENT.—Not later than 120 days after entering into a contract under this section, a regional entity shall establish a regional contract board.

(B) COMPOSITION.—

(i) IN GENERAL.—The regional contract board shall be composed of—

(I) the chief State school officers (or other State officials in each State served by the regional entity who have primary responsibility under State law for elementary and secondary education in the State), or their designees, in the region served by the regional entity; and

(II) not more than 15 other members who are representative of the educational interests in the region served by the regional entity and are selected jointly by the officials specified in subclause (I) and the Governors of each State within the region, including the following:

(aa) Representatives of local educational agencies, including representatives of local educational agencies serving urban and rural areas.

(bb) Representatives of institutions of higher education.

(cc) Parents.

(dd) Practicing educators, including classroom teachers, principals, and administrators.

(ee) Representatives of business.

(ff) Policymakers, expert practitioners, and researchers with knowledge of, and experience using, the results of research, evaluation, and statistics.

(ii) SPECIAL RULE.—In the case of a State in which the Governor has the primary responsibility under State law for elementary and secondary education in the State, the Governor shall consult with the State educational agency in selecting additional members of the regional contract board under clause (i)(II).

(C) DUTIES.—The regional contract board shall—

(i) oversee, guide, and direct the regional entity’s performance of its contract awarded under this section, subject to the Secretary’s ultimate authority to enforce the contract;

(ii) ensure that the activities of the regional entity under this section monitor and address the educational needs of the region, on an ongoing basis;

(iii) ensure that the regional entity attains and maintains a high standard of quality in the performance of its activities, consistent with the standards established under section 205(b); and

(iv) ensure that the regional entity carries out its duties in a manner that promotes progress toward reforming schools and educational systems.

(D) ACCEPTANCE OF OTHER ASSISTANCE.—Each regional contract board may accept gifts, in-kind contributions, services, or other assistance to facilitate its activities.

(E) BOARD REPORT.—The regional contract board shall submit to the regional entity, for inclusion in the entity’s annual report under paragraph (4), the following:

(i) A summary of the board’s activities during the preceding year.

(ii) A description of how well the regional entity is meeting the educational needs of the region.

(iii) Any other information the Secretary may require.

(c) APPLICATION.—

(1) SUBMISSION.—Each regional entity seeking a contract under this section shall submit an application at such time, in such manner, and containing such additional information as the Secretary may reasonably require.

(2) PLAN.—Each application submitted under paragraph (1) shall contain a 5-year plan for carrying out the activities described in subsection (b) in a manner that addresses the priorities established under section 205(a) and addresses the needs of all States (and to the extent practicable, of local educational agencies) within the region, on an ongoing basis.

(3) ELIGIBLE APPLICANTS.—Contracts under this section may be made with private or public, for-profit or nonprofit research organizations, institutions, agencies, institutions of higher education, or partnerships among such entities, or individuals, with the demonstrated ability or capacity to carry out the activities described in subsection (b), which may include regional entities that carried out activities under the Educational Research, Development, Dissemination, and Improvement Act of 1994 (as such Act existed on the day before the date of enactment of this Act) and title XIII of the Elementary and Secondary Education Act of 1965 (as such title existed on the day before the date of enactment of the No Child Left Behind Act of 2001 (Public Law 107–110)).

(4) **OUTREACH.**—In conducting competitions for contracts under this section, the Secretary shall—

(A) actively encourage potential applicants to compete for such awards by making widely available information and technical assistance relating to the competition; and

(B) seek input from Governors, chief State school officers, educators, and parents regarding the need for applied research, dissemination, training, technical assistance, and development activities authorized by this title in the regions to be served and how those educational needs would be addressed most effectively.

(5) **OBJECTIVES AND INDICATORS.**—Before entering into a contract under this section, the Secretary shall design specific objectives and measurable indicators, using the results of the survey conducted under section 204(d), to be used to assess the particular programs or initiatives, and ongoing progress and performance, of the regional entities, in order to ensure that the educational needs of the region are being met and that the latest and best research and proven practices are being carried out as part of school improvement efforts.

(d) **AUTHORITY.**—

(1) **IN GENERAL.**—To carry out the activities described in subsection (b), the Secretary shall—

(A)(i) enter into contracts for a 5-year period with at least two regional entities for each region described in subsection (a)(2), of which at least one shall be a nonprofit entity;

(ii) ensure that the primary duties of at least one regional entity shall include activities described in subsection (b)(1)(A); and

(iii) ensure that the primary duties of at least one regional entity shall include activities described in subsections (b)(1)(C) and (b)(1)(D); and

(B) ensure that the regional entities have strong and effective governance, organization, management, and administration, and employ qualified staff.

(2) **COORDINATION.**—In order to ensure coordination and prevent unnecessary duplication of activities among the regions, the Secretary shall—

(A) share information about the activities of each regional entity with each other regional entity and with the Department, including the Director of the Academy of Education Sciences and the National Board for Education Sciences;

(B) create a strategic plan for ensuring that each regional entity increases collaboration and resource-sharing in such activities;

(C) where appropriate, ensure that the activities of each regional entity also serve national interests; and

(D) ensure that each of the regional entities funded under this title coordinates its activities with the activities of the other regional entities.

(e) **CONTINUATION.**—In order to carry out this title and facilitate the transition to regional entities, the Secretary—

(1) shall continue the existing awards of the regional educational laboratories established under section 941(h) of the Educational Research, Development, Dissemination, and Improvement Act of 1994 (as such provision existed on the day before the date of enactment of this Act), the Eisenhower Regional Mathematics and Science Education Consortia established under part M of such Act (as such part existed on the day before the date of enactment of this Act), and the Regional Technology in Education Consortia under section 3141 of the Elementary and Secondary Education Act of 1965 (as such section existed on the day before the date of enactment of the No Child Left Behind Act

of 2001 (Public Law 107-110)), for the duration of those existing awards in accordance with the terms and agreements of such awards; and

(2) may extend for no more than 2 years the awards of the Comprehensive Regional Assistance Centers established under part K of the Educational Research, Development, Dissemination, and Improvement Act of 1994 (as such part existed on the day before the date of enactment of this Act).

#### **SEC. 204. REGIONAL ADVISORY COMMITTEES.**

(a) **ESTABLISHMENT.**—The Secretary shall establish a regional advisory committee for each region described in section 203(a)(2).

(b) **MEMBERSHIP.**—

(1) **COMPOSITION.**—The membership of each regional advisory committee shall—

(A) not exceed 25 members;

(B) contain a balanced representation of States in the region; and

(C) include not more than one representative of each State educational agency geographically located in the region.

(2) **ELIGIBILITY.**—The membership of each regional advisory committee may include the following:

(A) Representatives of local educational agencies, including rural and urban local educational agencies.

(B) Representatives of institutions of higher education, including individuals representing university-based education research and university-based research on subjects other than education.

(C) Parents.

(D) Practicing educators, including classroom teachers, principals, administrators, school board members, and other local school officials.

(E) Representatives of business.

(F) Researchers.

(3) **RECOMMENDATIONS.**—In choosing individuals for membership on a regional advisory committee, the Secretary shall consult with, and solicit recommendations from, the Governors, chief State school officers, and education stakeholders within the applicable region.

(4) **SPECIAL RULE.**—The total number of members on each committee who are selected under subparagraphs (A), (C), and (D) of paragraph (2), collectively, shall exceed the total number of members who are selected under paragraph (1)(C) and subparagraphs (B), (E), and (F) of paragraph (2), collectively.

(c) **DUTIES.**—Each regional advisory committee shall advise the Secretary on the following:

(1) The educational needs of its region (using the results of the survey conducted under subsection (d)), in order to assist in making decisions regarding the priorities established under section 205(a) and the priorities established under section 116 of the Education Sciences Reform Act of 2002.

(2) The quality of the applications submitted under section 203(c).

(3) The quality of the regional entity's performance of its contract.

(d) **REGIONAL SURVEYS.**—Each regional advisory committee shall—

(1) conduct a survey of the educational needs, strengths, and weaknesses within the region to be served;

(2) in conducting the survey under paragraph (1), seek input from Governors, chief State school officers, educators, and parents (including through a process of open hearings to solicit the views and needs of schools (including public charter schools), teachers, administrators, parents, local educational agencies, librarians, businesses, State educational agencies, and other customers (such as adult education programs) within the region) regarding the need for the activities

described in section 203(b)(1) and how those needs would be most effectively addressed; and

(3) submit the survey to the Secretary and to the Director of the Academy of Education Sciences, at such time, in such manner, and containing such information as the Secretary may require.

#### **SEC. 205. PRIORITIES AND EVALUATIONS.**

(a) **PRIORITIES.**—The Secretary may establish priorities for the regional entities to address. The priorities shall directly correspond with the educational needs of the region, using the regional survey conducted under section 204(d).

(b) **STANDARDS.**—The Secretary shall establish standards, consistent with those established under section 135(a) of the Education Sciences Reform Act of 2001, for the conduct of research and development and the dissemination of scientifically based research by the regional entities.

(c) **EVALUATIONS.**—The Secretary shall provide for ongoing independent evaluations of the regional entities receiving contracts under this title, the results of which shall be transmitted to the appropriate congressional committees and the Director of the Academy of Education Sciences. Such evaluations shall include an analysis of the services provided under this title, the extent to which each of the regional entities meets the objectives of its respective plan (as submitted in its application under section 203(c)(2)), and whether such services meet the educational needs of State educational agencies and local educational agencies and schools in the region.

#### **SEC. 206. AUTHORIZATION OF APPROPRIATIONS.**

(a) **IN GENERAL.**—There are authorized to be appropriated to carry out this title \$189,000,000 for fiscal year 2003 and such sums as may be necessary for each of the 5 succeeding fiscal years.

(b) **LIMITATION.**—Not more than 5 percent of the funds appropriated under subsection (a) for a fiscal year may be used to establish and administer the regional advisory committees required under section 204 and to conduct the evaluations required under section 205(c).

#### **SEC. 207. GENERAL PROVISIONS.**

Part E of the Education Sciences Reform Act of 2002 applies to this title, as appropriate, except that any duty of the Director of the Academy of Education Sciences under that part shall be a duty of Secretary under this title.

### **TITLE III—NATIONAL ASSESSMENT OF EDUCATIONAL PROGRESS**

#### **SEC. 301. SHORT TITLE.**

This title may be referred to as the "National Assessment of Educational Progress Authorization Act".

#### **SEC. 302. DEFINITIONS.**

In this title:

(1) The term "Director" means the Director of the Academy of Education Sciences.

(2) The term "State" means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

#### **SEC. 303. AUTHORIZATION OF APPROPRIATIONS.**

(a) **IN GENERAL.**—There are authorized to be appropriated—

(1) for fiscal year 2003—

(A) \$4,600,000 to carry out section 302 (relating to the National Assessment Governing Board); and

(B) \$107,500,000 to carry out section 303 (relating to the National Assessment of Educational Progress); and

(2) such sums as may be necessary for each of the 5 succeeding fiscal years to carry out sections 302 and 303.

(b) **AVAILABILITY.**—Amounts made available under this section shall remain available until expended.

## TITLE IV—AMENDATORY PROVISIONS

## SEC. 401. REDESIGNATIONS.

(a) CONFIDENTIALITY.—Section 408 of the National Education Statistics Act of 1994 (20 U.S.C. 9007) is amended—

(1) by striking “center”, “Center”, and “Commissioner” each place any such term appears and inserting “Director”;

(2) in subsection (a)(2)(A), by striking “statistical purpose” and inserting “research, statistics, or evaluation purpose under this title”;

(3) so that paragraph (1) of subsection (b) reads as follows:

“(1) IN GENERAL.—

“(A) DISCLOSURE.—No Federal department, bureau, agency, officer, or employee and no recipient of a Federal grant, contract, or cooperative agreement may, for any reason, require the Director, any Commissioner of a National Education Center, or any other employee of the Academy to disclose individually identifiable information that has been collected or retained under this title.

“(B) IMMUNITY.—Individually identifiable information collected or retained under this title shall be immune from legal process and shall not, without the consent of the individual concerned, be admitted as evidence or used for any purpose in any action, suit, or other judicial or administrative proceeding.

“(C) APPLICATION.—This paragraph does not apply to requests for individually identifiable information submitted by or on behalf of the individual identified in the information.”;

(4) in paragraphs (2) and (6) of subsection (b), by striking “subsection (a)(2)” each place such term appears and inserting “subsection (c)(2)”;

(5) in paragraphs (3) and (7) of subsection (b), by striking “Center’s” each place such term appears and inserting “Director’s”;

(6) by striking the section heading and transferring all the subsections (including subsections (a) through (e)) and redesignating such subsections as subsections (c) through (e), respectively, at the end of section 184 of this Act.

(b) CONFORMING AMENDMENT.—Sections 302 and 303 of this Act are redesignated as sections 304 and 305, respectively.

(c) NATIONAL ASSESSMENT GOVERNING BOARD.—Section 412 of the National Education Statistics Act of 1994 (20 U.S.C. 9011) is amended—

(1) in subsection (a), by striking “referred to as the ‘Board’” and inserting “referred to as the ‘Assessment Board’”;

(2) by striking “Board” each place such term appears (other than in subsection (a)) and inserting “Assessment Board”;

(3) by striking “Commissioner” each place such term appears and inserting “Commissioner for Education Statistics”;

(4) in subsection (a) by inserting “(carried out under section 303)” after “for the National Assessment”;

(5) in subsection (b)(2)—

(A) by striking “ASSISTANT SECRETARY FOR EDUCATIONAL RESEARCH” in the heading and inserting “DIRECTOR OF THE ACADEMY OF EDUCATION SCIENCES”;

(B) by striking “Assistant Secretary for Educational Research and Improvement” and inserting “Director of the Academy of Education Sciences”;

(6) in subsection (e)(1)(A), by striking “section 411(b)” and inserting “section 303(b)”;

(7) in subsection (e)(1)(B), by striking “section 411(e)” and inserting “section 303(e)”;

(8) in subsection (e)(1)(E), by striking “, including the Advisory Council established under section 407”;

(9) in subsections (e)(1)(F) and (e)(1)(I), by striking “section 411” each place such term appears and inserting “section 303”;

(10) in subsection (e)(5), by striking “and the Advisory Council on Education Statistics”;

(11) in subsection (e)(6), by striking “section 411(e)” and inserting “section 303(e)”;

and

(12) by transferring and redesignating the section as section 302 (following section 301) of title III of this Act.

(d) NATIONAL ASSESSMENT OF EDUCATIONAL PROGRESS.—Section 411 of the National Education Statistics Act of 1994 (20 U.S.C. 9010) is amended—

(1) by striking “Commissioner” each place such term appears and inserting “Commissioner for Education Statistics”;

(2) by striking “National Assessment Governing Board” and “National Board” each place either such term appears and inserting “Assessment Board”;

(3) in subsection (a)—

(A) by striking “section 412” and inserting “section 302”;

(B) by striking “and with the technical assistance of the Advisory Council established under section 407,”; and

(C) by inserting “(awarded by the Director, acting through the Commissioner for Education Statistics)” after “cooperative agreements”;

(4) in subsection (b)(1), by inserting “of” after “academic achievement and reporting”;

(5) in subsection (b)(3)(A)—

(A) in clause (i), by striking “paragraphs (1)(B) and (1)(E)” and inserting “paragraphs (2)(B) and (2)(E)”;

(B) in clause (ii), by striking “paragraph (1)(C)” and inserting “paragraph (2)(C)”;

and (C) in clause (iii), by striking “paragraph (1)(D)” and inserting “paragraph (2)(D)”;

(6) in subsection (b)(5), by striking “(c)(2)” and inserting “(c)(3)”;

(7) in subsection (c)(2)(D), by striking “subparagraph (B)” and inserting “subparagraph (C)”;

(8) in subsection (e)(4), by striking “subparagraph (2)(C)” and inserting “paragraph (2)(C) of such subsection”;

(9) in subsection (f)(1)(B)(iv), by striking “section 412(e)(4)” and inserting “section 302(e)(4)”;

(10) by transferring and redesignating the section as section 303 (following section 302) of title III of this Act.

## SEC. 402. AMENDMENTS TO DEPARTMENT OF EDUCATION ORGANIZATION ACT.

The Department of Education Organization Act (20 U.S.C. 3401 et seq.) is amended as follows:

(1) Paragraph (4) of section 202(b) (20 U.S.C. 3412(b)) is amended to read as follows:

“(4) There shall be in the Department a Director of the Academy of Education Sciences who shall be appointed in accordance with section 115(a) of the Education Sciences Reform Act of 2002 and perform the duties described in that Act.”

(2) Section 208 (20 U.S.C. 3419) is amended to read as follows:

## “ACADEMY OF EDUCATION SCIENCES

“SEC. 208. There shall be in the Department of Education an Academy of Education Sciences, which shall be administered in accordance with the Education Sciences Reform Act of 2002 by the Director appointed under section 115(a) of that Act.”

(3) In the table of contents in section 1 (20 U.S.C. 3401 note), the item relating to section 208 is amended to read as follows:

“Sec. 208. Academy of Education Sciences.”

## SEC. 403. REPEALS.

The following provisions of law are repealed:

(1) The National Education Statistics Act of 1994 (title IV of the Improving America’s Schools Act of 1994; 20 U.S.C. 9001 et seq.).

(2) Parts A through E and K through N of the Educational Research, Development, Dissemination, and Improvement Act of 1994 (title IX of the Goals 2000: Educate America Act) (20 U.S.C. 6001 et seq.).

(3) Paragraph (2) of section 401(b) of the Department of Education Organization Act (20 U.S.C. 3461(b)(2)).

## SEC. 404. CONFORMING AND TECHNICAL AMENDMENTS.

(a) GOALS 2000: EDUCATE AMERICA ACT.—The table of contents in section 1(b) of the Goals 2000: Educate America Act (20 U.S.C. 5801 note) is amended by striking the items relating to parts A through E of title IX (including the items relating to sections within those parts).

(b) TITLE 5, UNITED STATES CODE.—Title 5, United States Code, is amended—

(1) in section 5314, by inserting a period after “Under Secretary of Education”;

(2) in section 5315, by striking the following:

“Commissioner, National Center for Education Statistics.”

(c) GENERAL EDUCATION PROVISIONS ACT.—Section 447(b) of the General Education Provisions Act (20 U.S.C. 1232j) is amended by striking “section 404(a)(6) of the National Education Statistics Act of 1994 (20 U.S.C. 9003(a)(6))” and inserting “section 153(a)(5) of the Education Sciences Reform Act of 2002”.

(d) ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965.—The Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) is amended as follows:

(1) Section 1111(c)(2) is amended by striking “section 411(b)(2) of the National Education Statistics Act of 1994” and inserting “section 303(b)(2) of the National Assessment of Educational Progress Authorization Act”.

(2) Section 1112(b)(1)(F) is amended by striking “section 411(b)(2) of the National Education Statistics Act of 1994” and inserting “section 303(b)(2) of the National Assessment of Educational Progress Authorization Act”.

(3) Section 1117(a)(3) is amended—

(A) by inserting “(as such section existed on the day before the date of enactment of the Education Sciences Reform Act of 2002)” after “Act of 1994”; and

(B) by inserting “regional educational applied research and technical assistance entities established under section 203 of the Regional Assistance Act of 2002 and” after “assistance from”.

(4) Section 1501(a)(3) is amended by striking “section 411 of the National Education Statistics Act of 1994” and inserting “section 303 of the National Assessment of Educational Progress Authorization Act”.

(5) The following provisions are each amended by striking “Office of Educational Research and Improvement” and inserting “Academy of Education Sciences”:

(A) Section 3222(a) (20 U.S.C. 6932(a)).

(B) Section 3303(1) (20 U.S.C. 7013(1)).

(C) Section 5464(e)(1) (20 U.S.C. 7253c(e)(1)).

(D) Paragraphs (1) and (2) of section 5615(d) (20 U.S.C. 7283d(d)).

(E) Paragraphs (1) and (2) of section 7131(c) (20 U.S.C. 7451(c)).

(6) Paragraphs (1) and (2) of section 5464(e) (20 U.S.C. 7253c(e)) are each amended by striking “such Office” and inserting “such Academy”.

(7) Section 5613 (20 U.S.C. 7283b) is amended—

(A) in subsection (a)(5), by striking “Assistant Secretary of the Office of Educational Research and Improvement” and inserting “Director of the Academy of Education Sciences”; and

(B) in subsection (b)(2)(B), by striking “research institutes of the Office of Educational Research and Improvement” and inserting

“National Education Centers of the Academy of Education Sciences”.

(8) Sections 5615(d)(1) and 7131(c)(1) (20 U.S.C. 7283d(d)(1), 7451(c)(1)) are each amended by striking “the Office” and inserting “the Academy”.

(9) Section 9529(b) is amended by striking “section 404(a)(6) of the National Education Statistics Act of 1994” and inserting “section 153(a)(5) of the Education Sciences Reform Act of 2002”.

(e) SCHOOL-TO-WORK OPPORTUNITIES ACT OF 1994.—Section 404 of the School-to-Work Opportunities Act of 1994 (20 U.S.C. 6194) is amended by inserting “(as such Act existed on the day before the date of enactment of the Education Sciences Reform Act of 2002)” after “Act of 1994”.

**SEC. 405. EFFECTIVE DATE.**

This Act and the amendments made by this Act shall take effect on October 1, 2002.

**SEC. 406. SEVERABILITY.**

If any provision of this Act, or the application of such provision to any person or circumstance, is held invalid, the remainder of this Act, or the application of such provision to persons or circumstances other than those as to which the provision is held invalid, shall not be affected thereby.

**SEC. 407. ORDERLY TRANSITION.**

The Secretary of Education shall take such steps as are necessary to provide for the orderly transition to, and implementation of, the offices, boards, committees, and centers (and their various functions and responsibilities) established or authorized by this Act, and by the amendments made by this Act, from those established or authorized by the Educational Research, Development, Dissemination, and Improvement Act of 1994 (20 U.S.C. 6001 et seq.) and the National Education Statistics Act of 1994 (20 U.S.C. 9001 et seq.).

The SPEAKER pro tempore (Mr. WHITFIELD). Pursuant to the rule, the gentleman from Delaware (Mr. CASTLE) and the gentleman from Michigan (Mr. KILDEE) each will control 20 minutes.

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

GENERAL LEAVE

Mr. CASTLE. 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 information on H.R. 3801.

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

There was no objection.

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

Mr. Speaker, I rise today in strong support of H.R. 3801, the Education Science Reform Act Legislation, which transforms the Office of Education Research into a streamlined, more independent Academy of Education Sciences.

Earlier this year President Bush signed landmark education reforms into law, demanding new and more challenging standards of accountability from our States and improved student achievement from our schools. Recognizing that any successful education reform effort requires the best information on how children learn, the words “scientifically-based research” appear more than 100 times in the new law.

The reason for the focus on scientific research is simple: Educators need to know what works if they are to improve student achievement and narrow the gap between our lowest and highest performing students. Unfortunately, too much of what we recognize as education research is simply opinion buttressed by anecdotes. Consider the following examples:

Recently Congress established a national panel to evaluate existing research on the most effective way to teach children to read. They examined more than 100,000 federally-funded studies on reading, some written as far back as 1966, and concluded only 10,000 met their standards for scientific rigor.

From 1967 to 1976, the Federal Government managed the largest education research project ever conducted in the United States, comparing more than 20 different teaching programs on more than 70,000 students in 180 schools. Yet at the end of the study, all of the programs, those that were successful and those that failed, were recommended for distribution to schools. Today schools invest untold time and resources in one education fad after another. Without sound science to back program claims, teachers and school administrators are forced to use guesswork to determine the best classroom practices in students and students’ achievement often suffers.

Even when scientific research is conducted, news of the findings seldom reaches teachers in the classrooms. When it does, it is often not relevant to the needs or it is not translated into understandable classroom applications. Two years ago I introduced legislation to improve the rigor and relevance of education research and to provide educators and policy-makers access to unbiased and reliable information.

The legislation before us today, H.R. 3801, picks up where that bill left off. It ensures that tried and true scientific information, not fads or fiction, form the basis for setting education policy and improving education practice. Specifically, H.R. 3801 attempts to address what I have come to know as serious shortcomings in the fields of education research, including the creeping influence of short-lived partisan or political operatives, the funding and dissemination of questionable studies, programs, and practices, and an overly bureaucratic office with no real sense of mission, mired by duplicative programs and competing interests.

Among other things, H.R. 3801 replaces the current Office of Education Research and Improvement with the new streamlined Academy of Education Science; insulates the new academy from inappropriate partisan or political influences; ensures that high quality standards put an end to education fads that masquerade as sound science; and creates a culture of science by allowing the new director to attract and retain the best researchers, evaluators and statisticians to the academy. It ensures that the research activities of the

academy are driven by the needs of parents, teachers and school administrators, not ivory tower researchers; and ensures that technical assistance, including help in implementing the No Child Left Behind Act, is accountable to States and schools.

For more than 30 years, we have heard excuses on why education could not be held to the same standards as other professions, and for 30 years Federal research conducted by the Office of Educational Research and Improvement has been, to a large extent, a disappointment.

If we are to lift those who are struggling to achieve proficiency in reading, math and science, we must give our educators the information they need to help their students learn. For that to happen, we must expect more from our Federal investment in education research. We must expect scientific rigor and we must ensure that what works in education informs classroom practice.

To that end, H.R. 3801 makes long overdue changes to the Office of Education Research and Improvement. I urge my colleagues to support this bipartisan common sense legislation and send a strong message to the other body that the successful implementation of No Child Left Behind Act requires a Federal office that can deliver a high quality education research product.

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

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

Mr. Speaker, today’s consideration of H.R. 3801 marks an important step in this committee’s addressing the equal and effectiveness of education research and technical assistance. I believe our work on this legislation over the last 2 years has produced a good bipartisan product that warrants our support today. I do want to thank the gentleman from Delaware (Mr. CASTLE) and the gentleman from Ohio (Mr. BOEHNER) for their willingness to address Democratic concerns on this legislation.

This legislation addresses several critical issues in the area of education research. First is adequate resources. H.R. 3801 authorizes over \$700 million for the department’s research and technical assistance activities, nearly double existing funding. This level of funding is vital in the research academy created under this legislation to become a top flight education research organization.

This bill also includes the provisions sought by the gentleman from New York (Mr. OWENS), long a leader in Congress on education issues, to increase outreach and involvement of historically black colleges and universities and Hispanic-serving institutions, and to permit fellowships to build research, knowledge and experience.

In addition, H.R. 3801 ensures that research is conducted through national research and development centers and

that 50 percent of research funding is for long-term research, both critical elements necessary to ensure high quality and effective research. This legislation also seeks to maintain the current governance relationship between the national assessment of educational process, the Department of Education, and the national assessment governing board, and in no way undermines any present authority provided to the board.

It is my intent that the changes made by this bill do not modify the manner in which the National Center for Education Statistics administers the national assessment.

Lastly, the bill ensures that we have a strong regional development and technical assistance focus that allows the continuation of existing life quality regional laboratories in comprehensive centers. Each region will competitively fund entities similar to the existing regional education laboratories and comprehensive assistance centers.

Our colleague, the gentleman from Wisconsin (Mr. KIND), has worked hard to ensure the bill's technical assistance focus would be responsive to local needs.

Mr. Speaker, a strong research focus at the Department of Education is vital to improving the educational achievement of our children. Coupled with the elements of the recently passed reauthorization of the Elementary and Secondary Education Act, this legislation can play a critical role in providing high quality research, technical assistance, and developmental activities. It is my belief that this legislation moves us in the right direction to accomplish these feats, and I urge Members to support it today.

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

Mr. CASTLE. Mr. Speaker, I yield such time as he may consume to the gentleman from Ohio (Mr. BOEHNER) the chairman of the Committee on Education and the Workforce.

Mr. BOEHNER. Mr. Speaker, the reauthorization of the Office of Education Research and Improvement has been waiting for more than 3 years to receive action on the floor of the House. And today we have the Education Science Reform Act of 2002 here through the hard work of the chairman of the subcommittee, the gentleman from Delaware (Mr. CASTLE), the ranking Democrat on the subcommittee, the gentleman from Michigan (Mr. KILDEE), who have done a marvelous job in bringing this bill together through subcommittee and full committee and here on the floor today. And without the leadership of the gentleman from Delaware (Mr. CASTLE), it just would not have happened at all.

Providing high quality, scientifically based education research is vital if we are going to improve our Nation's schools. The Education Science Act of 2002 does just that. In addition, it provides technical assistance to regions,

States, districts, and schools that is accountable, customer-driven and focused on the implementation of the No Child Left Behind Act. Let me emphasize that the reforms in this bill will greatly assist in helping the No Child Left Behind Act, successfully transform and reform our schools.

Mr. Speaker, I especially want to thank the gentleman from Delaware (Mr. CASTLE) and the gentleman from Michigan (Mr. KILDEE) for their bipartisan leadership in working out this agreement. This is no small task since we have so few legislative days this year and I want to thank both of them very much. But they are not alone. The gentleman from Florida (Mr. KELLER), the gentleman from Colorado (Mr. SCHAFFER), the gentleman from Michigan (Mr. EHLERS), the gentleman from Virginia (Mr. SCOTT), the gentleman from Wisconsin (Mr. KIND), the gentleman from New York (Mr. OWENS) and others have rolled up their sleeves and worked out the many differences that were in this bill.

The result was the bill went through both the subcommittee and the full committee by unanimous consent, and we expect the same level of support today here on the House floor. The President and the administration also support this bill. I especially want to thank Assistant Secretaries Russ Whitehurst and Becky Campoverde who, with their staff, worked closely with us as we brought this legislation forward. My thanks also to Jay Lefkowitz and Noel Francisco from the Office of Policy Development at the White House for their help.

Once again, I want to thank my colleague, the ranking Democrat on our committee, the gentleman from California (Mr. GEORGE MILLER), for making this bipartisan process work. We have continued the good relationship we had during the year-long work on the No Child Left Behind Act, and I am hopeful that we have set a new tone and a new example for the Congress, and that the approval of the House today of the Education Sciences Reform Act of 2002 demonstrates once again that we can do great things when we work together. The staff of the committee on both sides of the aisle is to be commended as well for all of their efforts in working with the Members and really doing the grunt work that brings us to a successful conclusion today. With that, I am going to thank my colleagues once again.

Mr. KILDEE. Mr. Speaker, I yield two minutes to the gentleman from Indiana (Mr. ROEMER).

(Mr. ROEMER asked and was given permission to revise and extend his remarks and include extraneous material.)

Mr. ROEMER. Mr. Speaker, I rise to commend the gentleman from Delaware's (Mr. CASTLE) and the gentleman from Michigan's (Mr. KILDEE) contributions, particularly on our side from the gentleman from New York (Mr. OWENS), and the gentleman from Wis-

consin (Mr. KIND), to improve the underlying bill to address the research and reform needed in this country to better share best practices throughout the United States to improve our school system.

The chairman mentioned one aspect of this bill that I have a caveat and a concern about, and that is the money that is provided for carrying out the No Child Left Behind Act, actually to provide training and technical assistance that will begin to take the first steps for the No Child Left Behind Act. The chairman said, I think, very articulately that that act was a bipartisan act, the Democrats and Republicans working with the President to maybe pass some of the most significant reforms in the past 20 years. I agree with that as well. However, if we do not provide the resources and the money to go along with the reforms to improve Title I programs, to support the teacher development, to help the schools in corrective action, then that bill starts to fall apart.

I would include after my statement an article by David Broder from this Sunday's Washington Post that says this: "The gap between the reality and the Washington rhetoric about raising standards in school while ensuring that no child is left behind is alarmingly large."

If the appropriators do not appropriate the significant funds and the sufficient funds to ensure that we can lock in these reforms, and the States are cutting their budgets and not providing us money to the State schools, then this reform, no child left behind, grows increasingly in peril of backsliding and going backwards on its commitments to children in this country.

I hope we keep our eye on the appropriations process.

The article mentioned is as follows:

[From The Washington Post]

A MATTER OF MONEY . . .

(By David S. Broder)

Last week Oregon newspapers carried an Associated Press report that more than 4,600 taxpayers had voluntarily donated almost \$700,000 of their tax refunds from the state to a newly created fund for support of public schools.

It was a small percentage of the \$240 million automatically rebated when revenue for the 1999-2001 biennium exceeded estimates. But with the economic slowdown now causing a budget crunch in Oregon, as in more than 40 other states, these taxpayers recognized that education is in jeopardy. A recent special session found the Oregon legislature cutting the schools' budget by \$112 million.

What is happening in Oregon is happening across the country. The National Conference of State Legislatures reported last week that in the current fiscal year, 17 states faced reductions in their budgets for elementary and secondary schools, and 29 faced cuts for colleges and universities.

The gap between this reality and the Washington rhetoric about raising standards in schools while ensuring that "no child is left behind" is alarmingly large.

In just the past few days, parents and students in state after state have heard disturbing news about the schools. The Massachusetts House of Representatives received a

committee-approved budget that would cut school spending 10 percent across the board, reducing state aid to local districts by \$320 million.

In Tennessee, seven "Governor's Schools," where gifted and talented high school students lived together in dormitories for a month of challenging summer studies of science, the arts and even international relations, have been canceled. The \$15 million cost apparently is more than the state can afford to invest in its most promising young people.

At the other end of the educational spectrum, the administration of freshman New Jersey Gov. Jim McGreevey has petitioned for relief from the court order requiring the state to put extra funds in to the 30 poorest school districts. These districts—urban areas with low property-tax bases—were supposed to get \$83 million extra in state funds to help them repair buildings, hire teachers and improve instruction. Instead, like every other district, they will be level-funded next year.

No governors or legislators want to damage the schools their constituents use. But the requirement to balance budgets in a time of slumping revenues has left them little choice. While Washington goes blithely on its way, cutting taxes, running up deficits and borrowing from Social Security, the states are in a jam.

What is happening to elementary and secondary schools is minor compared with the hit on higher education. In the face of rising enrollments, Pennsylvania is cutting its higher ed budget by almost 5 percent. Penn State students, who were hit with an 8 percent tuition increase this year, will face another tuition boost and a fee increase of up to \$600 when they come back to school.

They are better off than students at the University of Washington, where the budget calls for a 16 percent tuition increase. And in education-conscious Iowa, the presidents of the three largest state universities said in a joint statement that the legislature's cuts "will unquestionably compromise the quality of our educational programs." State funding, which once paid 77 percent of the bills, now pays 60 percent, and most of the falloff has been made up by raising tuition.

The irony is that even as all this is happening, a poll released last week reaffirms the importance of education to most voters. The Public Education Network and Education Week newspaper reported that when it comes to balancing state budgets, voters overwhelmingly say that schools are the top priority. Education leads the No. 2 choice, health care, by a 3-to-1 margin. Law enforcement, welfare, services for seniors, transportation and economic development lag far behind.

But that is not what the budgets reflect. Medicaid payments are the fastest-growing state expenditures, and those costs leave little room for education or other programs.

Washington is not helping much. The federal government is still falling far short on its promise to pay 40 percent of the bills for special education students, whose needs are a crippling cost for local school districts.

After boosts in education spending by healthy double-digit percentages in the last year of the Clinton administration and the first year of the Bush administration, this year's federal budget calls for only a 2.8 percent increase.

With the feds preferring tax cuts to education aid, and the states cutting back because of their budget squeeze, America is in serious danger of backsliding on the promise to improve its schools.

Mr. CASTLE. Mr. Speaker, I have no further speakers and I continue to reserve the balance of my time.

Mr. KILDEE. Mr. Speaker, I yield four minutes to the gentleman from Virginia (Mr. SCOTT).

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

I rise in support of the bill H.R. 3801 which restructures and refocuses the research branch of the Department of Education. I would like to thank the committee chairman, the gentleman from Delaware (Mr. CASTLE), and the ranking member, the gentleman from Michigan (Mr. KILDEE), for their leadership in crafting this bipartisan bill.

The bill before us significantly restructures the current research office, known as the Office of Educational Research and Improvement, into a new Academy of Educational Sciences.

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The reformation of Federal educational research is absolutely essential if we are to close the achievement gaps and assure that all children have an opportunity of an equal educational opportunity. The work that we are doing on this issue will be critical in helping educators meet these challenges set forth in H.R. 1, the newly signed education bill.

As the Assistant Secretary of Education noted in his testimony before the Committee on Education and the Workforce, H.R. 1 mentions scientifically-based research over 110 times as it relates to educational programs. Yet there are significant deficits in what we know about how children learn and which programs work, especially when it comes to children who are disadvantaged, have limited English proficiency or have disabilities.

While our present educational system serves most children fairly well, it struggles to meet the needs of children with special challenges in their paths. The newly structured academy can help us figure out how to better serve all children, close achievement gaps and ensure that all children get a quality education.

In crafting this legislation, we paid special attention to making sure that the research conducted by the academy was focused on producing useful findings, that is, teaching methodologies that we could actually put into practice. We need to find programs that are scientifically proven to be effective in educating students who have traditionally been disadvantaged so that they, and their schools, can meet the standards set forth in H.R. 1.

Structuring the academy so that it concentrates on research that can be put into practice will be beneficial to all 15,000 school districts in the United States. The academy will serve as a national resource so that valuable time is not lost by each individual school and each individual teacher trying to reinvent the wheel and come up with educational programs to serve their students.

I am especially pleased that we are authorizing \$400 million, double the funds now available for OERI. Funding

for educational research has been anemic over the years, and no amount of restructuring will achieve the needed results if appropriate resources are not applied.

I would again like to thank the subcommittee chair and the ranking member for a chance to work on this bipartisan bill that restructures Federal educational research that empowers teachers and schools to be better able to do their jobs.

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

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

Just briefly, I want to thank the gentleman from Delaware (Mr. CASTLE) for our work together. He has always been open and frank, honest, and we had some very fruitful discussions, sometimes some differences with which we were determined to work out. It is always a pleasure to work with Governor CASTLE, and when the President signs this bill into law, he will be able to add another item to an already illustrious record, both as governor and as a Member of this House.

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

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

Let me just return the compliment to the gentleman from Michigan (Mr. KILDEE). Disagreeing with the gentleman is better than agreeing with most people I have learned. He is a great pleasure to work with. We have worked together on a number of issues now, and these are contentious issues I might add, and have been able to work them out, greatly to his credit, and I appreciate that.

I would also like to take this time to extend my heartfelt thanks to the many Members, staff and administration officials that made this bipartisan reform effort possible.

Although education research is not an area that commands the attention of many Americans, or even many Members of Congress for all that matter, I was fortunate to work with a group of dedicated professionals who wanted to make education research better. They include obviously the Subcommittee on Education Reform ranking member, the gentleman from Michigan (Mr. KILDEE); but also the gentleman from Colorado (Mr. SCHAFER), the vice-chairman; the gentleman from California (Mr. GEORGE MILLER), full committee ranking member; as well as the gentleman from Florida (Mr. KELLER), the gentleman from Wisconsin (Mr. KIND), the gentleman from Georgia (Mr. ISAKSON), the gentleman from Virginia (Mr. SCOTT); the gentleman from Colorado (Mr. TANCREDO), and the gentleman from New York (Mr. OWENS). I thank all of them for their important contributions.

I also want to extend my gratitude to the gentleman from Ohio (Mr. BOEHNER), the chairman of the Education and Workforce Committee. Without his leadership and thoughtful

counsel, we would not be on the floor today.

I would also be remiss if I did not thank President Bush, Secretary Paige and Under Secretary Hickock and Assistant Secretary Russ Whitehurst and Becky Campoverde. I am indebted to them all for raising the profile of this issue and for their year-long counsel and unwavering support of the principles embodied in this bill.

Last but certainly not least, I want to thank the staff for their hard work and abiding interest in education reform. Often vacations were sacrificed and family dinners were put on hold to get us to the floor of the House of Representatives. I think one has to be a Member of the House to understand how important staffs are to us and the extraordinary work they did.

Although many offered a helping hand, I want to especially thank Sally Lovejoy, the boss in all this; Doug Mesecar, who is to my left; Bob Sweet, Patrick Lyden, Jo-Marie St. Martin; on the other side, Alex Nock, Denise Forte and Charlie Barone, all of whom did a superb job. This team really went above and beyond the call of duty, and I am grateful to them for their efforts.

I would particularly like to thank Kara Haas of my staff who has dedicated all the recent years to education issues and has done a wonderful job of pulling all of this together.

Mrs. MINK of Hawaii. Mr. Speaker, I rise in support of H.R. 3801, the Education Science Reform Act of 2002.

H.R. 3801 marks a significant step forward in the Congress' effort to improve the research, evaluation, and technical assistance focus of the Department of Education, High quality research, statistics, development, and technical assistance is critical to improving education in the 21st century.

H.R. 3801 authorizes a total of \$700 million for the Department of Education's research, statistics, evaluations, and technical assistance activities. This is nearly double the current funding and ensures that almost 1 percent, or \$400 million, of the Department's budget will be reserved for research activities. This ensures that the Academy of Education Sciences that the bill creates will become a premier education research organization that is capable of producing high quality research.

H.R. 3801 also creates the Regional Development and Technical Assistance program that provides funds for two entities per region. One entity will provide applied research and development while the other will provide technical assistance. These entities are governed by a local regional board that incorporates all States in the region and whose membership is chosen by the chief State school officer of each State.

I am pleased that H.R. 3801 will continue to allow all four states of the Federated States of Micronesia (FSM) (Chuuk, Kosrae, Pohnpei, and Yap) to participate in the program and be fully represented on the regional boards. Hawaii's educational laboratory, research, and technical assistance provider, the Pacific Resources for Education and Learning (PREL), has been successful and effective in meeting the needs of all the States in Hawaii's region, which includes Hawaii, the outlying area

(Guam, American Samoa, and the Northern Mariana Islands) and the freely associated states (FAS)(Palau, the Marshall Islands, and the four States of the FSM, Chuuk, Kosrae, Pohnpei, and Yap) because of the participation of all the chief State school officers.

Mr. Speaker, I am pleased that Congress is committing to creating a strong office of research, statistics, evaluation, development, and technical assistance in the Department of Education. The Academy will be vital to future increases in student achievement and in the management and operation of our Nation's schools. H.R. 3801 makes the needed changes and adds the necessary resources to making this office a reality. I urge my colleagues to support this bill.

Mr. KIND. Mr. Speaker, I rise today in support of H.R. 3801, the Education Sciences Reform Act of 2002. As a member of the Education and Workforce committee, I am proud to have been a part of the bipartisan effort to strengthen the quality of public education in all regions of the country. This bill restructures the Office of Education Research and Improvement, OERI, first authorized in 1994, maintaining the regional support structures to help our schools succeed.

This issue is of special importance to the people of my district in western Wisconsin. The small, rural schools of my district strive to provide quality educational opportunities for their students, but need a support structure to help implement the many changes recently required by the Federal Government in the No Child Left Behind Act. OERI provides such a structure through regional laboratories and comprehensive centers. During reauthorization, I advocated for the continued funding of these regional entities that provide applied research and development along with technical assistance to schools in rural areas. At the same time, I support the need for a competitive environment geared toward performance-oriented funding for these regional entities. Without this type of regional structure, there would be no guarantee that schools such as those in my district would continue to receive these services.

The comprehensive centers and regional educational laboratories are invaluable resources for providing quality education to children in our small, rural schools. The mission of the regional comprehensive center is to provide technical assistance to schools and districts, while the regional labs create strategies to promote student improvement through applied research. Schools in rural areas are often faced with the challenges of serving a community with a small population, making it difficult to maintain adequate funding and a strong technology infrastructure. The labs and comprehensive centers offer the assistance needed to meet the needs of students in these areas. By supporting these entities, children in rural schools can be afforded the same types of educational tools that their counterparts in large, more urban schools receive: access to educational technologies, enrichment in math and science, and gifted and talented education, all of which help prepare our children everywhere for the workforce of the future.

In particular, the Wisconsin Center for Education Research, located in my home State, is able to provide schools with the tools they need for success. This comprehensive center at the University of Wisconsin-Madison School of Education provides services to Iowa, Michi-

gan, Minnesota, North Dakota, South Dakota, and Wisconsin. All of these States contain a large number of small, rural schools in need of the technical assistance and applied research to continue providing quality education to the students of their districts. The Wisconsin Center provides proven, quality research dedicated to improving education for students of all ages, and is indeed one of the premier comprehensive centers in the Nation.

Mr. Speaker, I am proud to have been a part of the committee that recognized the importance of strong research and evaluation in providing quality education to students of our country. I would like to thank the subcommittee chairman from Delaware, Mr. CASTLE, the ranking member from Michigan, Mr. KILDEE, and the other members of the subcommittee for the continued efforts to make this bipartisan bill as strong as possible. Through our efforts we will continue to ensure that no child is left behind in our education system.

Mr. GEORGE MILLER of California. Mr. Speaker, I want to first applaud the achievement of Chairman CASTLE and Congressman KILDEE and their staffs for their work on this bill. Both members have championed the need for quality education research and this legislation reflects their leadership on this issue.

H.R. 3801 complements the bipartisan effort that started with the No Child Left Behind Act. In that landmark reform measure, states and schools district are now accountable for providing a quality education to all children. And, the availability of scientifically based research that demonstrates what works and what doesn't work will be critical in this effort. H.R. 3801 establishes the framework to make this happen.

This legislation injects a much needed culture of science into education research through the newly established Academy of Education Sciences.

The Academy will be responsible for ensuring that the research used by school districts in their reform efforts will be of the highest quality and meet the highest standards. The Academy will also conduct new research and be the arm through which this research is disseminated to the field.

H.R. 3801 will bring research directly into the classroom where it is needed the most. Through a system of regional technical assistance, school districts will be able to receive support tailored to their needs.

And, perhaps most important this legislation authorizes a new level of investment in education research to match the demand for quality science on what works to improve education.

Again, I commend the work of my colleagues Congressmen CASTLE and KILDEE and look forward to working with them as it continues through the legislative process.

Again, I want to applaud the work of the chairman and ranking member.

Mr. SMITH of Michigan. Mr. Speaker, I rise in support of the Education Science Reform Act.

As one famous scientist observed, "It is nothing short of a miracle that the modern methods of instruction have not yet entirely strangled the holy curiosity of enquiry." That scientist was Albert Einstein, and its apparent that since his day things haven't changed all that much.

Our colleges and universities are still the best in the world, but as international tests

show, U.S.K.—12 students do not measure up to their peers in other industrialized countries.

As Chairman of the Subcommittee on Research, we have been advocating that we devote more of our education research funding to research on how kids learn. Our current knowledge of how children acquire such academic skills as reading and math is not well advanced. Further, we know very little about the how to link fundamental research and educational practice in the classroom.

We have to find out what works in the classroom, and what doesn't. In hearings before my subcommittee, we have found that new teaching methods and technologies are often introduced into classrooms with little or no data showing that they are effective.

This is unfortunate, and it means that many of our kids will not be prepared for the high-tech future. If we want to do a better job of imparting to students the skills they need to be successful in science and math, we have to employ the most effective teaching methods from kindergarten to college. To help do that, we must conduct the kind of research and data collections to better discover what works.

Currently, federal funding for education research is a fraction of a percent of all education spending. It stands to reason that increasing funding in this area will allow us to develop policies and programs that will spend the other 99+ percent of funding on education programs more effectively.

I am pleased that National Mathematics and Science Partnerships Act, which passed the House last summer, contains language I proposed to have NSF establish centers for education research. These multidisciplinary centers will focus on research that has the potential to transform education research and teaching practice.

Complementing this effort is the work being done by the Department of Education authorized in this bill. I am particularly pleased that the bill establishes "scientifically-based research standards" for this program. Witnesses before my subcommittee testified to the shortcomings of the research being conducted by the Education Department. This legislation brings scientific rigor to an area of research that often lacks it, and I want to commend the gentleman from Delaware, Mr. CASTLE, and the Chairman of the Education Committee, Mr. BOEHNER, for their work in making this needed reform.

Mr. Speaker, it is in this country's best interest to see that students receive the education they will need to compete and win in the global marketplace of the future. This bill will help us achieve that goal.

Mr. HOLT. Mr. Speaker, I rise today to speak on HR 3801, the Education Sciences Reform Act. The bill restructures the current statute governing the Office of Educational Research and Improvement by creating the Academy of Education Sciences.

While there are many positive things in this bill, it also has a number of weaknesses that should be addressed. Unfortunately, because this bill is on the suspension calendar, we will not get a chance to amend it. This legislation is missing two important initiatives, the Eisenhower Regional Mathematics and Science Consortia and the Eisenhower National Clearinghouse.

We must continue to make science education a priority in order to be prepared to compete in the global market place.

One way of doing this is the Eisenhower Regional Mathematics and Science Consortia. Currently, the 10 regional Eisenhower Mathematics and Science Consortia provide expert, research-based advice to teachers, schools, and states on how to improve their math and science programs and accountability systems.

The Consortia have economies of scale for expert staff and programs that most school districts could never duplicate; and as a network, their use of Federal resources is even more efficient.

With their regional partners, the Consortia provide professional development and technical assistance that enables teachers and policymakers learn from math and science research in their efforts to improve math and science teaching and learning.

The Consortia work with National Science Foundation to disseminate exemplary teaching methods for science and math.

The Consortia coordinate resources on math and science within their regions to maximize their collective impact.

The Consortia deliver customized services without red tape. Without the Consortia, teachers and administrators must procure other funds with the associated paperwork for assistance that the Consortia proactively supply without administrative burdens.

The other important science and mathematics institution is the Eisenhower National Clearinghouse.

The Eisenhower National Clearinghouse acquires and catalogs mathematics and science curriculum resources, creating the most comprehensive collection in the nation.

The clearinghouse provides the best selection of math and science education resources on the Internet.

The clearinghouse also supports teachers' professional development in math, science, and the effective use of technology.

Most importantly it serves all K–12 educators, parents, and students with free products and services. To help them do the best possible job of teaching math and science to our kids.

We must supply the resources for our schools and teachers for math and science education. Giving all children an understanding of science is one of the greatest challenges facing our nation today. The degree to which our children acquire these important skills will help determine their future economic success and, in turn, will help shape the productivity and economic future of the entire United States.

A quality science education is important for reasons of economics or national security. But it is also important for personal well-being and for the well-being of our democracy.

Science brings order, harmony, and balance to our lives. It teaches us that our world is intelligible and not capricious. They give us the skill for lifelong learning, for creating progress itself.

Mr. Speaker, this bill will pass today, but as it moves forward we should correct this oversight regarding the Eisenhower Regional Mathematics and Science Consortia and the Eisenhower National Clearinghouse.

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

The SPEAKER pro tempore (Mr. WHITFIELD). The question is on the motion offered by the gentleman from

Delaware (Mr. CASTLE) that the House suspend the rules and pass the bill, H.R. 3801, 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.

#### AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN THE ENGROSSMENT OF H.R. 3801, EDUCATION SCIENCES REFORM ACT OF 2002

Mr. CASTLE. Mr. Speaker, I ask unanimous consent that in the engrossment of the bill, H.R. 3801, the Clerk be authorized to make technical corrections and conforming changes to the bill.

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

There was no objection.

#### HONORING UNIVERSITY OF MINNESOTA GOLDEN GOPHERS MEN'S HOCKEY AND WRESTLING TEAMS AND UNIVERSITY OF MINNESOTA-DULUTH BULLDOGS WOMEN'S HOCKEY TEAM FOR WINNING 2002 NCAA CHAMPIONSHIPS

Mr. ISAKSON. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 391) honoring the University of Minnesota Golden Gophers men's hockey and wrestling teams and the University of Minnesota-Duluth Bulldogs women's hockey team for winning the 2002 National Collegiate Athletic Association championships.

The Clerk read as follows:

H. CON. RES. 391

Whereas the University of Minnesota Gophers men's hockey team recently won the 2002 National Collegiate Athletic Association championship for the 4th time in the university's history;

Whereas the Minnesota Gophers men's hockey team had an impressive overall record of 32-8-4;

Whereas all but 1 of the players on the Minnesota Gophers men's hockey team are from Minnesota;

Whereas the Minnesota Gophers wrestling team won their second consecutive NCAA championship in 2002;

Whereas the Minnesota Gophers wrestling team was undefeated in the 2002 season and won the Big 10 Conference tournament;

Whereas the Minnesota Gophers wrestling team finished in the top 3 in the Nation for the 6th consecutive year;

Whereas 7 members of the Minnesota Gophers wrestling team earned All-American honors;

Whereas the Minnesota Gophers wrestling team produced 2 individual national champions;

Whereas on March 24, 2002, the defending NCAA Women's Ice Hockey National Champion, the University of Minnesota-Duluth Bulldogs, won the national championship for the second straight year;

Whereas the Minnesota-Duluth Bulldogs women's hockey team defeated Brown University in the championship game by the

score of 3-2, having previously defeated Niagara University in the semi-final by the same score;

Whereas during the 2001-2002 season, the Minnesota-Duluth Bulldogs women's hockey team won 24 games, while losing only 6, and tying 4; and

Whereas all of the players on the Minnesota-Duluth Bulldogs women's hockey team showed tremendous dedication throughout the season toward the goal of winning the national championship;

Whereas all 3 of these teams display academic excellence by maintaining an average grade point average above the university-wide average; and

Whereas Congress should honor the excellence of athletic teams and encourage participation in collegiate athletics in order to build teamwork and dedication: Now, therefore, be it

*Resolved by the House of Representatives (the Senate concurring),* That Congress honors the University of Minnesota Golden Gophers men's hockey and wrestling teams and the University of Minnesota-Duluth Bulldogs women's hockey team for winning the 2002 National Collegiate Athletic Association championships.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. ISAKSON) and the gentleman from Michigan (Mr. KILDEE) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia (Mr. ISAKSON).

GENERAL LEAVE

Mr. ISAKSON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H. Con. Res. 391.

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

There was no objection.

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

I rise in support of House Concurrent Resolution 391, a resolution that congratulates the University of Minnesota men's hockey and wrestling teams and University of Minnesota-Duluth women's hockey team for winning the 2002 National Collegiate Athletic Association Championships. I am very pleased to commend the gentleman from Minnesota (Mr. KENNEDY) for bringing this resolution, and I encourage all the Members of the House to support it.

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

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

I am very happy to rise to support H. Con. Res. 391 which honors the University of Minnesota Golden Gophers men's hockey and wrestling teams, and University of Minnesota-Duluth women's hockey team for winning the 2002 National Collegiate Athletic Association championship. They certainly are worthy of the accolades of this House.

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

Mr. ISAKSON. Mr. Speaker, I yield 2 minutes to the gentleman from Minnesota (Mr. KENNEDY), the author of the resolution.

Mr. KENNEDY of Minnesota. Mr. Speaker, as basketball great Michael

Jordan once said, "Talent wins games but teamwork and intelligence wins championships." It is with great pride that I rise today to introduce a resolution to honor the three Minnesota national champions, the Golden Gophers men's hockey and wrestling teams, and University of Minnesota-Duluth women's hockey team for winning the 2002 NCAA championships.

Minnesota has had a long and proud tradition of hockey. This is the fourth time that the University of Minnesota Gophers have won their national championship. I congratulate the team and their head coach Don Lucia. As Don Lucia says, "Hockey and Minnesota are synonymous with each other."

The Golden Gophers wrestling team became the first back-to-back Gopher national champions since 1940 and 1941, when the Minnesota Gophers won back-to-back football championships and consecutive national titles. I congratulate the team and their head coaches, Robinson and Morgan.

The University of Minnesota-Duluth women's hockey team captured their second straight NCAA championship. In the championship game, they beat Brown three to two. Congratulations to the team and their head coach, Shannon Miller.

All three of these should be considered and honored for their academic excellence as well. All three maintained grade point averages above the school average. Their hard work on and off the ice and mat have made them champions in the eyes of all Minnesotans.

I congratulate each and every player on these teams and their coaches for their hard work, perseverance and teamwork. The entire Minnesota delegation congratulates them.

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

Mr. ISAKSON. Mr. Speaker, I am pleased to yield 2 minutes to the distinguished gentleman from Minnesota (Mr. GUTKNECHT).

Mr. GUTKNECHT. Mr. Speaker, I thank the gentleman from Georgia (Mr. ISAKSON) for yielding me the time, and I want to thank my colleague the gentleman from Minnesota (Mr. KENNEDY) for bringing this resolution forward. I am a happy and proud co-sponsor of it.

There are two sports that we take very seriously back in the State of Minnesota. One of them is hockey and the other is wrestling. Part of the reason I think we take them so seriously is because if one is going to excel in these two sports, they have to have enormous amounts of dedication to those sports.

So on behalf of all of the people of the great State of Minnesota, I rise in support of this resolution to congratulate the young men and women who have earned this recognition.

First of all, to win the national championship in hockey is something that is extremely difficult to do. We know that because in Minnesota, we

have young people as old as 4 years old, parents are taking them down to the ice arenas. At 4 years old they are called mites, and they start skating and they start learning the sport of hockey, and to win a national championship is an honor that they can only dream of one day, and obviously it is with the leadership of the University of Minnesota and the Gophers, what they did today, that will give them even more impetus to work hard to try to achieve that dream.

Also, on behalf of the people of the State of Minnesota, we want to thank and congratulate the young women at the University of Minnesota-Duluth for their amazing accomplishment to win back-to-back national championships.

Finally, if there is any sport that requires more dedication than hockey it is wrestling, and for the University of Minnesota Golden Gophers to win that championship means an awful lot.

So again congratulations to all of the Gophers and the Bulldogs for their amazing dedication in winning these national championships. I hope my colleagues will please excuse us if our buttons seem to be bursting today, but we are extremely proud of the accomplishments of these young athletes. They demonstrate the pursuit of excellence is alive and well. It is living in Minnesota.

Mr. KILDEE. Mr. Speaker, I yield as much time as he may consume to the gentleman from Minnesota (Mr. OBERSTAR).

Mr. OBERSTAR. Mr. Speaker, I thank the gentleman from Michigan (Mr. KILDEE) for yielding me the time, and I will be brief, but the University of Minnesota-Duluth women's hockey team is in my Congressional district, and I have visited with the team members on many occasions and especially with Chancellor Kathryn Martin, who is the first woman to hold the position of chancellor of the University of Minnesota-Duluth. It was under her leadership that the women's hockey program was nurtured and developed to the national prominence it has achieved.

If any person who is looking for a display of pure hockey as it should be played with skill, with passing precision and respect for players on each side of the rink, they should have followed the women's NCAA frozen four championship rounds because there one saw the display of hockey at its very best, without the body slams, without the sticks in the face, but with skill, precision passing, skill of skating and speed and superb demonstration of goalie skill on both sides of the rink.

All the teams that participated credited themselves remarkably by their display of sportsmanship and skill, but there is only one team that wins and 2-years in a row it has been the University of Minnesota-Duluth women's hockey team, and this year they were joined by their brothers, the men's hockey team. UMD was there before them.

□ 1830

They won back-to-back championships. And this year, the men's hockey team won as well. As my colleague, the gentleman from Minnesota (Mr. GUT-KNECHT) noted, the men's wrestling team won as well.

I might add a footnote to all this pride in hockey. The University of Minnesota Duluth Theater Troop has, for the fifth time in the 34 years of the competition, won the Kennedy Center National Collegiate Theater Competition. And for the second time in 3 years, drama is also a part of the human spirit.

To Kathryn Martin's credit, she has nurtured the drama program; herself a theater and drama professor and coach, she has nurtured this program. And to the great credit of UMD, the theater troop, for the second time in 3 years, was one of the four final winners of the Kennedy Center Theater Performance.

University of Minnesota on the athletic side as well as on the intellectual and spiritual side of lifting the human spirit has contributed enormously to the northland. And to all the scholar athletes and scholar theater performers who have participated and won national honors, as the gentleman said, our buttons indeed are bursting a bit. It is appropriate for us to offer this recognition on the House floor.

I thank the gentleman for the time, and I congratulate the University of Minnesota Duluth and the University of Minnesota main campus on their achievements.

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

Mr. ISAKSON. Mr. Speaker, I yield myself such time as I may consume to conclude by commending the gentleman from Minnesota (Mr. KENNEDY) on offering the resolution, and I encourage my colleagues in the House to support it.

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

The SPEAKER pro tempore (Mr. WHITEFIELD). The question is on the motion offered by the gentleman from Georgia (Mr. ISAKSON) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 391.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

**ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE**

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

Votes will be taken in the following order:

Concurring in Senate amendments to H.R. 169, by the yeas and nays;

S. 2248, by the yeas and nays; and H. Con. Res. 386, 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.

**NOTIFICATION AND FEDERAL EMPLOYEE ANTIDISCRIMINATION AND RETALIATION ACT OF 2001**

The SPEAKER pro tempore. The pending business is the question of suspending the rules and concurring in the Senate amendments to the bill, H.R. 169.

The Clerk read the title of the bill. The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and concur in the Senate amendments to the bill, H.R. 169, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 412, nays 0, not voting 22, as follows:

[Roll No. 117]  
YEAS—412

Abercrombie	Chabot	Forbes
Ackerman	Chambliss	Ford
Aderholt	Clay	Fossella
Akin	Clement	Frelinghuysen
Allen	Clyburn	Frost
Andrews	Coble	Galleghy
Armey	Collins	Ganske
Baca	Combest	Gekas
Bachus	Condit	Gephardt
Baird	Conyers	Gibbons
Baker	Cooksey	Gilchrest
Baldacci	Costello	Gillmor
Baldwin	Cox	Gilman
Ballenger	Coyne	Gonzalez
Barcia	Cramer	Goode
Barr	Crenshaw	Goodlatte
Barrett	Crowley	Gordon
Bartlett	Cubin	Goss
Barton	Culberson	Graham
Bass	Cummings	Granger
Becerra	Cunningham	Graves
Bentsen	Davis (CA)	Green (TX)
Bereuter	Davis (FL)	Green (WI)
Berkley	Davis (IL)	Greenwood
Berman	Davis, Jo Ann	Grucci
Berry	Davis, Tom	Gutknecht
Biggert	Deal	Hall (OH)
Bilirakis	DeFazio	Hall (TX)
Bishop	DeGette	Hansen
Blumenauer	Delahunt	Harman
Blunt	DeLauro	Hart
Boehert	DeLay	Hastings (FL)
Boehner	Deutsch	Hastings (WA)
Bonilla	Diaz-Balart	Hayes
Bonior	Dicks	Hayworth
Bono	Dingell	Hefley
Boozman	Doggett	Hergert
Borski	Dooley	Hill
Boswell	Doolittle	Hilleary
Boucher	Doyle	Hilliard
Boyd	Dreier	Hinche
Brady (PA)	Duncan	Hinojosa
Brady (TX)	Dunn	Hobson
Brown (FL)	Edwards	Hoeffel
Brown (OH)	Ehlers	Hoekstra
Brown (SC)	Ehrlich	Holden
Bryant	Emerson	Holt
Burr	Engel	Honda
Burton	English	Hooley
Callahan	Eshoo	Horn
Calvert	Etheridge	Hostettler
Camp	Evans	Houghton
Cantor	Everett	Hoyer
Capito	Farr	Hulshof
Capps	Fattah	Hunter
Capuano	Ferguson	Hyde
Cardin	Filner	Inslee
Carson (IN)	Flake	Isakson
Carson (OK)	Fletcher	Israel
Castle	Foley	Issa

Istook	Miller, Gary	Schrock
Jackson (IL)	Miller, George	Scott
Jackson-Lee	Miller, Jeff	Sensenbrenner
(TX)	Mink	Serrano
Jefferson	Mollohan	Sessions
Jenkins	Moore	Shadegg
John	Moran (KS)	Shaw
Johnson (CT)	Moran (VA)	Sha's
Johnson (IL)	Morella	Sherman
Johnson, E.B.	Myrick	Sherwood
Johnson, Sam	Nadler	Shimkus
Jones (NC)	Napolitano	Shows
Jones (OH)	Neal	Shuster
Kanjorski	Nethercutt	Simmons
Kaptur	Ney	Simpson
Keller	Northup	Skeen
Kelly	Norwood	Skelton
Kennedy (MN)	Nussle	Slaughter
Kennedy (RI)	Oberstar	Smith (MI)
Kerns	Obey	Smith (NJ)
Kildee	Olver	Smith (TX)
Kilpatrick	Ortiz	Snyder
Kind (WI)	Osborne	Solis
King (NY)	Ose	Spratt
Kingston	Otter	Stark
Kirk	Owens	Stearns
Klecza	Oxley	Stenholm
Knollenberg	Pallone	Strickland
Kolbe	Pascarell	Stump
Kucinich	Pastor	Stupak
LaFalce	Paul	Sullivan
LaHood	Payne	Sununu
Lampson	Pelosi	Sweeney
Langevin	Pence	Tancredo
Lantos	Peterson (MN)	Tauscher
Larsen (WA)	Peterson (PA)	Taylor (MS)
Larson (CT)	Petri	Taylor (NC)
Latham	Phelps	Terry
LaTourette	Pickering	Thomas
Leach	Pitts	Thompson (CA)
Lee	Platts	Thompson (MS)
Levin	Pomeroy	Thornberry
Lewis (CA)	Portman	Thune
Lewis (GA)	Price (NC)	Thurman
Lewis (KY)	Pryce (OH)	Tiahrt
Linder	Putnam	Tiberti
Lipinski	Quinn	Tierney
LoBiondo	Radanovich	Toomey
Lofgren	Rahall	Towns
Lowe	Ramstad	Turner
Lucas (KY)	Rangel	Udall (CO)
Lucas (OK)	Regula	Udall (NM)
Luther	Rehberg	Upton
Lynch	Reyes	Velazquez
Maloney (CT)	Reynolds	Velosky
Maloney (NY)	Rivers	Vitter
Manzullo	Rodriguez	Walden
Markey	Roemer	Walsh
Matheson	Rogers (KY)	Wamp
Matsui	Rogers (MI)	Waters
McCarthy (MO)	Rohrabacher	Watson (CA)
McCarthy (NY)	Ros-Lehtinen	Watt (NC)
McCollum	Ross	Watts (OK)
McCrery	Rothman	Waxman
McDermott	Roukema	Weiner
McGovern	Roybal-Allard	Weldon (PA)
McHugh	Royce	Weller
McInnis	Rush	Wexler
McIntyre	Ryan (WI)	Whitefield
McKeon	Ryun (KS)	Wicker
McKinney	Sabo	Wilson (NM)
McNulty	Sanchez	Wilson (SC)
Meehan	Sanders	Wolf
Meek (FL)	Sandlin	Woolsey
Meeks (NY)	Sawyer	Wu
Menendez	Saxton	Young (AK)
Mica	Schakowsky	Young (FL)
Miller, Dan	Schiff	

NOT VOTING—22

Blagojevich	Mascara	Souder
Buyer	Millender	Tanner
Cannon	McDonald	Tauzin
Clayton	Murtha	Trafficant
Crane	Pombo	Watkins (OK)
DeMint	Riley	Weldon (FL)
Frank	Schaffer	Wynn
Gutierrez	Smith (WA)	

□ 1859

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

**ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE**

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

**EXTENDING AUTHORITY OF EXPORT-IMPORT BANK UNTIL MAY 31, 2002**

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the Senate bill, S. 2248.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Nebraska (Mr. BE-REUTER) that the House suspend the rules and pass the Senate bill, S. 2248, 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 318, nays 92, not voting 24, as follows:

[Roll No. 118]  
YEAS—318

Ackerman	Collins	Gillmor
Aderholt	Combest	Gilman
Allen	Cooksey	Gonzalez
Baca	Cramer	Goodlatte
Bachus	Crenshaw	Gordon
Baird	Crowley	Goss
Baker	Cubin	Graham
Baldacci	Cummings	Granger
Ballenger	Cunningham	Graves
Barr	Davis (CA)	Green (TX)
Barrett	Davis (FL)	Green (WI)
Barton	Davis (IL)	Greenwood
Becerra	Davis, Tom	Grucci
Bentsen	Deal	Hall (OH)
Bereuter	DeGette	Hall (TX)
Berkley	DeLahunt	Hansen
Berman	DeLauro	Harman
Berry	Deutsch	Hart
Biggert	Diaz-Balart	Hastings (WA)
Bishop	Dicks	Hefley
Blumenauer	Dingell	Heger
Blunt	Doggett	Hill
Boehlert	Dooley	Hilliard
Boehner	Doyle	Hinojosa
Bonilla	Dreier	Hobson
Bono	Dunn	Hoeffel
Boozman	Edwards	Holt
Borski	Ehlers	Honda
Boswell	Ehrlich	Hooley
Boucher	Emerson	Horn
Boyd	Engel	Houghton
Brady (TX)	English	Hoyer
Brown (FL)	Eshoo	Hulshof
Brown (SC)	Etheridge	Hyde
Bryant	Everett	Insole
Burr	Farr	Isakson
Burton	Ferguson	Israel
Callahan	Filner	Issa
Calvert	Fletcher	Istook
Camp	Foley	Jackson-Lee
Cantor	Forbes	(TX)
Capito	Ford	Jefferson
Capps	Fossella	Jenkins
Capuano	Frelinghuysen	John
Cardin	Frost	Johnson (CT)
Carson (IN)	Gallegly	Johnson (IL)
Carson (OK)	Ganske	Johnson, E. B.
Castle	Gephardt	Johnson, Sam
Chambliss	Gibbons	Kanjorski
Clyburn	Gilchrest	Kaptur

Keller	Morella	Shaw
Kelly	Myrick	Shays
Kennedy (MN)	Nadler	Sherman
Kennedy (RI)	Napolitano	Sherwood
Kilpatrick	Neal	Shimkus
Kind (WI)	Nethercutt	Shows
King (NY)	Ney	Shuster
Kingston	Northup	Simmons
Kirk	Norwood	Simpson
Kleczka	Nussle	Skeen
Knollenberg	Obey	Skelton
Kolbe	Ortiz	Slaughter
LaFalce	Osborne	Smith (NJ)
LaHood	Ose	Smith (TX)
Lampson	Oxley	Snyder
Langevin	Pastor	Spratt
Lantos	Pelosi	Stearns
Larsen (WA)	Peterson (PA)	Stenholm
Larson (CT)	Phelps	Stump
Latham	Pickering	Sullivan
LaTourette	Pitts	Tauscher
Leach	Pomeroy	Taylor (MS)
Levin	Portman	Terry
Lewis (CA)	Price (NC)	Thomas
Lewis (KY)	Pryce (OH)	Thompson (MS)
Linder	Putnam	Thornberry
Lipinski	Quinn	Thune
LoBiondo	Radanovich	Thurman
Lofgren	Ramstad	Tiahrt
Lowe	Rangel	Tiberi
Lucas (KY)	Regula	Tierney
Lucas (OK)	Rehberg	Toomey
Luther	Reyes	Turner
Lynch	Reynolds	Udall (CO)
Maloney (CT)	Rodriguez	Upton
Maloney (NY)	Roemer	Velazquez
Manzullo	Rogers (KY)	Vitter
Markey	Rogers (MI)	Walden
Matsui	Ros-Lehtinen	Walsh
McCarthy (MO)	Ross	Watson (CA)
McCarthy (NY)	Rothman	Watt (NC)
McCollum	Roukema	Watts (OK)
McCery	Roybal-Allard	Waxman
McDermott	Rush	Weiner
McGovern	Ryan (WI)	Weldon (PA)
McIntyre	Ryun (KS)	Weller
McKeon	Sabo	Wexler
McNulty	Sanchez	Whitfield
Meehan	Sandlin	Wicker
Meeks (NY)	Sawyer	Wilson (NM)
Menendez	Saxton	Wilson (SC)
Mica	Schakowsky	Wolf
Miller, Dan	Schiff	Woolsey
Miller, Gary	Schrock	Wu
Moore	Scott	Young (AK)
Moran (KS)	Serrano	
Moran (VA)	Sessions	

**NAYS—92**

Abercrombie	Gutknecht
Akin	Hastings (FL)
Andrews	Hayes
Armey	Hayworth
Baldwin	Hilleary
Barcia	Hinche
Bartlett	Hoekstra
Bass	Holden
Bilirakis	Hostettler
Bonior	Hunter
Brady (PA)	Jackson (IL)
Brown (OH)	Jones (NC)
Chabot	Jones (OH)
Clay	Jones (GA)
Coble	Kildee
Condit	Kucinich
Conyers	Lee
Costello	Lewis (GA)
Cox	Matheson
Coyne	McHugh
Culberson	McInnis
Davis, Jo Ann	McKinney
DeFazio	Meek (FL)
DeLay	Miller, George
Doolittle	Miller, Jeff
Duncan	Mink
Evans	Mollohan
Fattah	Oberstar
Flake	Olver
Gekas	Otter
Goode	Owens

**NOT VOTING—24**

Blagojevich	Frank
Buyer	Gutierrez
Cannon	Mascara
Clayton	Millender-
Clement	McDonald
Crane	Murtha
DeMint	Pombo

Tauzin	Watkins (OK)	Wynn
Traficant	Weldon (FL)	Young (FL)

□ 1908

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

**SUPPORTING NATIONAL CHARTER SCHOOLS WEEK**

The SPEAKER pro tempore (Mr. WHITFIELD). The pending business is the question of suspending the rules and agreeing to the concurrent resolution, H. Con. Res. 386.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Delaware (Mr. CASTLE) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 386, 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 404, nays 3, answered “present” 2, not voting 25, as follows:

[Roll No. 119]  
YEAS—404

Abercrombie	Capito	English
Ackerman	Cardin	Eshoo
Aderholt	Carson (IN)	Etheridge
Akin	Carson (OK)	Evans
Allen	Castle	Everett
Andrews	Chabot	Farr
Armey	Chambliss	Fattah
Baca	Clay	Ferguson
Bachus	Clement	Filner
Baird	Clyburn	Flake
Baker	Coble	Fletcher
Baldacci	Collins	Foley
Baldwin	Combest	Forbes
Ballenger	Condit	Ford
Barcia	Conyers	Fossella
Barr	Cooksey	Frelinghuysen
Barrett	Costello	Frost
Bartlett	Cox	Gallegly
Barton	Coyne	Ganske
Bass	Cramer	Gekas
Becerra	Crenshaw	Gephardt
Bentsen	Crowley	Gibbons
Bereuter	Cubin	Gilchrest
Berkley	Culberson	Gillmor
Berman	Cummings	Gilman
Berry	Cunningham	Gonzalez
Biggert	Davis (CA)	Goode
Bilirakis	Davis (FL)	Goodlatte
Bishop	Davis (IL)	Gordon
Blumenauer	Davis, Jo Ann	Goss
Blunt	Davis, Tom	Graham
Boehlert	Deal	Granger
Boehner	DeFazio	Graves
Bonilla	DeGette	Green (TX)
Bonior	DeLahunt	Green (WI)
Bono	DeLauro	Greenwood
Boozman	DeLay	Grucci
Borski	Deutsch	Gutknecht
Boswell	Diaz-Balart	Hall (OH)
Boucher	Dicks	Hall (TX)
Boyd	Dingell	Hansen
Brady (PA)	Doggett	Harman
Brady (TX)	Dooley	Hart
Brown (FL)	Doolittle	Hastings (FL)
Brown (OH)	Doyle	Hastings (WA)
Brown (SC)	Dreier	Hayes
Bryant	Duncan	Hayworth
Burr	Dunn	Hefley
Burton	Edwards	Heger
Callahan	Ehlers	Hill
Calvert	Ehrlich	Hilleary
Camp	Emerson	Hilliard
Cantor	Engel	Hinojosa

Hobson	McHugh	Sanders
Hoefel	McInnis	Sandlin
Hoekstra	McIntyre	Sawyer
Holden	McKeon	Saxton
Holt	McKinney	Schakowsky
Honda	McNulty	Schiff
Holley	Meehan	Schrock
Horn	Meek (FL)	Scott
Hostettler	Meeks (NY)	Sensenbrenner
Houghton	Menendez	Serrano
Hoyer	Mica	Sessions
Hulshof	Miller, Dan	Shadegg
Hunter	Miller, Gary	Shaw
Hyde	Miller, George	Shays
Inslee	Miller, Jeff	Sherman
Isakson	Mink	Sherwood
Israel	Mollohan	Shimkus
Issa	Moore	Shows
Istook	Moran (KS)	Shuster
Jackson (IL)	Moran (VA)	Simmons
Jackson-Lee	Morella	Simpson
(TX)	Myrick	Skeen
Jefferson	Nadler	Skelton
Jenkins	Napolitano	Slaughter
John	Neal	Smith (MI)
Johnson (CT)	Nethercutt	Smith (NJ)
Johnson (IL)	Ney	Smith (TX)
Johnson, E. B.	Northup	Snyder
Johnson, Sam	Norwood	Solis
Jones (NC)	Nussle	Spratt
Kanjorski	Oberstar	Stark
Kaptur	Obey	Stearns
Keller	Olver	Stenholm
Kelly	Ortiz	Strickland
Kennedy (MN)	Osborne	Stump
Kennedy (RI)	Ose	Stupak
Kerns	Otter	Sullivan
Kildee	Owens	Sununu
Kilpatrick	Oxley	Sweeney
Kind (WI)	Pallone	Tancredo
King (NY)	Pascarell	Tauscher
Kingston	Pastor	Taylor (MS)
Kirk	Paul	Taylor (NC)
Klecza	Payne	Terry
Knollenberg	Pelosi	Thomas
Kolbe	Pence	Thompson (CA)
LaFalce	Peterson (MN)	Thompson (MS)
LaHood	Peterson (PA)	Thornberry
Lampson	Petri	Thune
Langevin	Phelps	Thurman
Lantos	Pickering	Tiahrt
Larsen (WA)	Pitts	Tiberi
Larson (CT)	Platts	Tierney
Latham	Pomeroy	Toomey
LaTourette	Portman	Towns
Leach	Price (NC)	Turner
Lee	Pryce (OH)	Udall (CO)
Levin	Putnam	Udall (NM)
Lewis (CA)	Quinn	Upton
Lewis (GA)	Radanovich	Velazquez
Lewis (KY)	Rahall	Visclosky
Linder	Ramstad	Vitter
Lipinski	Rangel	Walden
LoBiondo	Regula	Walsh
Lofgren	Rehberg	Wamp
Lowe	Reyes	Waters
Lucas (KY)	Reynolds	Watson (CA)
Lucas (OK)	Rodriguez	Watt (NC)
Luther	Roemer	Watts (OK)
Lynch	Rogers (KY)	Waxman
Maloney (CT)	Rogers (MI)	Weiner
Maloney (NY)	Rohrabacher	Weldon (PA)
Manzullo	Ros-Lehtinen	Weller
Markey	Ross	Wexler
Matheson	Rothman	Whitfield
Matsui	Roybal-Allard	Wicker
McCarthy (MO)	Royce	Wilson (NM)
McCarthy (NY)	Rush	Wilson (SC)
McCollum	Ryan (WI)	Wolf
McCrary	Ryun (KS)	Woolsey
McDermott	Sabo	Wu
McGovern	Sanchez	Young (AK)

□ 1919

Mr. CAPUANO changed his vote from "yea" to "present."

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

**ANNOUNCEMENT OF INTENT TO OFFER MOTION TO INSTRUCT CONFEREES ON H.R. 2215, THE 21ST CENTURY DEPARTMENT OF JUSTICE APPROPRIATIONS AUTHORIZATION ACT**

Ms. DEGETTE. Mr. Speaker, pursuant to clause 7(c) of rule XXII, I hereby announce my intention to offer a motion to instruct conferees on H.R. 2215 tomorrow.

The form of the motion is as follows:

I move that the managers on the part of the House at the conference on the disagreeing votes of the 2 Houses on the Senate amendment to the bill H.R. 2215 be instructed to:

1, agree to title IV of the Senate amendment (establishing a Violence Against Women Office); and

2, insist upon section 2003 of the Omnibus Crime Control and Safe Streets Act of 1968, as added by section 402 of the House bill (establishing duties and functions of the Director of the Violence Against Women Office).

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

Mr. ACKERMAN. Mr. 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.

The form of the motion is as follows:

I move that the managers on the part of the House at the conference on the disagreeing votes of the 2 Houses on the Senate amendment to the bill H.R. 2646 be instructed to insist on the provisions contained in section 945 of the House bill relating to unlawful stockyard practices involving nonambulatory livestock.

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

Mr. BLUMENAUER. Mr. 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.

The form of the motion is as follows:

I move that the House conferees on H.R. 2646, an act to provide for the continuation of agricultural programs through fiscal year 2011, be instructed to leave intact the House provisions of the House and Senate bills, specifically those which:

amend section 26 of the Animal Welfare Act, (7 U.S.C. 2156), subsection (e), to strike "\$5,000" and insert "\$15,000"; and to strike "1 year penalty provision" and insert "2 years";

and it provide that the amendments to section 26 of the Animal Welfare Act take effect 30 days after the date of enactment of this act.

**ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE**

The SPEAKER pro tempore (Mr. PENCE). Pursuant to clause 8 of rule XX, the Chair announces that he will postpone further proceedings today on the 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.

Record votes on remaining motions to suspend the rules will be taken tomorrow.

**CONGRATULATING THE UNIVERSITY OF CONNECTICUT HUSKIES FOR WINNING THE 2002 NATIONAL COLLEGIATE ATHLETIC ASSOCIATION DIVISION I WOMEN'S BASKETBALL CHAMPIONSHIP**

Mr. ISAKSON. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 401) congratulating the University of Connecticut Huskies for winning the 2002 National Collegiate Athletic Association Division I women's basketball championship.

The Clerk read as follows:

H. RES. 401

Whereas the University of Connecticut Huskies women's basketball team won its second National Collegiate Athletic Association championship in 3 years by defeating the University of Oklahoma by the score of 82-70;

Whereas the team, coached by NCAA Division I women's basketball Coach of the Year, Geno Auriemma, finished the 2002 season with a perfect 39-0 record, becoming only the 4th NCAA Division I women's basketball team to finish a season 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 University of Connecticut Huskies' 35-point average margin of victory during the regular season was the largest average margin of victory in NCAA Division I women's basketball history;

Whereas the University of Connecticut Huskies dominated this year's championship tournament, averaging 83.3 points and a 27-point margin of victory en route to the championship;

Whereas the high caliber of the University of Connecticut 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 University of Connecticut Huskies' championship season has rallied Connecticut residents of all ages behind a common purpose and triggered a wave of euphoria across the State: Now, therefore, be it

*Resolved*, That the House of Representatives commends the University of Connecticut Huskies women's basketball team

**NAYS—3**

Hinchey Jones (OH) Rivers

**ANSWERED "PRESENT"—2**

Capuano Kucinich

**NOT VOTING—25**

Blagojevich	Mascara	Souder
Buyer	Millender	Tanner
Cannon	McDonald	Tauzin
Capps	Murtha	Trafficant
Clayton	Pombo	Watkins (OK)
Crane	Riley	Weldon (FL)
DeMint	Roukema	Wynn
Frank	Schaffer	Young (FL)
Gutierrez	Smith (WA)	

for winning the 2002 National Collegiate Athletic Association Division I women's basketball championship and for completing the 2001–2002 season with a 39–0 record.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. ISAKSON) and the gentlewoman from Connecticut (Ms. DELAURO) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia (Mr. ISAKSON).

GENERAL LEAVE

Mr. ISAKSON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H. Res. 401.

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

There was no objection.

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

Mr. Speaker, I rise in support of House Resolution 401. This resolution congratulates the University of Connecticut Huskies for winning the 2002 NCAA Division I women's basketball championship. This is the University of Connecticut's second NCAA championship in 3 years. As my colleagues may know, the team finished the 2002 season with an unblemished perfect record of 39 and 0 and became only the fourth NCAA Division I women's team to finish the season undefeated. This is an amazing accomplishment and one worthy of recognition.

Mr. Speaker, I want to thank the gentleman from Connecticut (Mr. SIMMONS) for introducing this resolution, and I extend my congratulations to the team, their coach, and the university. I ask all of my colleagues to support this resolution.

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

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

First, let me just thank the gentleman from Georgia (Mr. ISAKSON) for bringing this resolution to the floor, and those of us in Connecticut accept his good wishes on this issue. I also want to thank the gentleman from the Connecticut delegation (Mr. SIMMONS) for introducing the resolution honoring the Huskies for capping a perfect 39 and 0 season. That is right. Say it again; a perfect 39 and 0 season, with their third NCAA women's basketball championship. Under the guidance of NCAA division Coach of the Year, Geno Auriemma, the Huskies dominated their opponents on the court. The 2002 Huskies are destined to be remembered as one of the best basketball teams in sports history.

The people of Connecticut are justly excited and proud of their Huskies who have set an example for us all with their teamwork and with their standard for perfection. They ranked number 1 in the Nation in scoring, 3-point shooting percentage, scoring defense, and field-goal percentage allowed. They set an NCAA record with a season-long average victory margin of 35.4

points, and set a national record with 831 assists. Throughout the entire season, only 1 opponent lost by less than 10 points.

The individual talent of the Huskies' players, and particularly the 5 starters, meshed to make them an unbeatable force. Their talent was recognized with a number of accolades. All 5 of the starters, Asja Jones, Swin Cash, Tamika Williams, Diana Taurasi, and Sue Bird, made the Big East All Tournament team and they were also selected as All Americans. Swin Cash was named the final 4 most outstanding player. Sue Bird, who scored 14 points in the championship game, was chosen as the National Championship Player of the Year and won the Honda Award for women's basketball.

These women have illustrated for us the results of Congress's commitment, through Title IX, to getting girls involved in sports.

I might just add on a personal note, many, many, many years ago at the Academy of Our Lady of Mercy in Milford, Connecticut, I played basketball. I am so old in this process that women could only play half court at that time. We have really turned things around.

Really what title IX has provided is that it has shown that given the resources, that women are just as talented and as exciting to watch as any men's team that is out there. With their hard work, their absolute determination, and their commitment to teamwork and, quite frankly, doing what they love to do on and off the court, these talented young women have proven themselves to be role models for girls and boys across this great Nation. They have set a new standard of excellence that teams in the future will strive to match. The UCONN Huskies have achieved perfection and inspired us all.

Mr. Speaker, I congratulate the Huskies on their championship win and on their perfect season. They have truly earned this recognition. Go Huskies.

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

Mr. ISAKSON. Mr. Speaker, I am pleased to yield 3 minutes to the distinguished gentleman from Connecticut (Mr. SIMMONS), the author of the resolution.

Mr. SIMMONS. Mr. Speaker, I thank the gentleman from Georgia (Mr. ISAKSON) for yielding me this time.

I rise today and join all of my Connecticut colleagues to honor the 2002 NCAA women's basketball champions, the University of Connecticut Huskies.

This resolution recognizes a team that my home State is so proud of, a group of young women who have excelled both on and off the court. Led by NCAA Player of the Year and WNBA number 1 draft pick, Sue Bird, along with her senior teammates, Asja Jones, Tamika Williams, and NCAA most outstanding player Swin Cash, the Huskies capped a perfect 39 and 0 season by beating the University of Oklahoma 82

to 70; 82 to 70. Mr. Speaker, 3½ million viewers, including all of Connecticut, watched with pride as the Huskies claimed their place as the undefeated national champions and one of the all-time greatest basketball teams in history.

Founded in 1881, the University of Connecticut has a rich history of providing educational opportunities for undergraduates of diverse interests, abilities and backgrounds, and the Huskies now add another national championship title to their world class academic reputation.

So many outstanding young women helped make the 2001–2002 season a smashing success, and I mentioned 4 seniors. But in addition to these, we have the fifth Huskie starter, Diana Taurasi, and other players on the team, all of whom could have started just about anywhere in the country.

□ 1930

There were Jessica Moore, Ashley Battle, Maria Conlon, Morgan Valley, Ashley Valley, and Stacey Marron. A special "Way to go, Huskies," goes to head coach Geno Auriemma, associate coach Chris Daily, and coaches Tonya Cardoza and Jamelle Elliott, as well as to athletic director Lou Perkins, and the parents of this team. Finally, I commend UConn President Phillip Austin and his administration for fielding such a fine team of scholar athletes.

Mr. Speaker, I look forward to standing on the floor next year, hopefully, to commend yet another UConn women's NCAA basketball champion. But for today, it is the 2002 team.

Mr. ISAKSON. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Connecticut (Mr. SHAYS).

Mr. SHAYS. Mr. Speaker, I thank the gentleman for yielding time to me, Mr. Speaker. This is going to be kind of an echo of the gentlewoman from Connecticut (Ms. DELAURO). We are going to say the same things, but every time we say it, we like it even more.

My constituents and all of Connecticut congratulate the University of Connecticut Lady Huskies for winning the 2002 NCAA Women's Basketball Championship. These Huskies truly deserve the title "Best in Show." In my expert opinion, this is the greatest team, the greatest team in the history of women's college basketball, and who knows if it will ever be repeated.

How good were the Huskies? Consider that in posting their 39 and 0 record, they never once trailed in the second half all season. Their average margin of victory was a remarkable 35 points. During the NCAA tournament, they won their six games by an average margin of 27 points.

At 87.5 points per game, they were the highest-scoring team in the Nation, and with an average of 51.4 points allowed, they had the second stingiest defense.

Mr. Speaker, this team is characterized by its quick passes, ferocious rebounding, intense defense, and precision shooting, all of which were a cut

above the rest of the competition, a big cut above.

But most of all, what strikes me about the Lady Huskies is their emphasis on teamwork, their awesome teamwork: 831 assists. What a pleasure to watch them.

On their way to their second championship in three years, the Lady Huskies were led by the unselfish play of four sensational seniors and a super sophomore: National Player of the Year and All-American Sue Bird, Final Four Most Outstanding Player and an all-American, Swin Cash, and All-Americans Asjha Jones, Tamika Williams, and Diana Taurasi.

The Lady Huskies were also a team feared for their depth. I want to take a moment to recognize Maria Conlon, Stacey Marron, and two sisters, Morgan and Ashley Valley.

NCAA Coach of the Year, Geno Auriemma, put together an unbelievable team with his coaching staff. These UConn Huskies are the new measure that all teams have to meet. They were really a joy to watch, and I congratulate them on all they have achieved.

I also want to congratulate them for being such extraordinary role models for Americans young and old.

Mr. ISAKSON. Mr. Speaker, I am very pleased to yield 2½ minutes to the gentlewoman from Connecticut (Mrs. JOHNSON), whose height might be challenging for basketball, but whose spirit is national championship caliber.

Mrs. JOHNSON of Connecticut. Mr. Speaker, I thank the gentleman from Georgia, but I would remind him in those days when speed mattered more than height, I was quite okay.

Mr. Speaker, I rise with my colleagues from Connecticut to pay tribute to a truly great team. These young women have played now, four of them, for 4 years for UConn, and it is not just the top team that is so impressive, it is all the way down through the bench that this team is truly a model for all young women across the Nation.

First of all, let me remind Members that on Sunday, March 31, they defeated Oklahoma University to win the NCAA tournament with a perfect record of 39 wins to zero losses.

I would also like to offer special congratulations to the head coach, Geno Auriemma, who won his third national title, and all the players this season, including the departing seniors, who have had a most remarkable 4 years.

Geno is a remarkable coach, and I think this team is, as his previous teams were, evidence not only of his skill and leadership, but their character and intelligence.

I rise today because these young women are not just champions in the basketball world, as important as that is. They are not only skilled individual basketball players, but they are outstanding team players, and it is that that their coach, Geno, has taught them: How to work together, how to help the other guy, how to make sure

that each brings out the very best in the rest of the team, because success is never the consequence of any one individual player's skill, as in life success is never the consequence of one individual human being's actions, but always of the teamwork and interaction among free, capable, and skilled people.

But these young women are not just skilled athletes and great team members. They are, in fact, fine students. They do extremely well in their courses, and they are women of integrity and character.

Their concern for one another, the way they treat one another, the respect for one another, their honesty, their integrity, and their moral character has been an inspiration to the young women of our State and across the Nation, as well as their skill and teamwork.

I salute them here tonight on the floor of the House, and I join my colleagues from Connecticut and the people across our great State in saluting this women's basketball team for their enormous victory on Sunday, March 31.

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

I will just want to say that I think we can hear from what my colleagues from Connecticut and myself are saying as to how the UConn Huskies, the women, have captured the enthusiasm of the State, whether young or old, men or women, but particularly women.

I will just say that my mother, Louise DeLauro, is 88 years old. She is fixed to the TV when the women are playing, and I will tell Members why. When she was growing up, and I did not know this until really listening to her and watching her watch this game and looking at the plays, and it was just amazing to me, she talked about women's leagues when she was in school, in which she played in the city of New Haven, eight leagues of women playing in one city in our State. And given that she is 88 years old, Members can figure out how many years ago that was.

We literally have come full circle. This is intergenerational. We have Louise DeLauro at age 88 fixed to the TV, and we have young women all over our State looking at these women as real role models. It is a change in how not only our State, but this country views women in competitive sports and views women's basketball.

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

Ms. DELAURO. I yield to the gentleman from Connecticut.

Mr. SHAYS. Very briefly, I would love to just say, Mr. Speaker, that this basketball team and the teams that Lew Perkins has put together, the athletic director, have brought Connecticut together.

I represent a part of Connecticut closer to New York City, and sometimes my constituents think they vote for the Governor of New York instead of Connecticut. But this basketball

team has done an amazing job of making all of us so proud and feel so much a part of Connecticut.

I would say one other thing. When we watch this team, we are not going to see their names on the back of their Jerseys because Geno points out that they are all a team, and no one is better than the other. Their names are not there. They are the team, the UConn Huskies. They do a great job.

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

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

Mr. Speaker, I have no further questions, but I join with the gentlewoman from Connecticut (Ms. DELAURO), the gentleman from Connecticut (Mr. SIMMONS), the author of this legislation, the gentlewoman from Connecticut (Mrs. JOHNSON), and the gentleman from Connecticut (Mr. SHAYS) and others.

I commend it to the House and urge its adoption.

Mr. LARSON of Connecticut. Mr. Speaker, I rise today to honor the extraordinary dedication, hard work, and ability of the 2002 National Collegiate Athletic Association's Women's Basketball Champions, the Huskies of the University of Connecticut. I am proud to be an original cosponsor of House Concurrent Resolution—to honor the University of Connecticut women's basketball team for their incredible achievement. On Sunday, March 31, the Huskies completed their perfect season with a hard-earned victory over the Oklahoma Sooners. With a record of 39 wins and no losses, the Huskies were named for the second time in three years as the NCAA champions.

Of the five starters this season, four were seniors: Sue Bird, Swin Cash, Tamika Williams, and Asjha Jones. During their four years at the University of Connecticut, they had a record of 136–9, made three Final Fours, and won two National Championships. They were only the fourth team in women's college basketball history to go undefeated, tying the record for the most wins. Throughout the season the team had an average margin victory of 35.4 points, and never trailed in the second half of a basketball game.

Members of the team won various awards this season. Sue Bird won the Wade Trophy for National Women's Player of the Year, Naismith Player of the Year, and was selected for AP First Team All-America Honors. Swin Cash an sophomore Diana Taurasi were selected to the All-America Second Team, Asjha Jones made the All-America Third Team, and Tamika Williams received Honorable Mention All-America. Coach Geno Auriemma was selected as Naismith Coach of the Year and 2002 Russell Athletic/WBCA Division I National Coach of the Year.

Those associated with women's college basketball have claimed that this Husky basketball team is among, if not, the best team in the history of the Women's game. I believe the ultimate compliment was paid to this team when Pat Summitt, coach of the Tennessee Lady Vols, said: "[Geno's] done a great job with them and they're big play people all across the board. And what I really admire about this Connecticut team is how hard they play and how inspired they are in every possession. I did not recall seeing a player not

play hard every possession. And that speaks for their character and what they brought to the court tonight against us. But I may do to the graduation and cheer. You think they'll let me go? I might be there.

I would like to extend my personal congratulations to the UConn Husky women's basketball team. The entire State of Connecticut is proud of the Husky team, which has helped turn Connecticut into the center of women's college basketball. Therefore, I ask my colleagues to join me in support of this resolution and to celebrate the talents of this exceptional team.

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

The SPEAKER pro tempore (Mr. PENCE). The question is on the motion offered by the gentleman from Georgia (Mr. ISAKSON) that the House suspend the rules and agree to the resolution, H. Res. 401.

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

A motion to reconsider was laid on the table.

#### 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.

#### REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1950

Mr. DAVIS of Illinois. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 1950.

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

There was no objection.

#### REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2871, EXPORT-IMPORT BANK REAUTHORIZATION ACT OF 2001

Mrs. MYRICK (during debate on H. Res. 401) from the Committee on Rules, submitted a privileged report (Rept. No. 107-423) on the resolution (H. Res. 402) providing for consideration of the bill (H.R. 2871) to reauthorize the Export-Import Bank of the United States, and for other purposes, which was referred to the House Calendar and ordered to be printed.

#### THE REAUTHORIZATION OF TANF

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

Mr. DAVIS of Illinois. Mr. Speaker, as we move towards the reauthorization of TANF, and as we look at the whole question, the whole issue of welfare reform, I think there are some principles and concepts and realities and truisms that we need to deal with.

First of all, we need to understand that in order for people to move from welfare to work, that more education and training is needed and necessary, as opposed to more work requirements.

The 24-hour direct work-related activity that is proposed is too strict. The only 16-hour non-direct work-related activity does not allow an individual to receive adequate educational or vocational training, and does not allow the ability for adequate job training and education.

We need to understand, Mr. Speaker, that education is needed for recipients to get off welfare permanently. We need to allow recipients the opportunity of 24 months of job training or vocational training, and 2 years of degree attainment. That is to suggest that they need to be afforded the opportunity to acquire at least an Associate of Arts degree.

Recipients must compete with the lagging economy and the fact that more college graduates are now stuck in low-paying jobs. We need to understand that recipients need education, education, and education if they are to increase the possibility of moving from welfare to work.

We need to allow for high school diploma attainment, English language learner classes, and adult basic education, including adult literacy programs. Education and training make a critical difference in employability, earnings, and job retention.

In 1998, 28 percent of TANF recipients worked for substandard pay while still qualifying for aid. People leaving welfare earn around \$6.61 per hour, or from \$8,000 to \$12,000 a year.

□ 1945

More education is obviously needed if they are to earn enough to earn a decent living. Welfare rolls dropped 22 percent between 1995 and 1997. However, poverty among families headed by single mothers dropped only 1 percent. The reality is that the poor are getting poorer. Many must choose between child care and work. We must reduce the extent and severity of poverty and promote self-sufficiency among families if we are doing anything serious about moving people from welfare to work. Child care funding needs to be adjusted for inflation. We must increase Federal funding for the child development funds to meet the needs of all eligible children. And we must invest enough in child care to make a difference. Mothers who work low-wage jobs often do not have benefits to leave work when the child is sick or they work conflicting hours. The annual cost of child care is \$4,000 to \$6,000 and can rise as high as 10,000. Child care must be an integral part of any effort to move people from poverty, from welfare to work.

So I urge, Mr. Speaker, that as we move towards reauthorization of TANF we realize what we are trying to do is to move people not from just welfare to work but from poverty to a decent level of living.

#### HONORING YOUTH NEED PRIME TIME

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

Mr. PENCE. Mr. Speaker, I come today to this Chamber having had an extraordinary morning in east central Indiana. At my side was the conference chairman for the Republican majority of the Congress, J.C. Watts, who is, among other accolades including Orange Bowl hall of famer, a football player and one of the best known members of this institution nationally. He is a man, as I learned today, deeply committed to the least of these and to coming alongside those in community, not sadly, Mr. Speaker, often associated with the Republican Party in this day and age, but a community that is nonetheless deeply in need of attention and, specifically, legislative attention by this Congress.

Today J.C. Watts and I traveled to the west side of Anderson into, Mr. Speaker, a ramshackle house, dilapidated, the floors creaking beneath us, an old refrigerator humming in the back room full of Cokes and snacks. We stood before some 30 people, teenagers, largely minority young men and women, all of them from disadvantaged families, each of them from one degree or another in trouble with the law, in trouble at school. And all of these students gathered as this football player-turned-Congressman and as this talk show-host-turned-Congressman stood in front of them extolling the virtues of the leader of that organization, Youth Need Prime Time, Thomas Jackson; the work that he had done in that place and in lesser places, Mr. Speaker, over the last 16 years, touching the lives of some 3,000 young people in one of the most disadvantaged areas of the Sixth Congressional District of Indiana.

I heard J.C. Watts as he spoke about the lies on the street, having grown up in a disadvantaged black family himself. His father, Buddy, having not ever gone to school beyond the second grade, J.C. Watts was able to speak with authority to these young people about the lies of believing that it will never happen to me, believing that the rules of law and the rules of nature will never catch up with them and least of all the long arm of the law.

I saw those young people, Mr. Speaker, with rapt attention as they listened. But my heart nevertheless went out to the leaders of that organization who make it, Mr. Speaker, hand to mouth, barely paying the rent, barely having the resources to run the organization as it has impacted so many lives since 1986.

And my mind wandered to the legislation that we passed in this House almost now a year ago, legislation known as the Community Solutions Act. It was legislation commonly described as the faith-based initiative

that would encourage charitable giving, expanding charitable choice to include faith-based organizations just like Youth Need Prime Time; and saying to these organizations that they would be allowed to compete for Federal grants in the areas of housing, job training, child welfare, child care services, crime prevention programs and the like.

As I looked this morning into the eyes of Shorika, a 14-year-old girl who had made a decision, Mr. Speaker, to say yes to life, bringing a small child into the world even at that tender age, I thought of the frustration of a system that discriminates against ministries like Youth Need Prime Time simply because on occasion they mention God, on occasion they have a Bible study or have a cross on the wall.

So I simply rise today to speak of an extraordinary experience with J.C. Watts, a man of extraordinary voice in our party. But I also think, Mr. Speaker, of the critical need for this Congress and this government to amend the laws of this Nation, to come alongside organizations like Youth Need Prime Time, to courageous men like Thomas Jackson and his family and the volunteers that are there every day of the week, day in and day out, coming alongside some of the most troubled and disadvantaged young people in the district that I serve and saying that not only is the American dream alive, but it is alive for them if they will but have the faith and the self-sacrifice and the determination to reach it. Let us in this Congress extend the faith-based initiative and come alongside the least of these.

#### MUSHARRAF EASING UP ON TERRORISTS

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

Mr. PALLONE. Mr. Speaker, since September 11 the United States and the rest of the world have been curiously watching President Musharraf of Pakistan and the role he has been playing on the war on terrorism. Fortunately, Mr. Speaker, he has been cooperative with the United States in our anti-terrorist activities. But unfortunately, Musharraf has shown no dedication to quelling terrorist activities in his own backyard, Pakistan and Kashmir.

Musharraf has created a double standard where he fights against terrorism globally, but winks at terrorist activity locally.

Mr. Speaker, following the October 1 attack on the Jammu and Kashmir State Assembly and the December 13 attack on the Indian Parliament last year, it was clear that action against Islamic militants needed to take place. At that time, it was reported that President Musharraf outlawed two organizations responsible for terrorism in Kashmir, Jaish e-Muhammad and Lashkar-e-Taiba, in addition to arrest-

ing nearly 2,000 men supposedly linked to terrorists. This was done in an effort to crack down on terrorists. The impression was also given by Musharraf that the madrassahs, those schools with training in fundamental Islamic principles which were directly linked to terrorism, would be closed throughout Pakistan. But, Mr. Speaker, this is in fact not the case at all.

To begin with, the 2,000 supposed militants rounded up were for the most part arrested for minor crimes. From my understanding, there were two exceptions to this: the arrest of Masood Azar, head of Jaish-e-Muhammad and the arrest of Hafiz Saeed, leader of Lashkar-e-Taiba.

At this point, however, Mr. Azar has been demoted to house arrest, Mr. Saeed has been freed, and most of the 2,000 others that have been arrested have been released under the condition that they maintain good behavior.

There is no accountability, Mr. Speaker, for terrorist activity in Pakistan or Kashmir.

Musharraf is reversing his crackdown on terrorists, and terrorist groups that formerly existed are now rejoining other groups under new names.

Mr. Speaker, President Musharraf is cozying up to the United States and its allies under the pretense that he is leading Pakistan in a war against terrorism, while at the same time he is condoning terrorism at home, in Pakistan, as well as in Kashmir. This is not only exemplified by the release of those arrested, but also by the continued operation of the religious schools with curricula that encourage violence. This double standard is unacceptable and should no longer be tolerated by the United States.

Mr. Speaker, it is no coincidence that Musharraf has released many of these arrested, including the leaders of terrorist organizations at the same time as the referendum which would continue his dictatorship for 5 more years.

Musharraf relies on the militant fundamentalists to maintain his illegal seizure of power as president. He does not have the legitimacy that comes from being elected president by the people of Pakistan. He is required to link his military rule to a fundamentalist religious theocracy in order to justify staying in office.

Mr. Speaker, I also believe that peace between India and Pakistan and the negotiated settlement of the Kashmir issue is inevitably linked to a democratic government in Pakistan. Democracies rarely war with each other and are more likely to settle their differences through peaceful means.

General Musharraf's actions are moving in the opposite direction. An extension of his military regime will mean more encouragement to terrorism in Kashmir and ultimately I unfortunately think the greater likelihood of war with India.

The SPEAKER pro tempore. Under a previous order of the House, the gen-

tleman from Illinois (Mr. LIPINSKI) is recognized for 5 minutes.

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

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

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

The SPEAKER pro tempore. Under a previous order of the House, the gentleman 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.)

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

(Mr. BLUMENAUER addressed the House. His remarks will appear hereafter in the Extension of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Nevada (Ms. BERKLEY) is recognized for 5 minutes.

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

#### EXPRESSING SUPPORT FOR ABSTINENCE EDUCATION PROGRAMS

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

Mr. UPTON. Mr. Speaker, I know that there are a number of Members wishing to come over tonight to talk on this Special Order, and I also know that there is a markup going on in the Committee on Armed Services, so a number of Members may put their remarks in as an extension of remarks.

We are holding this Special Order tonight to provide our colleagues and the public with information about a key component of the 1996 welfare reform law, title V, Abstinence Education Block Grant program. When we passed welfare reform in 1996, we emphasized a number of points, two specifically: work and responsibility. And we have made great strides in promoting work, but too many young people's dreams have been cut short by poor decisions that dramatically affect the course of their lives.

Teen birth rates have been falling for the last 9 years and that is good news. But nearly half a million teens are giving birth each year, a rate higher than those of most industrialized nations. And 8,519 births last year are to girls

under the age of 15. We know that out-of-wedlock births and teen births take a high toll on the teen mom, the child and our society as a whole; and we know that that life is rough for them as well. And while the teen birth rate may be falling, sexually transmitted diseases, STDs, have reached epidemic proportions in this country, placing the health and the very lives of sexually-active teens in peril.

Today, one in four sexually-active teens is infected with an STD. Numerous studies show that if you give abstinence education a chance to work, it does. I know in my State of Michigan we have been at the forefront of this effort, and we have made significant progress in reducing teen births and the number of abortions through education and mentoring programs, and that has got to be our national goal.

Mr. Speaker, President Bush got it right when he said that abstinence is not just about saying no to sex, it is about saying yes to a happy, healthier future. Anyone who thinks abstinence education does not work has only to examine the Michigan record, my State. Begun back in 1993, Michigan's Abstinence Partnership, MAP, the MAP program, is an innovative approach implemented through the community empowerment model.

Community coalitions plan, implement, evaluate, revise and monitor the program. Parent education is provided to encourage effective communication with youth about the importance and the benefits of choosing abstinence. For the last 3 years in a row, Michigan has received a bonus award from the Department of Health and Human Services given each year to up to five States which experience the largest decrease in their ratio of out-of-wedlock to total births while also experiencing a reduction in their abortion rate.

□ 2000

Michigan is far from alone in embracing abstinence education as an effective means of reducing teen pregnancies in out-of-wedlock births and of protecting our young people from the scourge of sexually transmitted diseases.

State participation in the title V abstinence program is voluntary, and for every \$4 in Federal funding States receive, they must put \$3 into non-Federal funding. So it is a 4-to-3 match, and yet interest in this program is very high.

Today 49 out of the 50 States are participating in the program. Over one-third of all school districts in the Nation now choose to teach abstinence education in their classrooms, and as part of their abstinence education programs, States and local grantees have launched media campaigns to influence attitudes and behavior, develop abstinence curriculum, revamp sexual education classes, start mentoring programs and implement other creative and effective approaches to encourage abstinence.

It is important to note that reauthorization of title V abstinence education program, which we did in the Committee on Energy and Commerce last week, will in no way affect Federal support for other teenage pregnancy prevention sexual programs. Let me say that again. The reauthorization of this program last week in no way affects other Federal support for other teen pregnancy prevention programs. There are at least 25 Federal programs providing funding for contraceptive and sex education while there are only three abstinence-focused programs.

Contrary to claims that my colleagues may have heard about restrictions about what may be discussed in abstinence education programs, nothing in the Federal law or the guidelines to the States prohibits the discussion of any subject.

Contrary to the claim that there is no scientific evidence that abstinence programs work, there are, in fact, 10 scientific evaluations available now showing that abstinence education is effective in reducing sexual activity.

Since 1996, the enactment of the Welfare Reform bill included abstinence education, teen pregnancy and birth-rates have been falling. That is great news, but we need to continue and build on that success. Out-of-wedlock births are often disastrous for mothers, children, society as a whole, and children born out-of-wedlock are far more likely to be poor, suffer ill health, drop out of school. In the case of boys, they are twice as likely to commit a crime, lead to incarceration by the time they reach their early 30s.

STDs have reached epidemic proportions in our country, placing the health and lives of sexually active young people in serious peril. In fact, in the 1960s, one in 47 sexually active teenagers were infected with an STD. Today it is not one out of 47, it is one out of 4. Young people need to know that having sexual relations puts them at risk not only for HIV/AIDS but also herpes, which is obviously incurable, and may affect babies during birth, resulting in severe damage or death.

Teens need to know they are at risk for human papillomavirus, HPV, which is the leading viral STD and which causes nearly all cases of cervical cancer, and they need to know that scientific research shows that condom use offers relatively little protection from herpes and no protection from HPV. Abstinence education programs provide the right information.

Too many of our kids' dreams have been cut short by poor decisions that dramatically alter the course of their lives. Abstinence education programs give our young both the inspiration and education that they need to make good, healthful decisions. Our young people look to us for clear messages and for help in setting high standards for themselves. Abstinence education programs will, in fact, give them that help.

I would yield to my friend and colleague, the gentleman from Oklahoma (Mr. SULLIVAN).

Mr. SULLIVAN. Mr. Speaker, I thank the gentleman from Michigan (Mr. UPTON) for yielding me the time.

Mr. Speaker, I am here tonight to raise some very important issues and shed light on the importance of abstinence education. Some would say we are sending a mixed message with both abstinence education and sex education. To say kids are hearing two messages which are confusing and that one should go away is absurd. Do we tell them if they are going to drink and drive to make sure they wear a seat belt? Do we tell them if they are going to use potentially deadly inhalers that they should sniff slowly?

No. We know that drinking and driving is wrong, period. We know that inhaling potentially deadly substances is wrong, period. In my opinion, sex ed or the just-in-case message is the cause of confusion for kids. Just as we expect kids not to drink and drive, because of the dangers they pose to themselves and others, we should teach them to be safe, truly safe, and have self-confidence in themselves without looking for their self-worth in physical activity that may put themselves and others at risk. Just as we expect them to excel at their studies, we should expect them to excel in making wise choices for themselves.

I believe this is truly compassionate conservatism. I know that certain behaviors will affect children adversely, and to work towards helping them understand how to act and why it is important in their own lives. What are the risks of not staying abstinent? STD, out-of-wedlock births, abortion, and physical and emotional injury. Here are some facts to consider.

In the 1960s, the dominant diseases related to sexual activity were syphilis and gonorrhea. Today they are incurable viral diseases. Approximately 6 percent of adolescent females tested at family planning clinics are infected with Chlamydia, which leads to the scarring of the fallopian tubes and is the fastest growing cause of infertility, and the National Institutes on Health Workshop on the Scientific Evidence of Condom Effectiveness for STD Prevention reported that there is no evidence that condoms reduce the sexual transmission of HPV, and no evidence that condom use reduces the risk for transmission of herpes.

In 1995, the year before we enacted welfare reform, 66 percent of families with children headed by a single parent were living in poverty. Living in a single-parent family approximately doubles the likelihood that a child will become a high school dropout. Is this the legacy we should be teaching kids to pass to their children?

No. I think we should teach children to act responsibly. I want to tell my colleagues about a great program in my district, KEEP. KEEP teaches kids outside the school setting how to build

solid relationships and avoid peer pressure that might lead them down the road of sexual promiscuity. They help kids understand rules and boundaries necessary in relationships so that unplanned pregnancies can be avoided, and they do it in such a way as to make kids think, to answer questions and understand consequences, not just preach to them.

I commend them for their work and I firmly believe this approach is the correct one. Kids need to think through things before they take actions that may affect them adversely later in life.

One of the greatest tragedies of our days is not just that our babies are having babies, but that our young daughters are often taking the lives of their unborn children through abortion. Studies are beginning to show a link between breast cancer and abortion. Our young girls must be taught this, must know what the possibilities are when they choose to have sex outside of marriage and choose to have an abortion.

The psychological consequences of abortion are well known, even to women who have abortions, and the physical consequences range from the inability to conceive later to serious medical emergencies which threaten the life of the woman. Abstinence teaches self-respect and gives a path for kids to follow that does not lead them down a path like this.

There are consequences of early sexual activity, emotional, psychological injury. Sexually active youth live with anxiety about the possibilities of unwanted pregnancy or contracting a devastating sexually transmitted disease.

As the quotes we read from young people participating in abstinence programs unfortunately indicate, becoming sexually active makes young people vulnerable to emotional and psychological injury. Many young girls report experiencing regret or guilt after their initial sexual experience. So let us review.

Abstinence education teaches kids to avoid STDs, to avoid unplanned pregnancies, to avoid going down the path that leads towards abortion, to avoid the possibility of physical or emotional scars, towards self-confidence, and it gives the States the flexibility to decide which programs to fund.

It is a win-win situation all around, and I hope my colleagues in the House will support a strong abstinence education definition and continued funding for strong abstinence education programs.

Mr. UPTON. Mr. Speaker, I thank the gentleman from Oklahoma for his great statement, and I would yield to the gentleman from Florida (Mr. BILLIRAKIS), my friend and colleague, and the Chairman of the Subcommittee on Health, who helped carry the abstinence reauthorization through the committee last week.

Mr. BILLIRAKIS. Mr. Speaker, I thank the gentleman from Michigan

(Mr. UPTON) for scheduling today's special order.

I, too rise, this evening to talk about an issue that the Committee on Energy and Commerce, Subcommittee on Health, which I chair, examined last week. I am referring, of course, to the Abstinence Only Education Funds, which are provided through title V of the Social Security Act.

The Committee on Energy and Commerce favorably reported legislation last week that would reauthorize this important program through fiscal year 2007. These Abstinence Only Education Funds were first included as part of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, which reformed our Nation's welfare laws to put an emphasis on work and end the seemingly endless cycle of dependency that was present under the old Aid to Families With Dependent Children Program.

Title V allocated \$50 million for fiscal years 1998 to 2002 for block grants to States for the development of Abstinence Only Education programs. To date, 49 of the 50 States have elected to participate in this program. I am very pleased, of course, that my own State of Florida has elected to participate in this program.

In fact, during my subcommittee's hearing last week, we heard from Ms. Jacqueline Del Rosario, who runs a project in Miami titled ReCapturing the Vision. Ms. Del Rosario started the program in a middle school in an impoverished area of Miami, Dade County. In its 8 years of operation, participants in ReCapturing the Vision have only a 1.1 percent pregnancy rate, and I repeat that. In its 8 years of operation, participants in ReCapturing the Vision have only a 1.1 percent pregnancy rate.

Ms. Del Rosario testified that one reason why she believes her program has been so successful is because, "ReCapturing the Vision does not just teach teens to say no to sex, but we also build their values and cause them to embrace the future."

Ms. Del Rosario went on to add that "Contraceptives cannot protect a 15 year old from the erosion of her dignity and self-worth. There must be another value that causes teens to raise their standards and protect their emotional and physical health."

She further argued that diluting the Abstinence Only message was harmful. She went on to say, "I had heard it said that abstinence with contraceptives was a 'mixed message' but I never believed it to be true." However, she learned that, "Kids need a concise and clear message. To hear it from the students caused me to believe that we must be the voice that tells them that we expect them to abstain and we believe they can do it."

By continuing title V funding for another 5 years, we can encourage the development of more successful programs like ReCapturing the Vision. This is so critically important because the con-

sequences of ill-advised sexual activity by young people is severe, and I asked her specifically during the hearing if the other title V programs in the rest of the country are somewhat similar to hers or at least follow basically the same concept, and her answer is, yes, they are.

Again, I want to emphasize, these are not "just say no" programs. They go into the broad work and the character of the individual. This is so critically important because the consequences of ill-advised sexual activity by young people is severe.

Another one of our witnesses, Dr. Joe McIlhaney, told us that, "Sexually transmitted infection is highly prevalent among adolescents. 3 to 4 million sexually transmitted diseases are contracted yearly by 15 to 19 year olds, and another 5 to 6 million sexually transmitted diseases are contracted annually by 20 to 24 year olds." As we all agree, and everybody agreed, abstinence is the only sure way to prevent the spread of sexually transmitted diseases, as well as out-of-wedlock pregnancies.

□ 2015

I would like to point out one important fact that I highlighted during my subcommittee's hearing and the subsequent full committee markup. Abstinence-only programs do not prohibit educators from discussing the facts about the effectiveness of contraceptives, the spread of sexually transmitted diseases, or any other topic that might be raised. The only requirement is that the use of contraceptives cannot be advocated; only abstinence can.

In a recently-release interim report on the effectiveness of abstinence-only programs, the highly-respected research firm Mathematica noted that, and I quote, "Obtaining clear and definitive evidence on the success of abstinence evidence programs is a difficult task that requires time." Until this comprehensive assessment is complete, in spite of the fact we hear about the success rates by Ms. Del Rosario and others, until the assessment is complete, and given the anecdotal success we have learned about from programs like ReCapturing the Visions and others, we should continue to fund these programs so we can have an accurate picture of their effectiveness and to gain the value of the good that they do. The proven good they do.

I thank the gentleman for yielding.

Mr. UPTON. Mr. Speaker, I thank the gentleman from Florida for participating again tonight and for his leadership, which was certainly appreciated last week in committee.

Next I would like to yield to my friend, a member of the subcommittee that I chair, the Subcommittee on Telecommunications and the Internet, the gentleman from Nebraska (Mr. TERRY).

Mr. TERRY. Mr. Speaker, I thank my chairman. I appreciate that he is doing

this special order tonight to bring the message out to the people of America what this good Congress is doing for our youth.

The gentleman was here in 1996 when this Congress passed the Welfare Reform Act with this important provision.

Mr. UPTON. Actually passed it four times.

Mr. TERRY. Four times. Well, the gentleman had a little trouble convincing some other people of the importance of not only helping people up out of poverty by teaching them special skills so they could become employed, but also on such important issues as teaching abstinence to our children.

It confuses me. I was simply a city councilman in 1996 when the gentleman were wrestling with this issue and facing several vetoes by the White House then. But I appreciate that the gentleman continued to persevere through those and eventually triumph, because I really feel it has been an important message to our youth that we adopt this Title V program where we have a specific, and let me stress that, a specific program to teach abstinence to our youth. It is the first time, as I understand, that Congress did this, in 1996.

I would assume that the Congress did it for the good-hearted and compassionate reason that when we want to lift people out of poverty, it is hard when we are trying to help a teenage mother out of poverty. If anything locks someone into their current status of poverty, it is having a child when one is 13, 14, 15, 16, and 17 years old. So it was certainly the compassionate thing to do, and I appreciate that.

It is just unbelievable to me now, entering my fourth year of Congress, and, again, I was not here in 1996, but that we are having these same battles again. It is just unbelievable when we look at the importance of such a program.

Let us talk a little bit about one of the reasons why I would assume it was such an important tenet in the Welfare Reform Act of 1996, and that is to try to help teenagers learn and understand the importance of not becoming a mother or a father when you are 14, 15, 16 years of age. So we are hoping to reduce the teenage pregnancy rate. In 1994, 46.6 out of every 1,000 teenagers became pregnant out-of-wedlock. Now, what is important, since the passage of this Act and this program, as of January 2000, this teenage pregnancy rate has fallen to 39.6 per 1,000 teenagers. That is incredible improvement over a short period of time.

The abstinence education programs that Congress began funding in 1996, I believe, has significantly contributed to this decrease. Here is a chart I brought for the American public tonight, and what we see here is at the zero level. This goes back to the 1940s when teenage pregnancy was really

pretty rare all the way up to, and I am going to have to get away from the microphone here, but the spot I am pointing to is 1994, the critical year of the passage of the Title V abstinence program funding. That was the peak. That was the peak of teenage pregnancy.

I do not think it is coincidental that the time that we as a Nation agreed that abstinence was an important message for our teenagers that we have seen a dramatic drop in teenage pregnancy since then. When we had our hearing last week, some of the naysayers kept telling us, there is no evidence. There is no evidence. There is no evidence. But, my God, this is pretty dramatic. Does my colleague agree?

Mr. UPTON. Absolutely. I look at my State and that is exactly when teen pregnancies began to drop. And the nice thing about this program is it is not just Federal dollars, it encourages the States to establish their programs and it becomes a match. For every \$4 of Federal dollars, the States have to come up with \$3. And then there are incentives and awards if they actually do work.

Michigan has had a great program under the leadership of our governor, and we have seen that work and we have seen those rates continue to decline year after year.

Mr. TERRY. We in Nebraska have shared the same statistics because we have embraced the abstinence programs. We have several school districts, our public schools, that have adopted these programs and apply for reimbursement.

Mr. UPTON. One of the things I said last week during the markup in a discussion on the bill is that I visit a school, just like the gentleman does, just about every week, because I also serve on the Committee on Education and the Workforce. I go to all different sizes. I was on the Western Michigan University campus earlier this morning. But whether it be an elementary school, a high school, a private school, a charter school, and we passed a great charter school bill earlier this evening, but one of the toughest times that I have had sitting down with students is when I have met with kids that have kids, 13, 14, 15-year-old girls. They thought it was fun until they had the child. They see now what the work is and they have a tough life ahead of them. They really do. It is all we can do to encourage them to stay in school because their lives are changed dramatically if they do not continue to get that high school diploma or GED afterwards.

And as I have sat down with those girls, kids really is what it is, they know how tough it is. And it is that message, and I am now 49 years old and they do not always want to hear from a 49-year-old guy, so it is better for them to hear from their own peers. And they do not have a very good story to tell. We really got that discussion, as I said, at a number of different schools.

We just sat around the table and they outlined for me the hardships that they now face and the realization that they probably should not have done what they did. And, frankly, it was before a lot of these programs came into play.

Abstinence does work. Those programs and that funding is important, and it keeps them on a much better path. Project Reality, a group from Illinois, came out with six good reasons to fund abstinence education: One, teens want to learn about abstinence. Nearly all teens, 93 percent, said they should be given a strong message about abstinence.

Mr. TERRY. Ninety-three percent felt they needed a strong message.

Mr. UPTON. Second, abstinence is the only 100 percent effective method of prevention. We know that. Three, most teens are not sexually active and most of those who are do not want to be.

The Center for Disease Control reports that about 36 percent of high school students are considered sexually active.

Four, abstinence education teaches the benefits of marriage and family. Surveys show that three out of four teens hope to have a good marriage and family life.

But here are two things that really stand out. Abstinence education offers significant economic and sociological benefits. Teens who choose abstinence are less likely to engage in other risk-related behaviors, such as underage drinking, smoking, and the use of illegal drugs. Pretty incredible.

Mr. TERRY. So a positive message goes across the board in their life.

Mr. UPTON. That is right. It is character and all the things we want. This program builds on that.

Mr. TERRY. Building character, self-esteem, the power to say no, to make those tough choices that our teenagers have to make on a daily basis.

Mr. UPTON. That is right.

Mr. TERRY. That is what this program teaches. It is not just the sex part, but it is teaching them the internal strength to say no; to recognize the situations where they can be manipulated by their peers; to identify that situation and remove themselves, but also to teach them the internal strength, the self-esteem to be able to say no once they have recognized that situation. That is important.

Mr. UPTON. Absolutely it is. That is why we had a very strong bipartisan vote last week to get this plan adopted. I think it was 35 to 17 in the committee. We look forward to having it on the floor for debate and a vote as early as next week as part of the welfare reform reauthorization bill.

Mr. TERRY. I look forward to that. And I really believe the abstinence program the Congress passed in 1996 and we get to authorize is one of the major causes of the drop in teenage pregnancy.

But we still have a long way to go. We have to recognize that while the

hard empirical evidence may not be there for us yet, because of the fact that we are in the early stages of such an important program, that is not a reason to throw it out, as the 17 in our committee wanted to do.

Mr. UPTON. Well, imagine, as we look at the great progress that has happened on welfare reform. And it is on both sides of the aisle. The governors have done a terrific job. I have met with our Department of Social Services, now called our FIA offices back in Michigan. But as we look at the tremendous progress that we have had; more money for job training, assistance to help with health benefits, particularly Medicaid for families that before had an incentive to stay on welfare rather than go on to work, take a look at this program, the abstinence program, it is such a small amount of money really relative to the whole scheme of things. Fifty million dollars.

Mr. TERRY. Fifty million dollars.

Mr. UPTON. But look at the importance. Look at that drop, that fall off of the cliff of the birth rates for unmarried teens. Imagine if we went back to this program, to reauthorize it, as the governors have asked, and I think we have a strong bipartisan majority, certainly both in our Committee on Education and the Workforce and the Committee on Energy and Commerce, the committee we both serve on, but in this Congress as well, and imagine if we saw this program come to the brink of whether it gets reauthorized or not, something that all of us want, and somehow this program for abstinence was not included, despite the numbers showing the very positive effects of having this program included. Imagine if we just said no, we are not going to do that and then watched those numbers then rise.

Now, the jury is still out. We will see what the Congress does, this side as well as the other side of the Capitol, but imagine if all of a sudden we do not do it and the numbers go back up. Think of the impact on those kids that the gentleman and I see every day and of those families in virtually every single community across the country. I do not know that I could vote for a bill without this program.

Mr. TERRY. Not only on the sure ways that it affects teenagers' lives, but just think of the message that Congress sends, the message we would send the American public and the teenagers, which is that we do not care whether they abstain. Our only message is to teach them how to put a condom on right. That is a terrible message to send to our teenagers today that are looking, as the gentleman said earlier, for the right message.

Now, in this chart, and the gentleman and I have just talked about the importance of teaching a message to our teenagers to abstain from sex to prevent an unwanted pregnancy and, in essence, putting themselves into a position of perhaps perpetual poverty, but it is also health reasons, as we dis-

cussed in great detail in our committee last week. It is sexually-transmitted diseases.

As we have learned from the testimony, and the chairman of our Subcommittee on Health was up here and gave some great testimony from his witnesses that testified before his subcommittee, but the testimony that was presented to the rest of us in our committee was that when we really look at the true science of other ways of preventing STDs, sexually transmitted diseases, and how infective they can truly be, there is only one 100 percent sure way to avoid a sexually transmitted disease.

□ 2030

Mr. Speaker, from the testimony in our committee, I was very, very disheartened. It was depressing to learn that 3 million teenagers per year get a sexually transmitted disease, some of which they can never get rid of. It is not just go to the doctor and get a shot; some are deadly, or stay with them for the rest of their lives.

Mr. UPTON. Mr. Speaker, we learned that some of those diseases are not prevented with the use of a condom.

Mr. TERRY. That is right. The Journal of the American Medical Association published the results of a study on the effectiveness of condoms, which are the focus of most of the safe sex programs out there. It is 1,251 women whose partners consistently used condoms participated in the study. By its end, 34 percent of them had either contracted a sexually transmitted disease or became pregnant.

How do we teach our children safe sex, how to use contraceptives, how to use a condom, and look them straight in the eye and say they are safe?

Mr. UPTON. They are not. That is what the answer was, they are not. That is why this is the program that works best of all.

Mr. TERRY. Mr. Speaker, I was frustrated with the attempts for amendments in our committee by that small minority, and I am pleased that it has been pointed out this is a bipartisan effort. The vast majority agree that the abstinence message is the correct one for our teenagers. It is disheartening that there is a small minority out there.

Throwing away scientific studies, how do we look a teenager in the eye and say this is the proper way to put on a condom, and send them a message of abstinence at the same time? To a 16-year-old, that is tacit to approval, when an adult says the best thing is to abstain, but we know that you are not going to, so I am going to teach you to have safe sex using condoms correctly.

Now the testimony that the gentleman received in the Subcommittee on Health, and I truly believe to be plain common sense, that is tacit to approval. While safe sex education may be a proper place for parents and even in some discussions in more formal settings outside of the house, the fact of

the matter is I do not know how we teach abstinence and safe sex at the same time. That is one of the issues that we are going to face when this bill is brought to the House floor. We are going to have to beat back several amendments to try and change an abstinence program into a safe sex program.

As I understand the way it works in Nebraska, and perhaps the gentleman can expand on how it works in Michigan, an entity, we have all the way from the Girls and Boys Town U.S.A., to Norfolk and Omaha public schools, to scouting that will adopt an abstinence-only program and teach that. Then they apply for reimbursement from the Federal Government out of that \$50 million that we will allot with the reauthorization of this program. So it is not that we mandate on the public schools or other entities that this is the only thing that they can do. We say this is the most effective message or at least that is what I say is the most effective measure how to teach our children how to avoid sexually transmitted diseases and unwanted pregnancy, but we are not mandating. We are saying we will help you with the cost of this. I am proud in Nebraska we have several successful abstinence programs in place today.

Mr. UPTON. Mr. Speaker, we have been able to talk to participants that have participated in the program across the country. Whether it is Nebraska or Michigan or South Carolina, just about every State, and California is the one that does not participate, but the other 49 States do. In almost every single State we have testimonials from students that have participated that have said thank you. For those that did involve themselves with sex before, they are sorry. They talk about it in a number of testimonials that we have. It is important, and it is that type of peer pressure that works that we build upon as we see this program work in State after State after State.

Mr. TERRY. Mr. Speaker, according to our Nebraska Health and Human Services, since the program was implemented in 1996, we in Nebraska have brought this program to 15,000 students. It takes time to get a program like this up and running, the curriculum set, the standard set so they can move forward. 15,000 students is only in the last couple of years. But to exemplify the message that the gentleman just gave, let me read a letter from Girls and Boys Town. It used to be Boys Town, but they changed name to Girls and Boys Town.

In this letter it says, "Risk reduction sexuality education has been funded for many years. We are asking only for an equal opportunity to promote risk elimination. Changing the definition of abstinence to include birth control information and promotion will make it nearly impossible to tell which approach is the most effective in keeping our youth safe from disease and out-of-wedlock programs."

The counselors and the people that have developed the program at Girls and Boys Town are national leaders in this, and that is what they say: It confuses the message. They simply want the opportunity, when we have had years of funding sex education and reduction, let us go to prevention and teach that message. One more quote, if the gentleman will allow me to close with this, and I thank the gentleman for having this conversation with me.

This is from Lancaster County, that is Lincoln, Nebraska, and those in Michigan know where Lincoln, Nebraska is, the home of the University of Nebraska. In the city of Norfolk, they have probably the most established abstinence programs in Nebraska.

Mike Huckabee, one of the counselors that helped develop this one in Lincoln, wrote to us, and forgive me for being a little wordy, but he has a paragraph that I think nails it for us. "Is abstinence effective? I firmly believe it is. Can I provide you with the evidence? The faces of those young people and parents tell me this is the message they are seeking to hear. They tell me they do not want the risk of STDs and pregnancies, that sex is not worth that. They tell me they can wait, they just need someone to support them in that decision. The evidence is around the corner, but for now I can only point you to the families who continue to tell us in droves to keep sending the message of abstinence until marriage, nothing else works. Abstinence works."

Let me go back to one sentence in my conclusion here. They just need someone to support them in that decision. Our teenagers, as the gentleman pointed out, are looking for their parents and the adults in society to support them in their decision for abstinence, and it is incumbent upon us in this Congress to support our teenagers when they decide to abstain from sex.

Mr. UPTON. Mr. Speaker, I thank the gentleman for his remarks tonight. As we look at a host of issues over this last year, a number of the votes that we have cast on other things, we have asked for science and the right equations be used as we cast these yes and no votes. The science is here. We know that this program works, and it would be wrong to deny this as a part of welfare reform as we look to have it reauthorized and continue to work and do what all of us want to have happen, and that is to move people that are currently able-bodied and have the tools to in fact lead productive lives and lead their families out of welfare and into a productive sector of our economy. This is a program that works.

The science shows that it does, and we have to make sure that we not only continue it, but we build upon it, allowing the governors to have the flexibility to match with their dollars to save more lives. That is what it is all about.

Mr. Speaker, I yield to the gentleman from Virginia (Mr. FORBES).

Mr. FORBES. Mr. Speaker, I thank the gentleman for his efforts in this regard.

I have listened to this debate tonight and I hear when people are talking about abstinence and all of the statistics, but let me give one actual fact. In one city that I represent, I had some of the leadership in that city that came to me and they said this, which just startled me. They said that 81 percent of the live births in that city were to unwed mothers, mostly teenagers. If we just stop and think about that, 81 percent, the economic and social consequences from that are enormous. The programs that they have been using, you can list all of them, but the one that is not there is abstinence education. We say this is a child problem. This is not a child problem, this is an adult problem.

I was amazed in Virginia when I had legislation there that would have allowed us to have abstinence education as a part of their curriculum, and in doing the debate and going through all of the issues that were there, there was one real culminating statement that was made by the opposition, and this was just to whether or not we should allow abstinence education to be taught. Somebody on the other side said we should not even teach abstinence education because it would confuse our children. If you do not think that our children are confused, all you have to do is spend 24 hours with them, and they are pulled in every direction imaginable, and they are looking to us not to confuse them more, but to set standards.

We do that every day. In government classes, we put them in at a high standard because we want them to be the best they can be in government. In English courses, we set a high English standard, and we say this is where you ought to reach and aspire to attain to. In our mathematics courses, we also do that.

The real question for us today is not whether abstinence works, it is whether or not we want it to work. The real question is not whether this standard is too high, it is whether we want a standard at all.

I have a great example of a student that I know back in one of the cities that I represent. He is now the most popular government teacher in that entire city; and yet he was at a point in his career when he was in high school, he did not know what he was going to do. One day a principal walking down the hall looked at that student, called him by name. He turned around and said, you would be a good teacher, you ought to be a teacher. Then he turned around and kept walking down the hall. It changed his life because that principal cared enough to set a standard and say you can do this. He became the best government teacher in that particular city.

Mr. Speaker, imagine if that teacher would stop our students and say when it comes to all of the problems that

you have with sex today, if you would have abstinence, look at what would happen. One thing that we know is not every child would reach that goal, any more than they would in government or mathematics or English when we set high standards. But we know the ones that reach that goal, here are the things that would not happen to them: That student would not develop a sexually transmitted disease because of their abstinence; that student would not get an unwanted pregnancy because of their abstinence; that student would not keep from developing the career that they had always dreamed of because of that decision regarding abstinence; that student would not keep from going to college because of their decision to have abstinence. It certainly would not cause them to suffer from the guilt of making a bad decision that could negatively impact them for the rest of their lives.

□ 2045

But I would say to our chairman, despite all of your good works and all of the discussions we have heard here tonight and will continue to hear, I do not think we are ever going to reach the goal of having abstinence education in this country until parents really are demanding of us as leaders and educators, when they stand up and say our children deserve to have a program that works, and abstinence works.

I just thank the gentleman for his efforts on this. We will continue to work to make sure that all of our children get an opportunity to hear this standard and can strive to reach it.

Mr. UPTON. Mr. Speaker, I have a question of the gentleman. I know he is a great leader on this when he was in the legislature before he ran for Congress. Have his numbers been like Michigan's and other States across the country? Has the gentleman seen a real decline in pregnancy rates among teen moms?

Mr. FORBES. Ours is still at a point where it is too early probably for us to statistically be able to answer that. We believe that is what the numbers are indicating.

But let me tell you an even more compelling fact: I spend a lot of time going around to schools. I do not think one can just read about what students are thinking in a magazine or in a document or have some lobbyist tell you and that be the fact. I think the way you find out is to go in the schools and talk to the students.

There is not a school in my district that I am not in every year, once a year at least, talking to those students. When you do, and you sit down and you look at them and you talk to them, they are the ones that tell you this program works. They are looking for standards.

They are looking to us. We have been there. They do put more credibility in us sometimes than we give them credit for. When we tell them you can do well

in college if you just try, a lot of them do that. When we tell them that abstinence works, it does work and they see the proof in the pudding. But if we tell them nothing, then they have no standards, no goals to reach.

So I suggest it is working not just because of statistics I see on paper, but looking into eyes of students I get to talk to, and they tell me it is working.

Mr. UPTON. I appreciate the gentleman's leadership. In the days past, and, obviously, in the days ahead, we have some big votes next week if we take this welfare reform bill up. This is an important component of that. I am delighted we passed it out of my committee, the Committee on Energy and Commerce, on a strong vote of 35 to 17, and we have to make sure we carry the day when we take this issue to the House floor for debate next week.

Mr. WILSON of South Carolina. Mr. Speaker, Heritage Community Services was formed as a coalition of community-based abstinence educators from across South Carolina with combined experience in the field totaling nearly 75 years. It was awarded a Title V abstinence education grant for implementing a state-wide program in 1998. Schools and communities have responded enthusiastically.

The Heritage programs are community-wide, serving more than 29,000 adolescents. The program's founder and CEO, Mrs. Anne Badgley, has been invited to address a number of Title V training programs across the country, as well as brief Pentagon undersecretaries of defense, the Army and Navy, and has testified before Congress.

#### GENERAL LEAVE

Mr. UPTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the subject of my special order just given.

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

There was no objection.

#### THE ABCs OF SECURING THE FUTURE OF OUR CHILDREN

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

Mr. BOYD. Mr. Speaker, I appreciate the opportunity to address the House and Nation tonight for a few minutes. The Blue Dog Coalition is going to use this hour to talk a little bit about ABCs.

Mr. Speaker, some may wonder, well, that is unusual for the Blue Dogs to be talking about the ABCs, but let me tell you a little bit about the Blue Dogs. We are a group of 33 Members of Congress, men and women, from all around the Nation that spends a great deal of our focus and efforts and time and resources here in Congress asking the Congress to act responsibly in its fiscal and budgeting matters.

We believe that this Congress and this Nation in the last year-plus has moved away from fiscal responsibility, and, as a result, we are endangering our children's future. So what we want to do tonight, Mr. Speaker, is talk about the ABCs of securing our children's future.

When Congress considered the budget last year, Mr. Speaker, the Blue Dogs warned about the danger of making long-term commitments for tax cuts or new spending programs based on projected surpluses. In less than a year's time, we have seen a dramatic reversal of the once promising budgetary outlook. We now face projections of deficits and increasing debt for the rest of the decade that go far beyond the temporary impact of the economic downturn or cost of the war on terrorism.

Congress and the President need to sit down, we need to roll up our sleeves, and we need to have an honest and open discussion about what we need to do as a Nation, as a Congress, to put the budget back in order, starting with the ABCs of fiscal discipline.

The Blue Dogs have outlined four solutions to avoid leaving our children and our grandchildren with the consequences of today's irresponsible budgeting decisions. The members of the Blue Dogs who are here tonight to address this House are going to talk about those four solutions. I want to outline them very briefly.

Number one is assuring honesty and accountability. We believe that the Budget Act of 1990, which expires later this year, should be reinstated by this Congress. Unless we renew our budget discipline, Congress will continue to find ways to break its own rules and pass more legislation that puts more red ink on the national ledger.

The Budget Enforcement Act, of course, has two major provisions. One, it sets in place discretionary spending limits for 5 years; secondly, it extends and expands pay-go rules. The pay-go rule is simply legislation that says that mandatory spending or revenues that increase the deficit must be offset.

Secondly, the "B" of the ABCs is balancing the budget without raiding Social Security. We believe that this Congress should pass a balanced budget amendment to the Constitution which makes it a violation of the Constitution to deficit spend, unless there is an extraordinary vote of the Congress or an extraordinary reason to do so.

Thirdly, we believe that the third point that we would advance is what we call climbing out of the deficit ditch. That is, there should be a plan to restore balance to our Federal books, and that, of course, is going to be an issue that we get to talk about a lot in the near future because of the need to raise the Federal debt ceiling.

Fourthly, the fourth part of our ABCs is Defending Our Children From Paying Our Bills Act. This would require a supermajority to borrow money by the U.S. Congress. Many in this

Chamber have, over the years, proposed that we would require a three-fifths vote to consider legislation that would raise taxes or some other sort of supermajority. Many of the Members of Congress support this notion, and we think that there ought to be also legislation which would require a three-fifths vote to borrow money.

I would like at this time to call on Members of the Blue Dogs, Mr. Speaker, that are in the Chamber. I would like to yield first to the gentleman from Illinois (Mr. PHELPS).

Mr. PHELPS. Mr. Speaker, I want to thank my friend and colleague, the gentleman from Florida (Mr. BOYD) for yielding. Let me first express my sincere appreciation for his leadership. He has been a consistent Member of Congress, not only of our Blue Dog Coalition, that has been steady at the helm in trying to bring attention to a problem with deficit spending and the need for balancing the budget and staying within our means. I appreciate coming on after his leadership being here before I entered Congress and helping us steer this direction. So I thank all my fellow Blue Dogs for giving me the opportunity to speak about a very important issue.

This is not our first and only time of trying to make this issue more paramount and put emphasis on what really needs to be done as we get through this session in terms of the money that is available and what we have hanging over our heads as debt in this country and the priority of our spending needs and how we should look at balancing the budget.

So tonight I just want to focus my time on discussing the Blue Dog plan for putting the budget back in order, starting with fiscal discipline. The Blue Dogs have consistently focused on fiscal discipline, having advocated honesty and responsibility in the budgeting process.

When Congress considered the budget last year, the Blue Dogs warned then about the danger of making long-term commitments for tax cuts or new spending programs based on projected surpluses. The projected surpluses were based on the very best of the situation that we were realizing through the high peaks of the economy in the last several years. That is not good, sound fiscal policy, to base anything on the very best. I believe we should look at the more reasonable moderate projections.

We did not. So, in less than a year's time, we have seen a dramatic reversal of the once promising budgetary outlook. We now face projections of deficits and increasing debt for the rest of the decade that go far beyond the temporary impact of the economic downturn or cost of the war on terrorism.

Congress and the President need to sit down, roll up our sleeves and have an honest discussion about what we need to put the budget back in order, starting with the ABCs of the fiscal situation we bring to your attention tonight.

The Blue Dogs have outlined four solutions, as the gentleman from Florida (Mr. BOYD) opened up our session tonight to say, to avoid leaving our children and our grandchildren with the consequences of today's irresponsible budgeting solutions.

The reason we keep drilling that point home about our children and our grandchildren is because we try to focus on what all of us hold sacred and dear, and that very much is an emotional tie back home to the real world. Sometimes the disconnect out here makes I think a lot of times people feel like we are not real people with real families, with real needs, and that we are somehow someone different.

We are just like any of you out there, and that is why we are trying to say we should treat this budget, which you have sent us here to lead the country with, as we would treat our own, that affects our own household, our children and our grandchildren.

So, we have outlined four solutions to avoid this particular problem. We want to assure honesty and accountability, and budget enforcement. Unless we renew our budget discipline, Congress will continue to find ways to break its own rules and pass more legislation that puts still more red ink on the national ledger. Enforceable budget restraints will shine a light on deceptive practices and construct a fiscal guardrail, keeping our spending within the Nation's fiscal means.

We are a unique body here. We can break the rules. We do, too often. And, guess what? We do not get caught at it often enough. That is what is happening here right now as this session unfolds. We are not dealing with the real numbers. The American people are not being told the true story, and yet they are being led to believe we can do all the good things that we asked and requested and promised we would do in our campaigns to get here to do what once we get here? To continue the deception? Or to lay it out in real terms, as we should, in honest measures. So budget enforcement is a real item.

□ 2100

Balancing the budget without raiding Social Security. There is not one politician, not one campaigner, who said anything about getting into the Social Security trust funds or the surpluses. In fact, we said we have them locked away, right? Well, someone found the key. And when we open that door, there is an IOU there adding on to the other IOUs that we put on the American people for the past several decades. So this is adding on to the deficit that we already have in the Social Security and Medicare trust funds.

So we want to balance the budget without raiding Social Security. Well, how do we do that? Well, we need a constitutional amendment. We must vote on a balanced budget amendment to the Constitution that requires the President to submit, and Congress to enact, a budget that is in balance with-

out using the Social Security surplus. Now, that takes courageous leaders. Every one of us claimed that we would be and that we were in order to be elected. Now we are here. Let us produce it. Let us not lend rhetoric; let us prove that we are those leaders that can make the tough decisions.

The amendment, to my way of thinking, could be waived in times of war or disaster, military conflict, or other threats to our national security. That does not mean that the present war on terrorism that we are in dictates the need for us to get into the Social Security and Medicare trust funds; it does not. Without the tax cuts that were imposed and the surpluses that were eroded and squandered because of that and other reasons, because of things that we did not look at last year or anticipate or ignored, whichever word we want to use to serve our purposes better, that is why we are where we are now. But we are talking about a military conflict or national security being compromised that is beyond our control, not because of what we added to the mistakes to get us to where we are now.

So I believe that a constitutional amendment is very much needed, and I am prepared to support it.

This would also include excluding the Social Security trust funds. Balancing the budget is meaningless if we borrow from our children and our grandchildren, as we said, to do it. This bill improves on other balanced budget amendments by excluding the Social Security trust funds from receipts. It is more of a crutch to lean on if we still depend on the Social Security trust funds to say we are going to have a constitutional amendment, not to get into the Social Security trust funds. So excluding those trust funds from the receipts would, I think, serve the purpose to keep us fiscally restrained and on the right path.

It also provides that when the trust funds begin to run a deficit, then Social Security would be placed back on budget, requiring that the government account for deficits elsewhere in the budget. See, that is what we do not embrace too often. We divert the attention away from those other things that sort of creep up in the budget, but we do not want seemingly the American people to discover what those are, so we divert it to the other priorities and things that we know that are popular. At least some want to do that.

Climbing out of the deficit ditch. Debt limit with a plan. Now, I have heard people on this floor of the opposite party say, show us your plan. Well, the plans that we have had cannot even get out of the Committee on Rules for a debate on the floor or to be voted on. Do we know why? Because they are afraid it would pass. It makes too much sense. It would put too much marginal people running in an election year on a compromising path. That is too uncomfortable. Let us deal with that later. That is the common cry we

hear. Later, later, and the next thing we know, we are in our grandchildren's generation.

Blue Dogs believe that Congress has a responsibility to cover obligations through the end of the fiscal year, September 30, 2002, but that raising the debt limit by \$750 billion as requested by the President is risky business, folks. First, the President and Congress must create a plan to put our fiscal house back in order, just as a family facing financial problems must work with a bank to establish a financial plan in order to get approval to refinance their debt, all their debts. That is all we are asking. It makes sense.

Defending our children from paying our bills. A supermajority, a three-fifths vote, would be required to borrow money. That is what I feel would be one of the four points of our plan that should be followed. All too often, we as Congress people and the President have been unwilling to make the tough choices to balance our priorities and have chosen to leave future generations, as I said and emphasized, to pay the bill for policies which benefit the current generation by increasing the borrowing. Making it harder for Congress to borrow money, just as we should make it harder to increase taxes, by requiring a supermajority, will protect the rights of future generations who are not represented in our political system, but will bear the burden of our decisions today.

Finally, just let me leave my colleagues with a personal situation. Being from Illinois, having served 14 years in the Illinois House, I have a little bit of knowledge of what goes on there with the budgetary policies in Illinois. Illinois, like probably all of the State legislatures across our land, shared the same maybe artificial enthusiasm, maybe overexaggerated the good times of our economic peaks as we have had in the last few years and said everything is hunky-dory, no problems. What that meant is, Members, bring your projects, bring everything to the forefront here and smooth sailing, because we are rolling high.

Well, in Illinois, just as here in Congress, a year ago, or even before that, Illinois was in good shape, fiscally in good shape. But because of misguided management from the top in Illinois, and too many that took advantage of an artificial, overpromoted situation, guess what now? We have prisons in my district, and we have unemployment rates exceeding 12 to 15 percent down State, southern-most Illinois. We are good neighbors in saying, we will take in the prisons in our communities where other parts of the State said, no, we do not want those kind of jobs here in our community. But we were hurting enough with the coal mine shutting down and a lot of other depressed, deprived situations in our economy, we said, we will be a good neighbor.

So I have one of every kind of penal institution the State has to offer in my district, even in my old State district,

and we are proud to promote those economic jobs, economic builders. But now, now the Governor of Illinois and leaders of the State are saying, we have to close some of these prisons because we are broke. Somebody was asleep at the switch, and our own comptroller of the State over a year ago said, you better have a rainy-day fund, just like you do in your household when that roof might leak. Instead of just continuing to mop it up and treating the effect; you have to get the source of the problem where the hole in the roof is. That is what we have ignored in Illinois, even though there are a lot of good leaders who sounded the alarm, both in the legislature and constitutional officers, but not enough of the authority at the top.

So now we even have threatened Medicaid patients that will not get their due service, many that are the most vulnerable of our society, senior citizens. This is terrible. It could have been avoided. That is why we are stressing this four-point plan. Let us do what is responsible. Let us get to the source; and the source is recognizing that there should be honesty in budgeting, recognizing the true source of funds that we have that the Congressional Budget Office is reporting, instead of turning our heads the other way, hoping that the economy is going to get better and maybe make us right at some point down the road. That may be too late. Let us embrace what reality obviously is serving us now.

Mr. BOYD. Mr. Speaker, I want to thank the gentleman from Illinois. It is obvious to me, as he described his experience in the State legislature, that his State, like mine, is prohibited from borrowing money and must balance its budget. I believe that is the way that the Federal Government should do; and certainly one of the shortcomings in the way our Constitution is drafted is that we are allowed to borrow money in ordinary circumstances and, actually, we did run deficits from the late 1960s until about the year 2000, primarily in peace times. So we had a wonderful opportunity here in the 1990s, or here in the year 2000, 2001, now that we have worked so hard to get back into balance to do some really good things and pay down the Federal debt. We seem to have passed, or missed, that opportunity.

Mr. Speaker, I yield now to the gentleman from Utah (Mr. MATHESON), a member of our Blue Dog team who is actually a rising star in this Congress, I believe; and he is an excellent blue puppy.

Mr. MATHESON. Mr. Speaker, I thank the gentleman for his leadership. As one of the cochairs of the Blue Dog group, I just appreciate all he does. I am real proud to be a part of the Blue Dog Coalition, a group of 33 fiscally-conservative Democrats who like to talk about being fiscally responsible. We have been coming out here many times, Tuesday night. Every week we have been coming out here for the last

few weeks, and we have been talking about issues of fiscal responsibility; and in particular, we have focused on what we see as a growing concern about increasing the debt that we incur in this country.

Now, we have just been talking about this four-point plan; and I want to talk about one of those points, which is the notion that we need to climb out of this deficit ditch that we have gotten ourselves into in this country.

The Secretary of the Treasury has come to Congress three different times now and said, we are really up against our debt limit; we need Congress to raise our debt limit, and we need Congress to raise it by \$750 billion. Now, that is a lot of money. We talk about numbers and throw out figures in Congress a lot, but \$750 billion is a lot of money. What is unfortunate is that that request comes in with no plan, no suggestion of how we are going to get out of this pattern of deficit spending. I just do not think it is appropriate, and the Blue Dogs do not think it is appropriate for us to just give a blank check to both Congress and the administration to run up another three-quarters of a trillion dollars in debt.

We have been talking about this issue for the last few weeks. Some people say, why do you keep talking about it? Because this issue has not gone away and, no matter what we do in the short term, this issue is still not going away. It is not going to go away until we figure out a way to behave in a responsible way.

What the Blue Dogs are suggesting is this, for the short term. We recognize that this country faces some short-term deficit pressures. We understand we have a war on terrorism and homeland security concerns that are taking more resources than we thought would be needed when we passed a budget a year ago. We recognize the economy is in a recession. We do not want to force the government to have to take extraordinary actions because it is bumping up against the debt limit. So as a short-term proposal, our suggestion is that we do increase the debt limit by \$150 billion, not \$750 billion, but by \$150 billion, which is still a lot of money; but that is the circumstance we are in right now. We think that will take us through the obligations of our current fiscal year, September 30 of this year.

Now, as part of this plan, what we are suggesting is that we offer this increase in the debt limit of \$150 billion, but that it comes with a couple of other provisions. First is that we are going to prohibit any increase in debt limit beyond September 30 without a defined plan to balance the budget. It requires the President to submit to Congress, and for us to enact, a plan to balance the budget without using the Social Security surplus.

Now, we do not have to pass exactly what the President submits; but he has to submit something, and we have to pass something that is going to show that we get our budget in balance by

the year 2007. So we are not talking about something radical that has to be done instantaneously as of October 1 of this year; we are allowing some time to get on the path to a balanced budget. But we are not going to offer too much time, because if we do not show some discipline around here, we are just going to keep running up more debt.

We also in this legislation, in offering to raise the debt limit by \$150 billion, we require that the President conduct an annual threat vulnerability assessment, so that we can develop a coherent homeland security strategy. How life has changed since September 11. These were not issues that we were facing as a country, and these are critical issues; and Blue Dogs support the efforts of this country to address terrorist threats and provide homeland security.

□ 2115

We are adamant that it is important. We support those efforts, and it is going to take resources to conduct those efforts. We understand that.

But we need to address that new challenge in a rational way, and that means it is important that we have a defined homeland security strategy so that we as Congress can behave responsibly and fund in an appropriate way what it is going to take to provide reasonable homeland defense.

I think that this is a reasonable proposal. I think the Blue Dogs as a group feel real strongly about doing this. We may not be right on everything. We are open to suggestion. I call on other Members of Congress from both sides of the aisle, please discuss this plan we are promoting tonight. We are very open to suggestion. That is one of the hallmarks of the Blue Dogs is that we are happy to talk with anybody and put the numbers out on the table and have a frank discussion. It is too important for this country not to do this.

So we are going to keep coming back here and we are going to keep talking about this issue until Congress behaves in a responsible way. We are not going to just go off and agree to raise the debt limit by \$750 billion with no plan, no sense of how we are going to get out of this, and dump it on the next generation. That is just not what we should be doing here. Our constituents did not elect us to avoid the tough decisions; they elected us to take on the tough issues. That is what the Blue Dogs are trying to do tonight. We are trying to start this dialogue with this four-point plan.

I encourage all of our colleagues to take a look at it, and let us let the dialogue begin.

Mr. BOYD. Mr. Speaker, I want to thank the gentleman from Utah. He makes a good point. I think any prudent family or business or local government in Utah or in Florida that suddenly found themselves in a situation where their spending obligations were greater than the revenue they were taking in would sit down with their

family or business partners and maybe their banker and develop a plan in a hurry to figure out how to get out of that situation, to get back into black and out of red ink.

So I want to commend the gentleman from Utah for his very thoughtful presentation and his involvement in this process of helping us develop this four-point plan.

Mr. Speaker, I yield to the gentleman from Arkansas (Mr. BERRY).

Mr. BERRY. Mr. Speaker, I want to thank the gentleman from Florida for yielding to me and for his outstanding leadership, not only for the Blue Dog Coalition, but for this Congress and what I think are the next generations.

Mr. Speaker, this is not rocket science. Anybody that can add and subtract can figure this out. We know what we need to do. A year ago at this time, the Blue Dog Coalition met with the director of the Office of Management and Budget, Mr. Daniels. He made a presentation to us at that time.

He said this, and I will never forget it. He said, our greatest fear is that we are going to have so much money we are going to pay off all of the debt, and no one will have a safe place to invest their money because there will not be a U.S. Treasury bond.

When we hear that said now, it seems absolutely and utterly ridiculous. To the Blue Dogs at that time, it seemed a bit risky and foolish to even think that way, but the fact is, we have squandered the surplus. We have squandered a great opportunity in this country. One thing that we know we must get under control is the spending. We know that we cannot continue to borrow and spend and pass the debt on to our children and grandchildren.

The Blue Dogs have a four-point plan. We have worked diligently to come up with an honest assessment and an honest plan for what we need to do in this country to protect our children and grandchildren.

We come to this floor almost on a weekly basis, and have a great debate about protecting the unborn. I personally believe that we should, and I always vote to protect the unborn. And yet, we will come here and vote for a policy that will allow us to pass massive debt on to the unborn. We vote for a policy that allows our fighting men and women to go overseas and serve this country with great distinction, and then we ask them, now, after the war is over, after their fighting is done, come back to this country and go to work, because we borrowed the money from them to pay for it.

That is not right. It is immoral for us to continue to do that. Our plan would provide for the Budget Enforcement Act of 1990 to be enhanced and reauthorized. It would provide that if we are going to spend additional money or we are going to reduce the amount of money coming in to the government, that we would reduce spending in a way to go along with that so we maintain a balanced budget.

We provide a constitutional amendment that would allow this country to have a balanced budget without using the Social Security trust fund money to do it. It is not a balanced budget if we have to borrow the money from the Social Security trust fund to pay the bills. It is not a balanced budget if we just imagine that it is going to be balanced some day, like we have done in the past year. We cannot continue to do that.

The Social Security taxes that are paid in by the senior citizens, that have been paid in by the senior citizens, and that are paid in today by the working men and women of this country are supposed to be used and set aside in a trust fund to pay the Social Security benefits when those people come of age.

But right now, it amounts to only another income tax that is paid by the working men and women of this country, because we are spending every dime of it. We are not making any provisions to preserve the trust fund. We are not making any provisions to see that these obligations that we have when these people come of age to draw that money, that they are going to be able to receive it. It is irresponsible, and we should not continue to let this happen.

It is amazing to me that we can have a budget this year that does not provide for medicine for our senior citizens in this country. We are going to spend money on a lot of things in this budget. We are going to appropriate money for a lot of things. Some of them are absolutely critical, but very few are more important than the good health of our senior citizens.

It is amazing to me that we should allow one more year to pass in this Congress and not have a prescription drug benefit for our seniors because we have squandered the opportunity. The Blue Dogs have a plan to get out of the deficit ditch. We have a plan to prevent our children from having to pay the debts that we run up.

I think it is time for the Congress and the administration to sit down, be honest, look at the real numbers, look at what we know we have to do, and not continue to pass the burden on to our children and grandchildren.

One of the things I am proudest of in the time that I have served and represented the First Congressional District in the United States Congress is being a member of the Blue Dog Coalition. I think it is one of the most honest, determined groups that exist in this Congress. I think that their integrity is held together because they believe this is the right thing to do.

I want to say once again how proud I am of their plan, and that I think that the Congress should take a serious look at this plan and pass these bills that we are proposing, and do something real for the future of our children.

Mr. BOYD. Mr. Speaker, I want to thank the gentleman from Arkansas for his leadership. He has been a leader,

especially on the health care issues, as a member of the Blue Dogs, and has worked diligently on the Patients' Bill of Rights, a prescription drug plan, and others, in addition to the fiscal and budget issues. So I thank the gentleman from Arkansas (Mr. BERRY) for being here tonight.

Next, Mr. Speaker, I yield to the gentleman from Arkansas (Mr. ROSS), his delegation mate, the blue puppy.

Mr. ROSS. Mr. Speaker, I thank my good friend, the gentleman from Florida, for yielding to me, one of the co-chairs of the Democratic Blue Dog Coalition.

We have heard a lot of talk tonight about the Democratic Blue Dog Coalition. We are a group of 33 fiscally conservative Democrats that believe we ought to get our government, its budget, and our debt under control.

We are a group that is sick and tired of all the partisan bickering that goes on at our Nation's Capitol. It should not be about what makes the Democrats look good or bad or the Republicans look good or bad; it ought to be about doing right by the people who sent us to the Nation's Capitol to be their voice in government.

About this time last year, there was a lot of debate going on in this very Chamber about a surplus, a surplus that was projected to exceed \$5 trillion over the next 10 years. Back last year when we stood here on the floor of the United States House of Representatives and talked about this projected \$5 trillion surplus, the Blue Dogs tried to bring some fiscal responsibility to this Chamber and to the floor of the United States House of Representatives.

As that debate was going on, I voted against the Democratic budget last year. I voted against the Republican budget. I am trying to be bipartisan here. The Blue Dogs developed their own budget, and back in the days when we thought we had a surplus, when we were told that we had a surplus of \$5 trillion over the next 10 years, here is what the Blue Dogs had to say about it 1 year ago.

We said that we ought to take that surplus and take 50 percent of it and pay down our Nation's debt, that we should take 25 percent of it and provide a tax cut for working families and those who need it the most, and take the remaining 25 percent and do things like truly modernize Medicare to include medicine for our seniors, strengthen our national defense, something we were talking about way before September 11 ever happened.

Of course, the Blue Dog budget failed. It did not pass. We passed a budget, or this Chamber passed a budget, without my vote, and now we have another budget before us this year which I voted against, a budget where in less than a year we went from talking about a \$5 trillion surplus over the next 10 years to a budget for fiscal year 2003 that some say will cause us to deficit spend \$80 billion, on the conservative side, and some say we will deficit spend to the tune of \$120 billion.

Throughout the debate last year, we were told we had a surplus but it will not materialize. Rather, for the first time since 1997, this year's budget, fiscal year 2003, will put us back in the days of deficit spending for the first time since 1997. But when they were talking about that supposed surplus last year, we did not hear a lot of talk about the debt, a 5.9 trillion national debt.

Some people think we spend too much money in this country on food stamps. That is a couple of billion dollars a month. Some people in this country think we spend too much on foreign aid. That is \$1 billion a month.

Mr. Speaker, we spend \$1 billion every single day in America simply paying interest, not principal but interest, on the national debt. How much is \$1 billion? I put that number in my calculator and I get that little "e" at the end.

What does it mean to us in our everyday lives? I will tell the Members what it means. One billion dollars can build 200 brand new elementary schools every single day in America. The \$1 billion we are paying every day in interest on the national debt can complete important infrastructure projects.

In my congressional district, in the southern half of Arkansas, I have three interstates pending right now. There is Interstate 49. Give me a day and a half of the interest that we are now paying on the national debt and I can complete Interstate 49. Give me about a week of it and I can complete Interstate 69. Give me a few hours of it and I can complete Interstate 530. These are projects that are vital to provide economic opportunities for people from all walks of life.

□ 2130

That is what this debt means to us in our every-day lives, and the drain it is having on being able to do things like truly modernize Medicare to include medicine for our seniors. Medicare is the only health insurance plan I know of that does not include medicine, yet it is the plan that nearly every single senior citizen relies on day in and day out to stay healthy and to get well.

My grandparents left this country just a little bit better off than they found it for my parents. And my parents have left this country just a little bit better off than they found it for my generation. But I wonder, is this Congress, is this Government, is our generation going to leave this country just a little bit better off than we found it for the next generation, our children and our grandchildren?

Social Security is another issue that involves the debt. We have borrowed, our Government has borrowed \$1 trillion from the Social Security trust fund with no provision on how it ever gets paid back. When you and I go to the bank to borrow money for a car or a home, what do the bankers ask you? They want to know how are you going to pay that money back. How much

can you pay a month? How many years will you take to pay it back? And yet our Government has raided Social Security trust funds to the tune of over \$1 trillion with no provision on how that gets paid back. And guess what? If we figure out how it does get paid back, Social Security as we know it today is still broke in 2041.

So our response to all this is simple. On Thursday, April 25, the Democratic Blue Dog coalition, 33 fiscally conservative Democrats, outlined four principles to prevent our children and grandchildren from being stuck with the burdens that our country is accumulating today because of our generation's budget decisions. We call these four principals the ABCs of fiscal discipline. A, assure honesty and accountability; B, balancing the budget without raiding Social Security; C, climbing out of the deficit ditch; and D, defending children from paying our bills.

The ABCs of fiscal discipline say we need enforceable budget constraints that will expose deceptive budget practices and provide our guardrail to keep our spending within the government's means. It says we need a balanced budget amendment to the Constitution that requires us to balance that budget every single year, an amendment that could only be waived in extraordinary times such as a war or military conflict, and that takes Social Security completely off the table. It will stop the politicians in Washington from raiding the Social Security and Medicare trust fund.

I served for 10 years in the Arkansas State Senate. Our Constitution required us to have a balanced budget, and for my 10 years there I took my experience as a small business owner to our State capital, and for 10 years I helped balance that State budget. If we can do it at the State level, if we can do it at the small town family pharmacy that my wife and I own in Prescott, Arkansas, then, yes, the United States government can do it as well.

It says that if we have to raise the limits on our national debt that we do so with a plan that will put our fiscal house back in order, just like a family facing financial hardships works to get approval to refinance their debts. And, finally, it says that Congress must have a super majority, a three-fifths majority vote to approve additional government borrowing.

We believe following the ABCs of fiscal discipline is the right thing to do for this Congress, for our Nation, and for the future of our children and grandchildren.

Mr. BOYD. Mr. Speaker, I want to thank the gentleman from Arkansas (Mr. ROSS) for his thoughtful remarks. He has, I think, outlined it very well.

I, too, as I said earlier, come from a State legislature in which it was against the rules of Constitution to spend money you did not have, that is, to borrow money. And it meant, Mr. Speaker, that we had to make some tough decisions at times. We had to go

in and redo budgets at times. We had to go back and cut education and cut Medicaid, but at least we were not mortgaging the future of our children, and then we had to come back and figure out how we pay for those particular programs.

Mr. Speaker, it is just not right for us to, as American citizens today, to demand that we have these programs that are very costly and not be willing to step forward and pay for those and say to our children and grandchildren, we are going to have this program today for us, but we want you to pay the bill later down the road.

Now I think our business community is beginning to take a good, long, hard look also at what this extended deficit spending that we are looking at over the next decade is going to mean. Obviously, we know that we came through the decade of the 1970s and the 1980s with some huge deficits over the years. And who can ever forget in the 1970s where we had interest rates that went into the high teens and in some cases the low 20 percent interest rate? It made it very difficult. I was in business then, and I remember how difficult it was to continue to run my small business as I was leveraged pretty heavily. And so you had to take 20 cents out of the first dollar that you made and pay on the interest on your debt. I said that the business community is beginning to take a look at it.

I want to, Mr. Speaker, read from today's Wall Street Journal on the front page and the article is entitled "U.S. Debt Is Set to Rise Not Fall for Second Quarter." It is a very short article. I want to read it. It says the Treasury Department said it expected to borrow a net \$1 billion during the April-to-June quarter. That is three months. The Treasury Department said it expected to borrow \$1 billion, not repay a net \$89 billion as it said it would do earlier this year in January.

So in January the Treasury Department was predicting that it would repay \$89 billion of the Federal debt that we owed as a Government, but today they are saying no, we are not going to repay \$89 billion. We will not repay anything. We will have to borrow an additional \$1 billion during that quarter period.

The announcement, the department's first official acknowledgment of its dismal tax collections during the important April filing season, increases the likelihood that the Federal budget will linger in deficit for longer than the two years cited in congressional estimates. The government's troubled finances could even damp prospects for recovery by flooding debt markets and driving up interest rates.

I am sure that does concern the business community. "It is really a remarkably negative commentary on the government's financial fortunes," said John Youngdahl, an economist for Goldman Sachs. At a time when the

economy might be picking up momentum, increasing private sector borrowing, the government's increased demand for debt runs the risk of creating more friction and consequently spurring somewhat higher rates than otherwise would be the case, Mr. YOUNGDahl said. That is one thing to be concerned about.

I think it is something that we are all concerned about, not only the business community. But what you have is for the home owner who has got a home mortgage, if he has got a \$100,000 mortgage on his home and his interest rate goes up 200 points, that is \$2,000 a year. Car loans, business loans, personal loans, I think this thing could be very, very serious, and we only hope that it will turn around quickly.

We know how to turn it around. We have got to plan and we are willing and ready to sit down with the administration leaders, the leaders of President Bush's administration and the leader of the Congress, lay out a plan, get us back into balance. It can be done. We did it in 1997 and certainly we can do it again.

Mr. Speaker, I want to thank the gentleman from Arkansas (Mr. ROSS) and the others who came to speak here tonight.

#### WATER SHORTAGE IN COLORADO

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.

Mr. McINNIS. Mr. Speaker, this evening I want to talk about a number of different subjects, but primarily the subject is going to center around natural resources and water, especially water as it pertains to the West.

As many of you know, my district is the third Congressional district in the State of Colorado. The State of Colorado is the highest place, when you take the average elevation, it is the highest place on the North American continent. And as a result of that elevation and the mountainous terrain and the arid region that Colorado is kind of the apex of, there are a lot of different issues that deal with the West that you do not find in the East.

But before I do this, I want to talk a little about this weekend. I read tonight, maybe you will read it here in the next couple of days in the paper, but I read where a celebrity here in the United States, a celebrity who has been the beneficiary of the great things that this country offers, a celebrity who, to the best of my knowledge, has never had to pick up a weapon to defend their country, a celebrity who has made the comments that are about to be established from his yacht, his 130-foot or 150-foot yacht.

And as I understand these comments, and, again, this is being credited to him or it is in this interview, as I understand these comments from this celebrity, this celebrity is criticizing the

Fox News station for being too patriotic, for being too patriotic. This celebrity has come out and said that the station had too much red, white and blue on their station, on their news network at September 11.

Can you envision that? Did you ever think that anyone in this country, that our forefathers would ever think that a celebrity who is the beneficiary of all the fruits that this country has provided to him, would have the audacity to say that our country is too patriotic?

I want to compare these short-sighted remarks, those selfish remarks, to what I experienced this weekend out in Colorado, and all of you have, I am sure, experienced the same things when you get out with the people that you represent.

I was in Pueblo, Colorado. I started out the day by going to a group of a number of probably about 200 young people, I would guess anywhere from 13 years old to 19 years old. These kids, they were trying to tell them to stay off of drugs. It was amazing. Drugs, alcohol, and drive with your seatbelts on. It was a great assembly that was put together. But I was surprised and, frankly, I was very encouraged and felt very positive by talking to these kids, how many of these young people wanted as a career to go in and serve our country in the military, how strongly these kids felt about the United States of America. And from this assembly I went on to a couple of town meetings.

Do you think in any of these town meetings I heard from constituents any indication at all that we should be less patriotic or our news networks are too patriotic? In fact, what you generally hear is just the opposite. How come they never tell the side of the greatest country in the history of the world? How come they always make us look like the bad guys? That is the kind of things you might hear.

Then that afternoon I have to go and I listen and I have an opportunity to participate in awarding the Korean medal for a former veteran. This veteran had received five bronze stars and this veteran had his entire family, 70, maybe 80 people at their function where we have presented the medal. And I tell you something, you talk about pride in this country and you talk about feeling good about the future of this country, the gentleman to whom I presented the medal served in the Korean War. He was in his 70s, maybe in his early 80s, so he had three generations, he had great-grandchildren there. And the red, white and blue around that yard, I wish I could have grabbed that celebrity and brought him to this yard, back yard in Pueblo, Colorado, and shown him what people in America feel about patriotism.

The United States of America has nothing to apologize about. What this celebrity ought to be doing is talking about what America has done for the rest of the world. There is no country

in the history of the world, no country in the history of the world that has given away more in charity to the rest of the world, that has educated more people for the world, that offers better health care than anywhere else in the world, that has provided more tractors and more agricultural resources so that people can grow food and be more efficient on the growth of food than any other country in the world. There is no other country in the world that has offered more freedoms than the United States of America. None, zero, zip. No other country in the history of the world that has offered the freedoms that the United States of America has.

□ 2145

There is no other country in the history of the world that has stood up and put its young men and women, paying the ultimate sacrifice, at risk in other continents, to save those continents as we did in World War I, as we did in World War II, as we did to try in an attempt, a failed attempt, an attempt to stop communism from moving on to Vietnam, as we did in other places, as we are doing today.

The United States of America is a great country. It is a strong country; but it is a strong country that demands upon every generation, including our generation, and probably especially on those of us who were elected to serve the people, to represent the people, to pass on to the next generation that sense of patriotism, that sense of obligation, to make sure that the greatness of this country continues to the generation that follows them, that responsibility to be good Americans, to care about your family, to care about the defense of your country.

Bill Bennett wrote a book and says why do we fight. My colleagues will want to read that book. In fact, I think if I knew this celebrity would get the book I would buy a copy and send it to him. I was a little saddened by one of the people in our country, one of the people, this celebrity, the fruits he enjoys today would have been available to him probably anywhere else in the world, but in the country which gave it to him, he decides that maybe one of the news networks is too patriotic. Very short-sighted comment and a comment that I hope that individual at some point, at least in his own mind, retracts and begins to appreciate the sacrifice that a lot of people, generation after generation after generation in this country's history, the sacrifice that they have given so that people like him and other Americans can enjoy the fruits of our country.

What is most exciting to me is all of the things that go right. My colleagues do not hear some of these celebrities talking about what is going right in this country. It seems to many a lot of time what comes out of Hollywood is criticism of the President. We hear the movie actors that say, well, we are going to leave the country if George W. Bush becomes our President, and by

the way, none of them did leave the country. They changed their mind because they realized what they had here, and some of these people ought to take a little time and talk about what is going right in our country.

When we look at what is going right as compared to what is going wrong, there is so much more that is right than wrong. Look at the young people and juniors and seniors and applicants to our academies, our military academies. These are some of the most qualified young people in the history of this country. Their capabilities, the tools that they have to learn, their focus is immense and I think is much greater than the previous generations.

What we read in the media is they focus on the drug problems of this generation. They focus on the sex problems of this young generation; but what is beginning to happen, that young generation is showing that they do have the capabilities to carry on the responsibilities, to continue to make this country great. We are beginning to see a movement toward family. We are beginning to see more religious involvement with these young people. We are beginning to see absolutely much, much more learning in their preschool years as they come up.

So there are a lot of things that are going right, and that is what made me feel good about the weekend. I spent the weekend seeing things that were going right, only to read this quote or these quotes that have been attributed to this celebrity, and I think that my colleagues may have seen it in today's papers or certainly will be in tomorrow's papers about what this person has said. I hope any of my colleagues that have admired this person somewhat discount that admiration when they take a look at the comments that this particular person made.

That is enough for that. Let me move on to the subject that I really want to talk about this evening and that is water. As I mentioned earlier at the opening of my remarks, the western United States geographically, obviously, is different than the eastern half of the United States. There are a lot of things that differentiate the West from the East, and one of them is water.

I want to show my colleagues a map. This map here will depict a number of things which we will go over here in just a minute. Let me tell my colleagues about the first thing the map is going to depict. That is the ownership of public lands versus public lands in the East. Remember that upon settlement of the United States, the population, when our country just got started, as we all know, the population was along the east coast and that as our country began to grow, in order to get people out into the land, we had to give them some kind of incentive.

Back in those days, one could not just get a deed that says you own the land. They actually needed to possess the land; and as I said before, that is where the saying that possession is

nine-tenths of the law comes from. So for our country to grow, we needed one incentive to get people to move off the comfort of the east coast into the new land that this country wanted to expand into, and we wanted to get possession of that property so that another country could not come and take that land from us so we could protect the land.

In order to do that, the government made a very conscious decision, and that is, to give land away through what is called land grants. They had first made land grants actually in an attempt to bribe British soldiers to defect from the British troops to help us in the Revolutionary War, saying to these soldiers we are starting a new country and if you come with us we will give you land in our new country. That is how the Homestead Act in this country, actually what we would call the land grants, first came from.

This worked pretty effectively. What they would do is they would send families west. They would give them, say, 160 acres; and 160 acres in most of the eastern United States was enough acreage for a family to survive upon, and let me point out here. My colleagues will note that on this map, most of the map east of, say, Denver, Colorado, here in this point, we come right down here, most of the white part of this map is land that is privately owned. That is because in almost all of these locations here where the white is and almost all of those locations, one can support a family off 160 acres. The land is very fertile.

In fact, to give my colleagues an idea of the water, and we will go over this point again, but 73 percent of the water precipitation, surface water, stream water in this country is in this part of the country. So this is a very, very, very fertile land. Once we get west of Denver, Colorado, into this land with all the color that is where we get into the public lands, and that land is very, very dry, very arid, very dependent upon dams.

What happened is the settlers began to come west. This idea of putting people out on the land was working pretty effectively, but then all of the sudden when they got to Denver and they hit the Rocky Mountains, word got back to Washington, they are not settling up there. They are going around it. They could not feed a family off 160 acres. They had to go out to the Imperial Valley in California to find that kind of fertile land.

Washington knew that they needed to do something, something to claim that land for the country. What did we do? How do we figure out how to get people to occupy those lands so that the government knows our citizens are on it? So what they decided to do in that mountain country where 160 acres could not support a family is one of the ideas, well, let us go ahead and give them an equivalent amount of land, maybe let us give them like \$3,000 acres maybe, that is the equivalent of what

needs to match 160 acres in the fertile grounds of eastern Colorado or Nebraska or some of these other States.

At the time, they had given a lot of land to railroads, and they were under a lot of political pressure not to give that land away. So they decided instead, in this west, in this arid part, they would allow the people to go ahead and use it. They would give them incentives to use it, but they would retain the title to the government and keep those as public lands, but they always had the concept that these public lands would envision multiple use, many uses.

When I grew up and we went into a national forest or public lands, there was always a sign that hung there, for example, "Welcome to the White River National Forest, Land of Many Uses." That is the concept upon which the West was really settled as far as land ownership goes.

The reason I am telling my colleagues this or the reason why we are reviewing the public lands and private lands issue is because it has a lot to do with the water issues that we face out in the West that again differentiates us from the East. Remember my statistics and let me draw on this map for just a moment.

If we drew a line approximately like this, 73 percent, 73 percent of the water, surface water in the country is in this portion of the United States. That is where 73 percent of it is. We have got about 13 percent of the water in the Pacific Northwest. We have got 13 percent of the water there, and then the rest of it, the rest here for that many States, that is 14 percent of the water. Look at those numbers again. Seventy-three percent of the water on this part of the country, 13 percent up here in this section, and 14 percent for all of these States down there.

This is arid country. This is country where out here a lot of times the dispute is in the East on how to get rid of the excess water. Hey, do not drain it on my property. How are we going to drain it? Put it here; put it there. In the West, our primary issues are how do we conserve the water, how do we store the water, how do we use the water. And of course, in the West, as in many lands in the east, agricultural plays a very important part.

Remember when we talked about water, there are a number of different things to keep in mind. First of all, 97 percent of the water in the world, 97 percent of it is salt water, and under today's technology, we really do not have an economical way to convert that to desalinate that water from ocean water to clear drinking water. So right off the bat we are dealing with 3 percent of the world's water. Three percent of the world's water, about 78 percent of that 3 percent, about 78 percent of that 3 percent, is tied up in the polar icecaps. So the actual amount of water that we have to deal with is really very, very small.

In fact, if we wanted to use a percentage number, I will write it on the chart

here, but how much of the world's water rivers contains, it looks like this, .001 percent. That is what small amount of water is contained in the rivers in the world, and the rivers are our life blood. In fact, in the Colorado State capital, in their rotunda written on there, they have something to the effect that I think it was Hornsberry that wrote, that says in this land life is written in water, and many people have said water runs almost as thick as blood out there in this dry region.

Let me talk about real quickly how water is used. One of the things that amazed me as I got into water, remember, water is a very boring subject. Most people do not care much about water until they turn on the faucet and there is no water coming out of the faucet and they flush the toilet and no water comes into the bowl or they go out to recreate or fish and the stream's dried up. There are a lot of different uses of water.

I started studying water about 20 years ago; and to this day, to this day, the most amazing thing about water to me is the quantity of water that is necessary to do things in our everyday life, and I am going to go over a few of those things with my colleagues right now.

Take a look. Water usage, here is a fun chart. Direct uses of water daily, this is what the average person uses in a day drinking and cooking, 2 gallons. Flushing the toilet, 5 to 7 gallons per flush, although we have newer toilets, more advanced toilets that can now do it with 3 gallons. Washing machine, 20 gallons per load. Dishwasher, 25 per loads. Just to take a shower, 7 to 9 gallons per minute.

Remember that using water is not like using gasoline. Water is a renewable resource. On gasoline, once it is used, it is gone; but with water they have often said one person's waste is another person's water, and there is a lot to be said there. Water recirculates. It has got an entire lifecycle of its own so that when we use water for these daily needs, it does not mean that we have wasted the water, but we still have to conserve that water. We have got to be careful that we do not go to excess.

Take a look at what it requires to grow food, and I will give some acreage, some interesting statistics on acreage; but if we look over here to my left, look at this. Growing food for a loaf of bread, it takes 150 gallons of water from the time someone starts to prepare the field to grow the wheat, they grow the wheat and the other ingredients to mill the flour and things like that. By the time that loaf of bread is produced, they have used 150 gallons of water. An egg, one egg, not a dozen eggs, one egg, 120 gallons of water.

□ 2200 A

quart of milk, 223 gallons of water. To have one quart of milk. One pound of oranges, 47 gallons. One pound of potatoes, 23 gallons.

On average, and my colleagues probably did not know this, it takes more than 1,000 gallons of water to produce three meals a day for one person. More than 1,000 gallons of water a day to give us three balanced meals per day. Pretty interesting.

What happens to 50 glasses of water? Forty-four glasses are used for agriculture, three glasses are used by industry, two glasses are used by cities, and a half a glass is used in the countryside. So, obviously, of those 50 glasses, if we had 50 glasses of water that represented the usage in our country, 44 of those glasses of water go to agriculture.

Why so much water for agriculture? Again, some pretty interesting statistics. To grow an acre of corn we can expect off that acre that we will have 4,000 gallons of water a day evaporate off that acre. It takes 135,000 gallons to grow one ton of alfalfa. A hundred thirty-five thousand gallons. As I said, it takes 1,400 gallons of water to produce the meal of a quarter pound hamburger, an order of fries, and a soft drink. So if my colleagues go down to the local McDonald's restaurant and buy a hamburger, a soft drink and fries, 1,400 gallons of water were necessary for the complete process to get that food to the table.

Forty-eight thousand gallons are needed to produce the typical American Thanksgiving dinner for eight people. Imagine that. When we go to Thanksgiving dinner, eight people sit down to have dinner, 48,000 gallons of water were utilized to bring all of the tidings of Thanksgiving to that table. It is immense the use of water that we have.

That is why water is such a critical subject for us. It is boring, but if I had my way about it, I would make it a mandatory course in every classroom in every school in America. I would make it required so that all Americans have a better understanding of just how critical that resource is and has become.

It takes 39,000 gallons of water to produce a domestic automobile, 1,800 gallons of water just to produce the cotton in a pair of jeans, and 400 gallons of water just to produce enough cotton for one shirt. So the shirt I am wearing right here, which is 100 percent cotton, took 400 gallons of water to get that shirt to where I can wear it. It is amazing. It is incredible.

What is happening now, this year, of course, is that we have a drought. And as I mentioned earlier, the drought has hit different parts of the country very hard. Here in the east last weekend we had some good rains. I think we got up to 2 inches in this particular area. But in the west we face a drought conditions that, in many cases, we have not seen in 100 years. And the reason we say 100 years is that that is the first time records were kept. So I wanted to visit just a little about what that impact is and why it is so critical for those of us that live in the arid States

to store our water, to have that capability.

Remember, in a State like Colorado, and my district is the high mountains of Colorado, in an average year we have all the water we could possibly use for about a 60-to-90-day-period of time. When is that period of time? That period of time, on a typical year, is what is called the spring runoff, when the snow melts off those high peaks and we have that runoff. Sometimes, in fact, it floods, and we have terrible floods. But the dams have helped us control those floods.

When that 60-to-90 day period of time is over, what do we do for water then? Again, the dams come back in. In the west, we need to have those dams because we cannot count on water continuously year-round. Unfortunately, these water resources have not been evenly allocated across this great country of ours, so the dams play more and more of an important role, for not only human consumption, but for electrical generation.

Take a look at this chart. This reflects the primary use of dams. I think this is pretty interesting. The primary purpose or benefit of dams in the United States. And by the way, there is about 70,000 to 80,000 dams in the United States. Now, when we think of dams we think of Hoover Dam, Glen Canyon Dam, or smaller dams, like the Shoshoni Dam in the Glenwood Canyon, or different ones like that. But the first dams, for example, that we know of in the United States were actually the Anasazi Indians down in the southwestern part of Colorado, the Four Corners area. And there is evidence there that when they came and they learned how to dam up the water, because the water was again in such an arid area, it is thought that one of two things drove the Anasazi Indians into extinction, or at least out of that area.

One of them was the lack of water or, two, dealing with the enemy. They had enemies out there, and somehow the enemies were able to get into the cliff dwellings. But we think primarily it was water.

Look at the primary purpose or benefit of U.S. dams. Recreation, 32 percent; irrigation, 10 percent; public water supply, 19 percent; flood control, 14 percent; hydroelectricity, 2 percent; and stock and farm ponds, 17 percent.

Now, you will see some national organizations that oppose dams. They oppose a dam no matter how justified it is. No matter how well planned it is, no matter what kind of protections have been placed for the environment and to the benefit of the environment, no matter what is done, there are large well-financed organizations that oppose dams regardless of the merits. But they do not understand, or maybe they do understand and it is a way of restricting the life-style that we have in the west, but it is so critical to look closely and get an idea of what happens to us out in Colorado, for example, after that 90 days or so when the spring

runoff trickles down to small streams and our mighty Colorado is reduced dramatically in size, and what we have to do for water to get through the rest of the year.

And it is not just drinking water. Take a look at now the dependency we have on hydroelectricity. That is the cleanest way to produce power of any power that we know, outside of nuclear. And even cleaner than the nuclear, because with nuclear we still have a waste material, as many of my colleagues know with our debate on Yucca Mountain in Nevada and so on. Water is truly the cleanest way to generate our electricity. The difficulty is we do not have enough rivers or enough dams to produce hydroelectricity in such a way that it could become our primary generation of electricity in this country. But where we can utilize it we should utilize it.

And a natural benefit of a dam, when you back up water, you also provide recreation opportunities. In the western United States, the greatest recreational facility, I think, from a water perspective, is Lake Powell. The Colorado River, which is about 1,500 miles long, has several major dams on it, and one of those lakes that has been backed up as a result of Glen Canyon is Lake Powell. Lake Powell actually has more shoreline than the entire Pacific West Coast. Recreation is critical. For those who talk about family recreation and the importance for us to bring families back together, recreation on a lake like Lake Powell is an important factor out there in the west.

Flood control. We have had some horrendous floods. Again, unfortunately, the laws of nature do not allow the river, like the Colorado, to run at a steady flow 12 months of the year. Sometimes it runs with horrendous bursts. In fact, if any of my colleagues ever have an opportunity and are near Gunnison or Montrose, Colorado, take the time to go see the Black Canyon National Park. It is a beautiful, beautiful national park. And when you get to the visitor's center at the Black Canyon National Park you will see rocks the size of this table over here to my right, the size of this table and probably twice as high. That is a sample of the rocks that are thrown through that river. That is how powerful that river is going through that canyon. That rumbling down of those rocks sounds like a tornado going on down there in the spring runoff.

We have to be able to control floods. And take a look, while on the way to the Black Canyon National Park and, hopefully, you will go through a beautiful town called Grand Junction, Colorado. Grand Junction used to be desert. Desert still remains on the other side of it. But take a look at what irrigation did for that community. Grand Junction, Colorado, is probably the clearest example in the country of what happens when you have water and what happens when you do not have water.

The dividing point there is the interstate highway. As you go down the interstate in Grand Junction, when you look to the north, or if you are headed westbound, when you look to the right it is arid desert land. It is beautiful in its own way, but there are no people living out there. There is not much wildlife out there. In fact, there is not much life. There are no trees or plants out there. It is dry dirt. On the left-hand side, which is the south side, left hand as you are going west, the south side is the result of irrigation. There are orchards; wine orchards, apple orchards, and lots of wildlife.

Obviously, that is where the people live. It is because we had the ability to store water and to release that water year-round so that side of the highway can stay green. Year-round, that portion of land can support wildlife, human habitation and, frankly, I think increase and improve the areas of the environment that we think are important, gold medal fishing, for example, and a lot of other things.

Water is such a critical resource for us. Again, I urge my colleagues here in the east, during times when we have decisions to make about the west, please understand we are not trying to make a battle or make a geographical difference with the country. We do want Members to come to the realization, or at least understand that our needs in the west are dramatically different when it comes to some of these natural resources, whether we are talking about private lands or public lands, or whether we are taking about lots of water, like here in the east, where 73 percent of the Nation's surface water exists. Out there, in the center of the west, we have 14 percent.

So when we talk about our water storage facilities, listen to us, support us. There is a move out there to take down Lake Powell. Many of in this room have never been to Lake Powell. If you want to do your family a favor, if you want to have a great trip, one of those kind of vacations that your family will remember for many, many, many years into the future, go to Lake Powell. Take a look at that dam there, how much electricity that generates, and take a look at the flood control. As a Congressman, they will give you a tour. They give general tours, but tell them you really want to know about this project.

I urge my colleagues from the east to take a trip and go out there, and have one of your days set aside simply to learn about the project. So that when the radical fanatics come to these Chambers and try to get you to sign on to a resolution to tear down the dam at Lake Powell, you will have a very clear and immediate understanding of the ramifications that that has to the western half of your country, the kind of ramifications it has not only for hydroelectricity but for flood control, for water storage, for recreation, for farms. Remember that when you hear somebody approach you and say we need to take down dams.

One of my biggest problems with the Clinton administration was the Clinton administration was always trying to show that they were the environmental administration, so they made some pretty brash statements and they made some pretty illogical decisions, like the Grand Escalante Staircase, without any input from State officials; with proclamations that we need to start taking down dams, not building dams. It was almost as if that administration had an anti-human bias built into their policy. Well, fortunately, that has been moderated and a common sense approach will allow people in the east to understand the special circumstances of those of us who live in the west.

Let me mention something else. I want to show the drought conditions that we are currently experiencing. This is a color-coded map. Here are the codes: Abnormal dry, which means just an off year; drought moderate is the light brown; the dark brown is drought severe, and the red is drought extreme.

If you look to the left of the poster, here is the State of Colorado. This actually is the Colorado River right here, going down like this. The Colorado River runs about 1,500 miles. Only a small part of it is in Colorado. The Colorado provides 75 percent of the water that goes into it. Maybe 200 miles of the Colorado River is in Colorado, of the 1,500 miles total. It goes down through Utah, Arizona, and actually ends up in Mexico.

But my point here is to look at the drought conditions that we face. Now, we face some of these similar conditions on the East Coast, but out here in the west, where we start out with very arid conditions, look how much of it is in a moderate drought. All the light brown. But look what is in severe extreme drought. Look how much of that portion down here.

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Look at what this is. This is a tough situation this year. Do you know how we are going to get through it? Do you know how we got through the semi-dryness last year? Because generations before us had the foresight to build major storage projects so when we ran out of water or did not have enough snow in the high peaks, we would have enough water to give us a crutch to get through to the next snow season. That is exactly why we will survive the drought in Colorado, even though it is severe, a drought that we have not seen since 1977 is the last time I recall. It appears that this one is going to be much more severe.

But we will be able to, we will be crippled, but we will be able to get through it because we have water storage. We have the capability to draw down on reservoirs. It is like your bank account. You always want to have a surplus in your bank account so if you have an emergency you can draw down on your savings. That is what these storage projects allow us.

But what has happened in the last few years through a huge public relations effort, they have been very successful in giving a negative connotation to the world dams and water storage projects. We in the West find ourselves constantly trying to explain, look, it is not a nasty word. It is a word that is necessitated by our lifestyles out in the West. It is necessitated by our needs for the environment. It is necessitated for our electricity. It is necessitated for flood control. These water storage projects are very, very important for us.

Now, what else happens when we face drought conditions? Fire. This year looks to be, if the conditions stay the same as they have up through this last week, this year could be the worst fire year since we kept records in this country. I want to say through the hard efforts of people like Gale Norton at the Department of the Interior, and Ann Veneman over at the Department of Agriculture, the head of the parks, these teams have come together and we have created a National Fire Council.

Last year through a lot of efforts, both Republican and Democrat, we put together the resources necessary to upgrade our firefighting capabilities in this country. We hired an additional 5,000 firemen. We picked up thousands of pieces of new equipment. In the last several months, we have disbursed those equipment and resources throughout the country so when we have a fire, as we had in Bailey up in Park County, Colorado, last weekend, we were within a very short period of time able to devote substantial resources to fighting that fire.

We have made dramatic improvements. Not only do we have a dry year, but we have had years and years and years of policies on the public lands, remember earlier my comments when we talked about the public lands, we have had years and years of policies of not allowing those forests to be cleaned. In essence, ignoring some of those forests. We now have lots of wastes on the floor of the forest. I call it gunpowder. What you see on my left, that will not be an uncommon sight in the mountains. We are going to see some of our biggest fires in Florida and in the East.

I think this year we have the team together. We never know what we are going to face, but based on past history, we think that with a little luck and a little blessing and the good Lord, we are going to be able to fight these fires successfully, but it is going to be a challenge.

Again, the importance of water storage. When we get out to some of these fires, one of the most important things to have is access to water. What does every fire truck in the West carry with them? They carry tarps. Why? A simple reason. As soon as they get to the scene of a fire, they create a dam. Think about it. Out in the rural areas, and I used to be a volunteer fireman, one of the first things that we learned

was how to use a tarp. Firefighters put it in the stream and very quickly build up a dam so we have a water reservoir that we could pull the water out of to fight the fire. Again, another use of dams, another use of water storage that a lot of us do not think about in our day-to-day lives.

Let me show Members the inferno. These are the kinds of things that we are going to face this summer. That is a blow up, meaning the wind and heat. All of the conditions are perfect for what is called a blow up. That kind of inferno, unfortunately, will occur. To a large extent we cannot help it. We cannot have more rain. That is up to the good Lord. We cannot control where lightning strikes; that is up to the good Lord.

But in the management of our forests and in the management of our firefighting resources and in the allocation of our land management resources, a lot of these fires can be impacted or alleviated with proper land management. Again in the East, you deal with it differently because you do not have the public lands. In the West, we have lots of public pressure, a lot of times from people in the East who have never experienced life in the West, who are not acquainted with what it is like to be completely surrounded by public lands.

In my district, I have about 120 communities. These are small towns with the exception of two which are fairly large. All but one of them are completely surrounded. In other words, 119 are completely surrounded by public lands. And the rules and regulations that we deal with with public lands restrict the amount of freedom. In a lot of cases, it is very justified. But as in most cases where the government gets involved, you will find on some occasions they go overboard. Sometimes they go overboard, for example, by not allowing people to clean up the forests. This is a contributing cause to this kind of inferno.

Let me talk just a few more minutes about the importance of water in the West, about the importance of water storage in the West. I have made several key points to Members, and I want to summarize them. Keep in mind that 97 percent of the water in the world is in the oceans. It is salt water. We do not have an economic way to convert that water to drinking water that is affordable on any kind of mass scale. Of the remaining 3 percent, clear water, nonsalt water, 78 percent of that water is tied up in the polar ice caps. So we have a very small amount of water that is either not tied up in the ice caps or not salt water for our usage. Conservation is a critical element for us.

As our country continues to grow in population, obviously we need to practice more and more conservation. But remember that conservation and water is much trickier than, say, conservation of fuel or electricity. I will give Members an idea. When somebody comes in and says we want you to line

your irrigation ditches, in other words put in concrete, and we can prevent seepage so you lose less water. The difficulty is that your seepage in your ditch may very well be providing the water for the spring 3 or 4 miles away.

Mr. Speaker, our generation does not have the capability to radar underneath the ground very effectively. We can pick up things above the ground, but what future generations will have the capability to do is they will have the capability to look underneath the ground, and at some point they will be able to figure out the logistics of those millions of miles of water streams underneath the Earth's surface. Then water management will make a lot more sense. Then conservation will be able to be done with much more precise science; but today, conservation is important.

But the key of my comments to Members this evening is not only to ask, as I have done on a number of occasions from this very podium, to ask for your indulgence when we talk about land issues in the West, because of the fact that the public lands really for the most part are in the West, they are not in the East, so I ask cooperation from my colleagues from the East, try and take a few moments, really you have the responsibility to take a few moments and understand the issues that we deal with because we have public lands. We have to deal with the government every minute of our lives out there when your community is surrounded by public lands. Our communities are completely, not partially, and this is not an exaggeration, our communities are completely dependent upon the Federal lands.

When we talk about water, out in my district, the water in my district either comes across, stores or ponds or originates on public lands. It is a big, big issue for us. The concept of multiple use is critical for our life-style. All of our highways, whether it is a radio antenna, whether it is our power lines, our fishing, our farming, our environmental protection, we deal with the government in every phase of that. Many in the East do not have to deal with any phase of that, at least as it pertains to the issue of public and private lands. You own the lands. We do not in the West. It is the same thing. There is the same kind of differential that begins to emerge when we talk about building water storage facilities on public lands, when we talk about the importance of water storage in the West.

Remember my earlier statistic, 73 percent of the water in this country is east of the Mississippi. Seventy-three percent of the surface water is east of the Mississippi. The western mountain region, that western area which is huge, which is about half of the United States, not quite but almost half of the United States in land mass, we have 14 percent of the water. Fourteen percent of the water, and almost half the land mass of the United States. So water

storage is so, so critical for us out there.

Finally, keep in mind what water storage, what it does. It provides flood control. It provides hydroelectricity. It provides recreation. And probably as important as anything that I have just mentioned, probably more important than anything that I have just mentioned, it allows us to save water and build up a reservoir so when we face the kind of drought conditions that we are facing today in the West, we have the capability to draw from that reservoir, at least from a limited period of time to try and get us through until the next snow season.

Colleagues, I appreciate your time this evening. I appreciate the fact that I am allowed, and have this great privilege in this country to come to this House well and try to work with my colleagues in the East, Republican or Democrat, to tell you how important it is that you understand the geographical differences, the water differences between the eastern United States and the western United States.

Mr. Speaker, I appreciate this time, and look forward to Members' cooperation on these issues in the future.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MASCARA (at the request of Mr. GEPHARDT) for today on account of personal reasons.

Ms. MILLENDER-McDONALD (at the request of Mr. GEPHARDT) for today and the balance of the week on account of important legislative business in the district.

Mr. CRANE (at the request of Mr. ARMEY) for today on account of personal reasons.

Mr. CANNON (at the request of Mr. ARMEY) for today and the balance of the week on account of personal reasons.

#### 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. DAVIS of Illinois) to revise and extend their remarks and include extraneous material:)

Mr. DAVIS of Illinois, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Mr. LIPINSKI, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Ms. NORTON, for 5 minutes, today.

Mr. BLUMENAUER, for 5 minutes, today.

Ms. BERKLEY, for 5 minutes, today.

(The following Member (at the request of Mr. SULLIVAN) to revise and extend his remarks and include extraneous material:)

Mr. PENCE, for 5 minutes, today.

#### SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 2248. An act to extend the authority of the Export-Import Bank until May 31, 2002.

#### ADJOURNMENT

Mr. MCINNIS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 30 minutes p.m.), the House adjourned until tomorrow, Wednesday, May 1, 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:

6486. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule—Infectious Salmon Anemia; Payment of Indemnity [Docket No. 01-126-1] received April 12, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6487. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule—Farm Loan Programs Account Servicing Policies—Reduction of Amortization Shared Appreciation Recapture Amortization Rate (RIN: 0560-AG43) received April 18, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6488. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule—Lamb Promotion, Research, and Information Order [No. LS-01-12] (RIN: 0581-AC06) received April 19, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6489. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Fluazinam; Pesticide Tolerance [OPP-2002-0003; FRL-6831-8] (RIN: 2070-AB78) received April 16, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6490. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Fenhexamid; Pesticide Tolerance [OPP-301228; FRL-6829-9] (RIN: 2070-AB78) received April 16, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6491. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Sodium Starch Glycolate; Exemption from the Requirement of a Tolerance [OPP-2002-0018; FRL-6833-9] (RIN: 2070-AB78) received April 16, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6492. A letter from the Director, FDIC Office of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting the Corporation's final rule—Engaged In The Business of Receiving Deposits Other Than Trust Funds (RIN: 3064-AC49) received April 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

6493. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Final Flood Elevation Determinations—received April 22, 2002, pursuant to 5 U.S.C.

801(a)(1)(A); to the Committee on Financial Services.

6494. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—National Flood Insurance Program (NFIP); Increased Rates for Flood Coverage (RIN: 3067-AD27) received April 16, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

6495. A letter from the Acting Assistant General Counsel for Regulatory Services, Department of Education, transmitting the Department's final rule—Program of Research on Reading Comprehension—received April 19, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

6496. A letter from the Director, Regulations Policy and Management, Department of Health and Human Services, transmitting the Department's final rule—Medical Devices; Reclassification of Three Anesthesiology Preamendments Class III Devices into Class II [Docket No. 99N-0035] received April 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6497. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule—Prescription Drug Marketing Act of 1987; Prescription Drug Amendments of 1992; Policies, Requirements, and Administrative Procedures; Delay of Effective Date [Docket No. 92N-0297] (RIN: 0905-AC81) received April 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6498. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule—Medical Devices; Device Tracking [Docket No. 00N-1034] received April 17, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6499. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule—Topical Antifungal Drug Products for Over-the-Counter Human Use; Amendment of Final Monograph [Docket No. 99N-4063] (RIN: 0910-AA01) received April 16, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6500. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule—Cold, Cough, Allergy, Bronchodilator, and Antiasthmatic Drug Products for Over-the-Counter Human Use; Partial Final Rule for Combination Drug Products Containing a Bronchodilator; Correction [Docket No. 76N-052G] (RIN: 0910-AA01) received April 15, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6501. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule—Food Additives Permitted for Direct Addition to Food for Human Consumption; Change in Specifications for Gum or Wood Rosin Derivatives in Chewing Gum Base; Correction [Docket No. 99F-2533] received March 19, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6502. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule—Topical Nitrofurans; Extralabel Animal Drug Use; Order of Prohibition [Docket No. 01N-0499] received April 15, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6503. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans Georgia: Approval of Revisions to State Implementation Plan [GA-46-200221(a); FRL-7172-7] received April 16, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6504. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; New Hampshire; Post—1996 Rate of Progress Plans [NH-046b; A-1 FRL-7171-9] received April 16, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6505. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; State of New York [Region II Docket No. NY56-240; FRL-7172-6] received April 16, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6506. A letter from the Acting Chief, Policy and Rules Division, Federal Communications Commission, transmitting the Commission's final rule—Reallocation of the 216-220 MHz, 1390-1395 MHz, 1427-1429 MHz, 1429-1432 MHz, 1432-1435 MHz, 1670-1675 MHz, and 2385-2390 MHz Government Transfer Bands; and ; Amendment of Parts 2 and 95 of the Commission's Rules to Create a Wireless Medical Telemetry Service; and Amendments to Part 90 of the Commission's Rules Concerning Private Land Mobile Radio Services [ET Docket No. 00-221, RM-9267, RM-9692, RM-9797, RM-9854; ET Docket No. 99-255, PR Docket No. 92-235; WT Docket No. 97-153] Received April 25, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6507. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule—Absence and Leave; Use of Restored Annual Leave (RIN: 3206-AJ51) received April 16, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

6508. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule—Basic Pay for Employees of Temporary Organizations (RIN: 3206-AJ47) received April 15, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

6509. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule—Placement Assistance and Reduction in Force Notices (RIN: 3206-AJ18) received April 18, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

6510. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule—Federal Employment Priority Consideration Program for Displaced Employees of the District of Columbia Department of Corrections (RIN: 3206-AI28) received April 18, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

6511. A letter from the National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Endangered and Threatened Species; Final Rule to Remove Umpqua River Cutthroat Trout From the Federal List of Endangered and Threatened Species [Docket No. 000404093-0093-01; I.D. 121198A] (RIN: 0648-AN90) received April 18, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

6512. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, Na-

tional Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 610 of the Gulf of Alaska [Docket No. 011218304-1304-01; I.D. 031202A] received April 16, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

6513. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Atlantic Highly Migratory Species; Commercial Shark Management Measures [Docket No. 011218303-1303-01; I.D. 110501B] (RIN: 0648-AP70) received April 16, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

6514. 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 Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Closure [Docket No. 001005281-0369-02; I.D. 111601A] received April 16, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

6515. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Vessels Catching Pacific Cod for Processing by the Inshore Component in the Western Regulatory Area of the Gulf of Alaska [Docket No. 011218304-1304-01; I.D. 022502D] received April 16, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

6516. A letter from the Director, Policy Directives and Instructions Branch, INS, Department of Justice, transmitting the Department's final rule—Release of Information Regarding Immigration and Naturalization Service Detainees in Non-Federal Facilities [INS No. 2203-02] (RIN: 1115-AG67) received April 18, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

6517. A letter from the Secretary of the Commission, Bureau of Competition, Federal Trade Commission, transmitting the Commission's final rule—Premerger Notification; Reporting and Waiting Period Requirements—received April 15, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

6518. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Hazard Mitigation Planning and Hazard Mitigation Grant Program (RIN: 3067-AD22) received April 16, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6519. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Assistance to Firefighters Grant Program (RIN: 3067-AD21) received April 16, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

6520. A letter from the General Counsel, National Science Foundation, transmitting the Foundation's final rule—Misconduct in Science and Engineering—received April 18, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

6521. A letter from the Acting Deputy General Counsel, SBA, Small Business Administration, transmitting the Administration's final rule—Small Business Size Standards; Inflation Adjustment to Size Standards (RIN: 3245-AB56)—received April 18, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Small Business.

6522. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Investment Credit on Transition Property—received April 16, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6523. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Internet Corporation & Subs V. Commissioner [Docket No. 8246-97] received April 16, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6524. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—2002 Limitations Adjusted As Provided In Section 415(d) (Notice 2001-84) received April 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

Mr. BOEHLERT: Committee on Science. H.R. 2051. A bill to provide for the establishment of regional plant genome and gene expression research and development centers; with amendments (Rept. 107-422). Referred to the Committee of the Whole House on the State of the Union.

Mrs. MYRICK: Committee on Rules. House Resolution 402. Resolution providing for the consideration of the bill (H.R. 2871) to reauthorize the Export-Import Bank of the United States, and for other purposes (Rept. 107-423). Referred to the House Calendar.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. HUNTER (for himself, Mr. CUNNINGHAM, and Mr. SAXTON):

H.R. 4618. A bill to amend the Magnuson-Stevens Fishery Conservation and Management Act to provide for the conservation of stocks of Pacific highly migratory species by directing the Secretary of Commerce to prohibit pelagic longline fishing in the exclusive economic zone off the coasts of the States of California, Oregon, and Washington; to the Committee on Resources.

By Mr. NETHERCUTT:

H.R. 4619. A bill to authorize the Secretary of the Army to provide a credit toward the non-Federal share of the cost of the feasibility study for the project for flood control in the vicinity of Sprague, Lincoln County, Washington, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. OTTER (for himself, Mr. HANSEN, Mr. POMBO, Mr. RADANOVICH, Mr. STUMP, Mr. HEFLEY, Mr. GIBBONS, Mr. SIMPSON, and Mr. HUNTER):

H.R. 4620. A bill to accelerate the wilderness designation process by establishing a timetable for the completion of wilderness studies on Federal lands, and for other purposes; to the Committee on Resources.

By Mr. PETERSON of Minnesota (for himself, Mr. MCGOVERN, Mr. ROHR-ABACHER, Mr. LYNCH, Mr. FALBOMAVAEGA, Mr. KILDEE, Mr. SANDERS, and Ms. ROS-LEHTINEN):

H.R. 4621. A bill to amend title 39, United States Code, to authorize additional compensation to be paid to certain veterans in

receipt of compensation for a service-connected disability rated totally disabling for whom a family member dependent on the veteran for support provides care; to the Committee on Veterans' Affairs.

By Mr. RADANOVICH:

H.R. 4622. A bill to require Federal land managers to support, and to communicate, coordinate, and cooperate with, designated gateway communities, to improve the ability of gateway communities to participate in Federal land management planning conducted by the Forest Service and agencies of the Department of the Interior, and to respond to the impacts of the public use of the Federal lands administered by these agencies, and for other purposes; to the Committee on Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of Texas (for himself, Mr. POMEROY, Mr. FOLEY, Ms. HART, Mr. DELAY, Mr. BRYANT, Mr. GOODLATTE, Mr. JENKINS, Mr. CANNON, Mr. GREEN of Wisconsin, Mr. KELLER, Mrs. JOHNSON of Connecticut, Mr. STEARNS, Mr. NUSSLE, Mrs. CAPITO, Mr. GILCHREST, Mr. CULBERSON, Mr. WELLER, and Mr. UPTON):

H.R. 4623. A bill to prevent trafficking in child pornography and obscenity, to proscribe pandering and solicitation relating to visual depictions of minors engaging in sexually explicit conduct, to prevent the use of child pornography and obscenity to facilitate crimes against children, and for other purposes; to the Committee on the Judiciary.

By Mrs. TAUSCHER (for herself and Mr. SPRATT):

H.R. 4624. A bill to promote the non-proliferation of nuclear weapons and other weapons of mass destruction; to the Committee on International Relations, and in addition to the Committee on Armed 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. KENNEDY of Minnesota (for himself, Mr. GUTKNECHT, Mr. RAMSTAD, Ms. MCCOLLUM, Mr. SABO, Mr. LUTHER, Mr. PETERSON of Minnesota, and Mr. OBERSTAR):

H. Con. Res. 391. Concurrent resolution honoring the University of Minnesota Golden Gophers men's hockey and wrestling teams and the University of Minnesota-Duluth Bulldogs women's hockey team for winning the 2002 National Collegiate Athletic Association championships; to the Committee on Education and the Workforce, considered and agreed to.

By Mr. STARK:

H. Con. Res. 392. Concurrent resolution to protect private decisions about marriage; to the Committee on Education and the Workforce.

By Mr. SIMMONS (for himself, Mr. SHAYS, Mrs. JOHNSON of Connecticut, Mr. LARSON of Connecticut, Ms. DELAURO, and Mr. MALONEY of Connecticut):

H. Res. 401. A resolution congratulating the University of Connecticut Huskies for winning the 2002 National Collegiate Athletic Association Division I women's basketball championship; to the Committee on Education and the Workforce, considered and agreed to.

Mr. LATOURETTE introduced a bill (H.R. 4625) for the relief of Zdanko Lisak; which was referred to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

- H.R. 113: Mr. SHERMAN.
- H.R. 198: Mr. BURTON of Indiana.
- H.R. 292: Mr. MCGOVERN.
- H.R. 348: Mr. RODRIGUEZ.
- H.R. 488: Mr. BLAGOJEVICH.
- H.R. 602: Mr. LEACH.
- H.R. 690: Ms. SANCHEZ.
- H.R. 730: Mr. PAYNE.
- H.R. 792: Mr. BENTSEN.
- H.R. 898: Ms. MCKINNEY, Mr. KENNEDY of Rhode Island, Ms. MILLENDER-MCDONALD, Mr. MCNUITY, Mr. CLEMENT, Mr. UDALL of New Mexico, Mrs. MALONEY of New York, Ms. CARSON of Indiana, Mrs. JONES of Ohio, and Ms. NORTON.
- H.R. 938: Mr. JACKSON of Illinois.
- H.R. 1005: Mr. SOUDER.
- H.R. 1081: Mr. WOLF and Mr. TAYLOR of Mississippi.
- H.R. 1086: Ms. NORTON.
- H.R. 1108: Mr. FOLEY and Mrs. TAUSCHER.
- H.R. 1109: Mr. COLLINS, Mr. MCCRERY, Mr. HERGER, Mr. KINGSTON, and Mr. SIMMONS.
- H.R. 1177: Mr. ACKERMAN.
- H.R. 1213: Mr. STRICKLAND.
- H.R. 1268: Mr. FOLEY.
- H.R. 1309: Mr. HOUGHTON.
- H.R. 1343: Mr. SWEENEY.
- H.R. 1353: Mr. THUNE.
- H.R. 1465: Mr. ABERCROMBIE.
- H.R. 1475: Mr. MASCARA.
- H.R. 1581: Mr. PRICE of North Carolina, Mr. SHAYS, Mrs. MYRICK, and Mr. HOUGHTON.
- H.R. 1613: Ms. HARMAN and Mr. LARSON of Connecticut.
- H.R. 1651: Mr. MASCARA.
- H.R. 1759: Mr. PRICE of North Carolina.
- H.R. 1764: Mr. OBERSTAR.
- H.R. 1808: Mr. MASCARA, Ms. VELAZQUEZ, Mr. GUTIERREZ, Mr. LAMPSON, Mr. CAPUANO, Mr. COSTELLO, and Mrs. MINK of Hawaii.
- H.R. 1822: Mr. PASTOR.
- H.R. 1861: Mr. LAFALCE.
- H.R. 1873: Mr. KIND.
- H.R. 1904: Mr. HALL of Ohio.
- H.R. 1935: Mr. BOUCHER, Mr. CROWLEY, Mr. SCOTT, Mr. THOMPSON of Mississippi, Mr. TIBERI, Ms. KILPATRICK, Ms. RIVERS, Mr. PORTMAN, Mr. DEMINT, Mr. STUPAK, Ms. ROSLEHTINEN, and Mrs. ROUKEMA.
- H.R. 1983: Mr. CANNON.
- H.R. 2029: Mr. MCCRERY.
- H.R. 2055: Mr. DAN MILLER of Florida.
- H.R. 2117: Mr. STARK, Mr. JONES of North Carolina, and Mr. EVANS.
- H.R. 2161: Mr. HOLDEN and Mr. SMITH of Washington.
- H.R. 2173: Ms. MCCOLLUM and Mrs. CAPPS.
- H.R. 2357: Mr. WELLER.
- H.R. 2466: Mr. PRICE of North Carolina, Mr. BENTSEN, Mr. MCINNIS, Mr. LAHOOD, and Mr. COLLINS.
- H.R. 2487: Mr. NEAL of Massachusetts and Mr. OLVER.
- H.R. 2570: Ms. VELAZQUEZ, Mr. RAHALL, and Ms. BROWN of Florida.
- H.R. 2623: Mrs. BIGGERT.
- H.R. 2638: Mr. SHOWS, Mr. WU, Mr. VITTER, Mr. BONILLA, and Mr. SCHAFFER.
- H.R. 2662: Mr. MCDERMOTT.
- H.R. 2735: Mr. AKIN, Mr. SWEENEY, and Mr. PASTOR.
- H.R. 2763: Mr. BROWN of South Carolina.
- H.R. 2788: Mr. PAYNE and Mr. BISHOP.
- H.R. 2820: Mr. MARKEY, Ms. KILPATRICK, Mr. HOYER, Mr. BISHOP, Mr. ENGEL, Mr. OLVER, and Ms. LOFGREN.

- H.R. 2837: Mr. BLUMENAUER.
- H.R. 2874: Mr. SANDERS, Mr. RODRIGUEZ, Mr. RANGEL, Ms. CARSON, of Indiana, Mr. COYNE, and Mr. GEORGE MILLER of California.
- H.R. 2974: Ms. RIVERS and Mrs. NAPOLITANO.
- H.R. 3132: Mr. THOMPSON of California, Mr. FRANK, Mr. MEEHAN, and Ms. BALDWIN.
- H.R. 3185: Mr. GEORGE MILLER of California.
- H.R. 3324: Ms. MCCOLLUM, Ms. BROWN of Florida, Ms. DUNN, Mr. PAUL, Mr. ISRAEL, Mr. LAMPSON, and Mr. FRANK.
- H.R. 3335: Mr. SCHIFF.
- H.R. 3414: Mr. OLVER.
- H.R. 3424: Ms. MCCARTHY of Missouri, Mr. HILLEARY, and Mr. YOUNG of Florida.
- H.R. 3430: Mr. WILSON of South Carolina.
- H.R. 3450: Mr. GILMAN, Mrs. NAPOLITANO, Mr. WELLER, and Ms. WATERS.
- H.R. 3464: Mr. CUMMINGS, Mr. LARSON of Connecticut, Mr. LANTOS, Mr. HOLT, and Mr. RANGEL.
- H.R. 3469: Mr. FARR of California, Mr. FRANK, Mr. MALONEY of Connecticut, Mr. BRADY of Pennsylvania, Mr. FORD, Ms. MCKINNEY, Mrs. DAVIS of California, Mr. WU, Mr. JACKSON of Illinois, Mrs. CLAYTON, Mr. FROST, Mr. RANGEL, Mr. MCDERMOTT, Mr. HINCHEY, Mr. NADLER, Mr. MCGOVERN, Mr. THOMPSON of California, Mr. HONDA, Mr. OWENS, and Mr. KUCINICH.
- H.R. 3478: Mr. THOMPSON of California, Mr. HAYES, and Mr. CALVERT.
- H.R. 3491: Mr. ENGLISH.
- H.R. 3521: Mr. ACKERMAN.
- H.R. 3524: Mr. RODRIGUEZ.
- H.R. 3552: Mr. PALLONE, Mr. DOYLE, and Ms. CARSON of Indiana.
- H.R. 3569: Mrs. JO ANN DAVIS of Virginia.
- H.R. 3631: Ms. ESHOO.
- H.R. 3663: Mr. ACKERMAN.
- H.R. 3686: Ms. CARSON of Indiana.
- H.R. 3729: Ms. SOLIS, Mrs. LOWEY, and Mr. SANDERS.
- H.R. 3747: Mr. MORAN of Virginia.
- H.R. 3794: Mr. MORAN of Virginia, Ms. SCHAKOWSKY, Mr. HINCHEY, Ms. PELOSI, and Mr. RAMSTAD.
- H.R. 3804: Mr. GILCHREST, Mr. FRANK, Ms. KAPTUR, Mr. MCDERMOTT, Ms. WOOLSEY, Ms. RIVERS, Mr. ABERCROMBIE, Mr. DEFAZIO, Mr. GEORGE MILLER of California, Mr. RAHALL, Mr. MCGOVERN, Mrs. MALONEY of New York, Mr. KUCINICH, Mr. SAWYER, Ms. MCCOLLUM, Mr. TIERNEY, Mr. ALLEN, Mr. DAVIS of Illinois, and Mr. LEWIS of Georgia.
- H.R. 3805: Mr. PENCE and Mr. DELAY.
- H.R. 3831: Ms. CARSON of Indiana.
- H.R. 3833: Mr. WYNN, Mr. WELLER, and Mr. POMEROY.
- H.R. 3834: Mr. LEVIN, Mr. KANJORSKI, Mr. RADANOVICH, Mr. WAMP, Mr. MCDERMOTT, Mr. THUNE, Mr. LEACH, and Mr. ROSS.
- H.R. 3884: Ms. SCHAKOWSKY.
- H.R. 3887: Mr. MCGOVERN, Ms. VELAZQUEZ, Mr. UDALL of Colorado, and Ms. ROYBAL-ALLARD.
- H.R. 3895: Mr. FORBES.
- H.R. 3898: Mrs. CHRISTENSEN.
- H.R. 3899: Mr. BISHOP.
- H.R. 3915: Mrs. MORELLA.
- H.R. 3916: Mrs. MINK of Hawaii and Mr. TOWNS.
- H.R. 3932: Mr. GREENWOOD, Mr. SABO, Mr. HALL of Ohio, and Mr. DELAHUNT.
- H.R. 3961: Mr. BLAGOJEVICH.
- H.R. 3973: Mr. PAUL.
- H.R. 3976: Mr. FRANK.
- H.R. 3995: Mr. KENNEDY of Minnesota, Mr. WHITFIELD, Mrs. JOHNSON of Connecticut, Mr. UPTON, Ms. PRYCE of Ohio, and Mr. YOUNG of Alaska.
- H.R. 4000: Mr. WAMP and Mr. FARR of California.
- H.R. 4003: Mr. HINCHEY.
- H.R. 4012: Mr. RADANOVICH.
- H.R. 4017: Mr. GUTIERREZ, Mr. HINCHEY, Mr. MCGOVERN, Mr. SNYDER, Mr. WEXLER, Mr.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

FILNER, Mr. LIPINSKI, Mr. BILIRAKIS, Mr. FRANK, and Mr. GONZALEZ.  
 H.R. 4018: Ms. BALDWIN.  
 H.R. 4043: Mr. BURTON of Indiana.  
 H.R. 4055: Mr. DAN MILLER of Florida.  
 H.R. 4066: Mr. BARTLETT of Maryland, Mr. MORAN of Virginia, Mr. GREEN of Texas, Mr. OLVER, Mr. KIRK, Mr. HALL of Ohio, Mr. FILNER, and Mr. PLATTS.  
 H.R. 4071: Mr. DEUTSCH.  
 H.R. 4073: Mr. ROEMER, Mr. HYDE, Mr. LANTOS, and Mr. HOUGHTON.  
 H.R. 4078: Mr. ACEVEDO-VILA, Mr. TIBERI, and Mr. BLUMENAUER.  
 H.R. 4098: Mr. MARKEY.  
 H.R. 4099: Mr. CALLAHAN.  
 H.R. 4163: Mr. HINCHEY, Ms. CARSON of Indiana, Mr. FORD, and Mr. MCGOVERN.  
 H.R. 4209: Mrs. CAPPS, Mr. WAXMAN, Mr. SHAW, Mr. DEUTSCH, and Mr. UDALL of Colorado.  
 H.R. 4447: Mr. LOBIONDO.  
 H.R. 4448: Mr. LOBIONDO.  
 H.R. 4481: Mr. OBERSTAR, Mr. LIPINSKI, and Mr. BAKER.  
 H.R. 4483: Mr. WAMP, Mr. LINDER, Mr. GUTIERREZ, Mr. PENCE, Mr. LAMPSON, Mr. WILSON of South Carolina, Mr. ADERHOLT, Mr. MCGOVERN, Mr. BERMAN, Mr. WEINER, Mr. WEXLER, Mr. RAMSTAD, Mr. SWEENEY, and Mr. FOLEY.  
 H.R. 4496: Mr. CALLAHAN.  
 H.R. 4498: Mr. CALLAHAN.  
 H.R. 4515: Mr. OBERSTAR.  
 H.R. 4524: Ms. SCHAKOWSKY, Mr. ENGLISH, Mrs. MEEK of Florida, and Mr. MCGOVERN.  
 H.R. 4582: Mr. MCGOVERN.  
 H.R. 4584: Mr. BURR of North Carolina, Mr. WHITFIELD, and Mr. PICKERING.  
 H.R. 4585: Mr. BURR of North Carolina, Mr. WHITFIELD, and Mr. PICKERING.  
 H.R. 4592: Ms. PELOSI, Mrs. NAPOLITANO, Ms. WATSON, Mr. BERMAN, Mr. FILNER, Mr. GEORGE MILLER of California, Mrs. TAUSCHER, Mr. GALLEGLY, Ms. HARMAN, Mr. SCHIFF, Ms. ROYBAL-ALLARD, Mr. RADANOVICH, and Mr. LANTOS.  
 H.R. 4593: Mr. ISRAEL, Ms. SANCHEZ, Mr. JOHN, and Mr. SANDLIN.  
 H.R. 4600: Mrs. CAPITO, Mr. SESSIONS, Mr. PITTS, and Mr. WAMP.  
 H.R. 4608: Mr. RYUN of Kansas and Mr. MOORE.  
 H.J. Res. 40: Mr. SWEENEY.

H.J. Res. 90: Ms. SANCHEZ.  
 H. Con. Res. 238: Mr. BROWN of South Carolina.  
 H. Con. Res. 271: Mr. FERGUSON.  
 H. Con. Res. 315: Mr. JONES of North Carolina.  
 H. Con. Res. 336: Mr. GEORGE MILLER of California.  
 H. Con. Res. 345: Mr. BAIRD.  
 H. Con. Res. 350: Mr. HEFLEY and Mr. COBLE.  
 H. Con. Res. 386: Mr. EHRLICH and Mr. GUTKNECHT.  
 H. Con. Res. 389: Mr. GUTKNECHT, Mr. RAMSTAD, Ms. MCCOLLUM, Mr. SABO, Mr. LUTHER, Mr. PETERSON of Minnesota, and Mr. OBERSTAR.  
 H. Con. Res. 390: Mr. ISRAEL, Mr. GILMAN, Mr. WALSH, Mr. MCGOVERN, Mr. MEEHAN, Mr. BONIOR, and Mr. MCNULTY.  
 H. Res. 269: Mr. ISRAEL.  
 H. Res. 393: Mrs. MORELLA, Mr. ENGLISH, Mr. SHERMAN, Mr. MCGOVERN, Mr. GRUCCI, Mr. HOLDEN, Mr. CANTOR, Mr. SWEENEY, and Mr. SHAYS.  
 H. Res. 400: Mr. WELDON of Florida, Mr. GREENWOOD, Mr. CASTLE, Mr. HINCHEY, and Mr. WAXMAN.

#### DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 1950: Mr. DAVIS of Illinois.

#### AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 2871

OFFERED BY: Mr. SANDERS

AMENDMENT No. 1: At the end of the bill, add the following:

**SEC. \_\_\_\_ INFORMATION AND CERTIFICATIONS REQUIRED FROM COMPANIES SEEKING OR RECEIVING NEW ASSISTANCE.**

Section 2 of the Export-Import Bank Act of 1945 (12 U.S.C. 635) is further amended by adding at the end the following:

“(g)(1) As a condition of providing assistance to a company in connection with a transaction entered into on or after the date of the enactment of this subsection, the Bank shall require the company to submit to the Bank the following information on an annual basis:

“(A) The number of individuals employed by the company in the United States and its territories.

“(B) The number of individuals employed by the company outside the United States and its territories.

“(C) A description of the wages and benefits being provided to the employees of the company in the United States and its territories.

“(2)(A) Beginning 1 year after the Bank provides assistance to a company in connection with a transaction entered into on or after the date of the enactment of this subsection, the company shall, on an annual basis, provide the Bank with a written certification of—

“(i) the percentage of the workforce of the company employed in the United States or its territories that has been laid off or induced to resign from the company during the preceding year; and

“(ii) the percentage of the total workforce of the company that has been laid off or induced to resign from the company during the preceding year.

“(B)(i) If, in the certification provided by the company, the percentage described in subparagraph (A)(i) is greater than the percentage described in subparagraph (A)(ii), then the company shall be ineligible for further assistance from the Bank until the company provides to the Bank a new written certification in which, for the year covered by the new certification, the percentage described in subparagraph (A)(i) is not greater than the percentage described in subparagraph (A)(ii).

“(ii) If the company does not provide a certification required by subparagraph (A), or provides a false certification under this paragraph, then 60 days thereafter the Bank shall withdraw all assistance from the company, and the company shall thereafter be ineligible for assistance from the Bank.”