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House of Representatives

The House met at 10 a.m.

Bishop Neff Powell, the Episcopal Diocese of Southwestern Virginia, Roanoke, Virginia, offered the following prayer:

O God, the fountain of wisdom, whose will is good and gracious and whose law is truth, we beseech You so to guide and bless our Representatives in Congress assembled, that they may lead this Nation and enact such laws as shall please You, to the glory of Your name and the welfare of the people. Amen.

THE JOURNAL

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

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

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

The SPEAKER. The question is on the Chair's approval of the Journal.

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

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

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

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Kansas (Mr. TIAHRT) come forward and lead the House in the Pledge of Allegiance.

Mr. TIAHRT 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.

WELCOME GUEST CHAPLAIN, BISHOP FRANK NEFF POWELL

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

Mr. GOODLATTE. Mr. Speaker, I am pleased to welcome Bishop Frank Neff Powell, bishop of the Episcopal Diocese of Southwestern Virginia, and one of my constituents, who has been chosen to serve as Guest Chaplain this morning.

Bishop Powell was born in Salem, Oregon. He was baptized at Saint Paul's Episcopal Church in Salem, Oregon, in 1948. Growing up in Salem he met his future wife, Dorothy Houck. He attended Claremont Men's College, in Claremont, California, graduating with a degree in history in 1970. During college, he was active at Christ Church Parish, Ontario, California.

Immediately following graduation, he married Dorothy and enrolled in the Episcopal Theological School in Cambridge, Massachusetts. While there, he completed his field education at Church of our Savior in Milford, New Hampshire, and at St. Dunstan's in Ellsworth, Maine, graduating in 1973.

Bishop Powell began his ordained ministry as the curate at Trinity Parish in his home State of Oregon before being appointed vicar at Saint Bede's, Forest Grove, in 1975. These were fruitful years for the Powell family, marked by the birth of their three children, Charles Neff, Dorothy Louise, and Robert Bingham.

Bishop Powell was called to the diocese of New York in 1983 to serve as archdeacon and deputy for program, with a special emphasis on Christian education, stewardship, and small churches. He helped to develop the Carolinas and Virginia Small Church Leadership Training Program.

In 1991, he was called back to Oregon to serve as executive assistant to the bishop of Oregon. Most recently, on June 22, 1996, he was elected the fifth bishop of Southwestern Virginia. He is presently an associate of the Society of Saint John the Evangelist, a member of the Council of Associated Parishes for Liturgy and Mission, and a fellow of the College of Preachers. In addition, he was appointed to the Church Deployment Board of the National Episcopal Church in 1997.

Bishop Powell's life has been marked by continual service and dedication to the Episcopal Church and to the dictates of his personal faith. It is a distinct pleasure to welcome him to Washington today to open the United States House of Representatives in prayer, one of the finer traditions of this institution in which we humbly seek divine guidance and wisdom for the difficult tasks before us.

Mr. Speaker, I am pleased to welcome Bishop Frank Neff Powell, Bishop of Southwestern Virginia and one of my constituents, who has been chosen to serve as guest chaplain this morning.

Bishop Powell was born December 28, 1947, in Salem, OR. He was baptized at St. Paul's Episcopal church, in Salem, OR, on November 28, 1948.

Growing up in Salem he met his future wife, Dorothy Houck, in the church youth group. He attended Claremont Men's College, in Claremont, CA, graduating with a degree in history in 1970. During college, he was active at Christ Church Parish, Ontario, CA, and in the Episcopal students group.

Immediately following graduation, he married Dorothy, and enrolled in the Episcopal Theological School, in Cambridge, MA. While there he completed his field education at church of our savior in Milford, NH, and at St. Dunstan's in Ellsworth, ME, graduating in 1973.

Powell began his ordained ministry as the curate at trinity parish in his home state of Oregon, before being appointed vicar of St. Bede's forest grove, in 1975. While at St.

Printed on recycled paper.

Bede's the liturgy was redesigned, Christian education expanded, the congregation began to actively engage the community, and a new church was built. These were fruitful years for the Powell family as well, marked by the birth of their three children, Charles Neff, Dorothy Louise, and Robert Bingham.

Bishop Powell was called to the diocese of North Carolina in 1983 to serve as archdeacon and deputy for program, with a special emphasis on Christian education, stewardship, and small churches. He helped to develop the Carolinas and Virginia small church leadership training program.

In 1991, he was called back to Oregon to serve as executive assistant to the bishop of Oregon, attending to administration, vocations, deployment, and secretary of convention and council.

Most recently, on June 22, 1996, he was elected the fifth bishop of southwestern Virginia during a special council held at St. John's church, in Roanoke. He was ordained and consecrated at Burris auditorium on the campus of Virginia tech, later that year.

He is presently an associate of the society of St. John the evangelist, a member of the council of associated parishes for liturgy and mission, and a fellow of the college of preachers. In addition, he was appointed to the church deployment board of the national Episcopal Church in 1997.

Bishop Neff's life has been marked by continual service and dedication to the Episcopal Church and to the dictates of his personal faith. It is a distinct pleasure to welcome him to Washington today to open the United States House of Representatives in prayer, one of the finer traditions of this institution in which we humbly seek divine guidance and wisdom for the difficult tasks before us.

JOURNAL

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

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

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

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

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 363, nays 40, answered ''present'' 2, not voting 29, as follows:

[Roll No. 209]

YEAS—363

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

NAYS—40

Baldwin
Borski
Brady (PA)
Capuano
Costello
Crane
Cummings
DeFazio
English
Fattah
Filner
Fletcher
Gutknecht
Hart
Hefley
Kennedy (MN)
Kucinich
Larsen (WA)
Latham
LoBiondo
Matheson
McDermott
McGovern
Menendez
Obey
Olver
Peterson (MN)
Ramstad
Sabo
Schaffer
Stark
Strickland
Taylor (MS)
Thompson (CA)
Udall (CO)
Visclosky
Waters
Watts (OK)
Weller
Wu

ANSWERED ''PRESENT''—2

Lipinski
Tancredo

NOT VOTING—29

Bachus
Ballenger
Blagojevich
Bonilla
Callahan
Deal
Ganske
Gephardt
Gilchrest
Gutierrez
Hall (OH)
Herger
Hilliard
Hinchey
Hunter
Larson (CT)
Miller, Dan
Murtha
Peterson (PA)
Riley
Roukema
Rush
Sanchez
Saxton
Slaughter
Thompson (MS)
Traficant
Weldon (PA)
Young (AK)

□ 1027

So the Journal was approved.

The result of the vote was announced as above recorded.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. Pursuant to House Resolution 378, this time has been designated for the taking of the official photo of the House of Representatives in session. The House will be in a brief recess while the Chamber is being prepared for the photo.

As soon as these preparations are complete, the House will immediately resume its actual session for the taking of the photograph. About 5 minutes after that, the House will proceed with the business of the House. One-minutes will be taken when the House reconvenes for business following the taking of the official photo.

For the information of the Members, when the Chair says, the House will be in order, we are ready to take our picture. That will be in just a few minutes.

RECESS

The SPEAKER. Pursuant to clause 12 of rule I, the Chair declares the House in recess while the Chamber is being prepared.

Accordingly (at 10 o'clock and 30 minutes a.m.), the House stood in recess subject to the call of the Chair.

□ 1031

AFTER RECESS

The recess having expired, the House was called to order at 10 o'clock and 31 minutes a.m.

(Thereupon, the Members sat for the official photograph of the House of Representatives for the 107th Congress.)

RECESS

The SPEAKER. Pursuant to clause 12 of rule I, the Chair declares the House in recess until approximately 10:45 a.m. today.

Accordingly (at 10 o'clock and 34 minutes a.m.), the House stood in recess until approximately 10:45 a.m.

□ 1045

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mrs. EMERSON) at 10 o'clock and 45 minutes a.m.

PERSONAL EXPLANATION

Mr. CROWLEY. Madam Speaker, on Thursday, May 23, 2002, and Friday May 24, 2002, I was absent for several rollcall votes. Had I been here, I would like the RECORD to reflect that I would have voted ''yes'' on rollcall vote 199, ''yes'' on rollcall vote 200, ''yes'' on rollcall vote 201, ''yes'' on rollcall vote 202, ''no'' on rollcall vote 203, ''no'' on rollcall vote 204, ''yes'' on rollcall vote 205 and ''yes'' on rollcall vote 206.

FINISH INS REFORM LEGISLATION

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

Mr. FOLEY. Madam Speaker, in the last several days, there has been a lot of finger pointing and accusations about our agencies, the FBI and CIA. There is no question, we will do a thorough and complete review of what was known and what could have been done to thwart the terrorists on September 11. But the kind of cynical sniping at these fine agencies has to stop.

Our collective resolve against terrorism must remain united. We must stand beside our President and our leaders in order to extradite and remove these terrorists from our soil.

I strongly support major restructuring of the INS. We have passed a bill in this Chamber and sent it to the other end of the hall. That bill languishes on the Senate desk, and I urge the majority leader to start proceedings to hold a hearing or at least have a vote on that bill.

This past week in New York City, four Syrians arrested who had deportation orders against them, were released because they were not available to process them on Memorial Day. What a tragedy, that these criminals were in our country and were not sent back to their own native country. They had the orders. They should have been deported.

I urge the Senate to adopt the INS reform bill and do so urgently.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind Members that they should not urge the other body to take any actions.

PROVIDING CRITICAL INFORMATION TO PREVENT ABDUCTIONS

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

Mr. LAMPSON. Madam Speaker, I generally give my 1-minutes each day on the issue of missing children, whether it is to talk about Ludwig Koonz, who has been abducted by his noncustodial mother to Italy, or whether it is talk about the Missing Children's Day, which we observed only a couple of weeks ago.

During that time, there was a survey that was done, it was done by the National Center for Missing and Exploited Children and ADVO, and it showed that many parents lack information critical to recovering children who have been abducted. The survey results show that many parents are missing opportunities to help prevent abductions.

Law enforcement tells us that information such as height, weight, eye color, and a recent photograph are critically important when searching for a child. However, the survey shows that 22 percent of parents do not know the height, weight, and eye color for all of their children; and in the event of an emergency, it is critical for parents to have readily available their child's accurate physical description and a recent photograph so that law enforcement can act immediately and effectively.

So, parents, take the time to get a good portrait ID-type photograph of each child, not just a low-quality snapshot. Parents need to take the responsibility of knowing about their children and being able and ready to respond in the event that something terrible happens such as that. Let us work to take care of our children.

DEATH TAX AND FARMERS

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

Mr. PITTS. Madam Speaker, in my district in Pennsylvania we have some of the most productive farmland in America. In fact, it is known as the ''Garden Spot'' of America. Many of these farms have been in the same family for generations. A few of them date back to William Penn.

But these farms are in trouble. Taxes on the land are simply too high. Part of the problem lies right here in Washington. The estate tax, what some of us like to call the ''death tax,'' takes as much as 60 percent of the farm's value when it passes from one generation to the next. Many times families have to sell half of the farm just to pay the death tax. That is not right.

Last year we voted to repeal the death tax; but unless we vote to get rid of it permanently, it will come back in 10 years.

Let us vote to kill the death tax for good and help Pennsylvania's and America's family farmers and small businesses stay in business.

CREATING A MEDICARE PRESCRIPTION DRUG BENEFIT

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

Mr. GREEN of Texas. Madam Speaker, I rise today to talk about the pressing need to create a prescription drug benefit under Medicare.

For almost a decade, Congress has been talking about a Medicare prescription drug benefit, and every time this issue comes up, excuses are made that it is just too expensive and we cannot afford it. Meanwhile, seniors are struggling every day to find ways to afford their life-saving medicines. They pay some of the highest prices in the world for their prescriptions; but because Medicare lacks a prescription drug benefit, 40 percent of the seniors pay for their prescriptions entirely out of pocket.

Last year, the Congressional Budget Office was projecting surpluses well into the next decade. We had the opportunity to do something about this. But instead of using the surpluses to create a Medicare drug benefit, we passed a bloated tax cut that eroded these surpluses and sent us back into an era of deficit spending.

This week we are going to take another vote to further extend these tax cuts. We have deficits as far as the eye can see, but the majority wants to dig that hole even deeper and pass tax cuts that will cost almost $1 trillion over 10 years and will benefit less than 2 percent of the American people. Yet we tell seniors we cannot afford a prescription drug benefit.

COMMENDING SUNSET OF OUR MEMORIES EXHIBIT

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

Ms. ROS-LEHTINEN. Madam Speaker, today I recognize the students of Sunset High School's Holocaust Studies class and their instructor, Mr. Irv Madnikoff. Their hard work and dedication in remembering the Holocaust

through their class's exhibit ''Sunset of Our Memories'' should be commended.

This amazing class is one of its kind in Florida and has brought to our community this important presentation so that we can always remember the brave victims of the most deplorable time in the world's history. Over the past 3 years, 9,000 people have visited Sunset High School's interactive exhibit. One visitor commented that it was the best exhibit, next to the one in Washington, D.C., that he had ever seen.

I again want to express my sincere gratitude to Mr. Irv Madnikoff and his students at Miami's Sunset High School for taking an active role in keeping alive the memories of innocent Holocaust casualties.

CONDEMNING TERRORIST MURDERS IN ISRAEL

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

Mr. LANTOS. Madam Speaker, while America slept, another suicide bomber hit in Israel. Sixteen innocent people were killed, over 50 people were wounded, many of them critically. Our population is 50 times that of Israel. On a comparable scale, this would be like reading in our morning paper that 800 American citizens were massacred overnight, with some 2,500 wounded, many critically.

In his speech at West Point, the President clearly stated, ''The only way to deal with terrorists is by preemptive action.'' We will have to do this wherever terrorists are planning to hit us, and the Israelis have to do it to protect their own citizens. This pattern of murder must come to an end.

ELIMINATING THE UNFAIR DEATH TAX

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

Mr. REHBERG. Madam Speaker, 2 decades ago Ronald Reagan reminded America that government does not tax to get money it needs, but will always find a need for the money it gets.

The death tax is an unfair burden designed to punish families that work to leave a better future for the next generation, and it is a tax the government can do without. Despite the class warfare being waged by some in this Chamber, eliminating the estate tax is not a tax cut for the rich; it is a desperately needed reform to save thousands of family businesses, farms and homes.

Madam Speaker, death should not be a taxable event. I urge my colleagues to abandon the gains of class warfare and send the Grim Reaper home empty handed this year by eliminating the death tax.

PROVIDING A FAIR PRESCRIPTION DRUG PLAN FOR SENIORS

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

Mr. STUPAK. Madam Speaker, the Bush administration wants to give seniors a prescription drug card that may save you 15 percent on your prescription drugs. ''May save you.''

Prescription drug charges are manipulated by the pharmaceutical companies. Take a look at this chart here in my district. When they bought their drugs with their card, they saved 12 cents. They advertised 30 to 40 percent savings, but actually saved 12 cents. When they came down here to buy their Combivent and their Diltiazem, if you take a look at it, with their card, they paid $81.43. The cash price was $47.49. There was no savings. The actual out-of-pocket increase was $33.94. The drug companies manipulate these prices with or without a card.

The Democrats have a real plan. We believe every senior should have a prescription drug plan covered underneath Medicare and lower prices of the prescription drugs that we all need and use. So I would urge this body to reject any of the other plans that provide a card which is manipulated by the pharmaceutical companies and actually costs us money.

CONGRATULATING THE U.S. MEN'S SOCCER TEAM

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

Mr. WALSH. Madam Speaker, early this morning while most Americans were sound asleep, about 1 billion people from all over the globe, myself included, watched a group of talented young American athletes do something truly remarkable.

Against all odds, the U.S. Men's Soccer Team defeated Portugal in the first game of the 2002 World Cup. The Portuguese were one of the favorites to win the World Cup outright, but our team prevailed 3 to 2. And it was no fluke. We took them apart in the first half with slashing attacks, and wore them down with tough defense in the second half. It was a balanced effort with everyone contributing under Coach Bruce Arena's guidance.

The win gave the U.S. the opportunity to move into the quarter finals, but they have more work to do. They play the host team Korea and then Poland, with the two best teams from the group moving on.

These young men have already exceeded expectations. They are off to the best start for any American team in history. Please tune in. Set the alarm clock for an early rise, brew some strong coffee and enjoy a great spectacle. They deserve our support.

SALUTING THE CITY OF CLEVELAND ON NEW SCHOOL

(Mrs. JONES of Ohio asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. JONES of Ohio. Madam Speaker, this morning I rise to salute the city of Cleveland; the CEO of the Cleveland Municipal School District, Barbara Byrd-Bennett; former mayor, Michael White; current mayor, Jane Campbell, because yesterday we broke ground on the first brand new school in the city of Cleveland in more than 20 years, AJ Rickoff Elementary School.

□ 1100

It will not only be a school center, but it will also have a library, and hopefully opportunities for parents to train from CCC College or Kiowa Community College.

It is just a wonderful thing, after Issue 14 passed last year, that we were able to break ground on a new school. We anticipate that we will build more than 40 new schools in the city of Cleveland over the next 5 years. Here is for education, here is for the Cleveland Board of Education, the Cleveland School Board, and here is for the children of the city of Cleveland.

I am thankful for the opportunity to be supportive. Let us build more schools.

OPPOSING RESURRECTION OF THE DEATH TAX

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

Mr. RYUN of Kansas. Madam Speaker, I rise today to speak out against resurrecting the death tax. This tax allows the Federal Government to take up to 55 percent of the assets of an individual or small business when the owner dies, and this simply is not fair. These people have already paid taxes on everything they own. The death tax is simply a double taxation at the rate of nearly 50 percent higher than the highest income tax.

Countless farmers and small business owners in Kansas have urged me to do all I can to end this unfair tax. Who can blame them for wanting to leave their hard-earned businesses to their children?

I am proud that last year we voted to phase out the death tax, but this will become a hollow victory if a Senate provision allowing the death tax to be resurrected at the end of 7 years is allowed to stand. I am forced to tell my farmers and small businessmen that the death tax will not affect them, but only if they die in the year 2010.

Death should not be a taxable event. Let us finish what we started and kill the death tax once and for all.

PRESCRIPTION DRUGS

(Mr. RODRIGUEZ asked and was given permission to address the House

for 1 minute and to revise and extend his remarks.)

Mr. RODRIGUEZ. Madam Speaker, today I rise once again to ask for us to look at the prescription drug plan that would provide our seniors with immediate relief. As prices continue to soar out of control, our seniors struggle on fixed incomes. They struggle to pay for their blood pressure prescriptions, they struggle to pay for their anti-inflammatory medication that costs over $1,800 a year.

Our seniors deserve better. They deserve to live their lives in dignity and without anxiety over whether they can eat or pay for their medication, or whether they can turn their heaters on or their air conditioners on. It is with great frustration that I continue to ask the Republicans to do the right thing, but they continue to push a limited plan that will not work. It will leave too many seniors behind.

Madam Speaker, it is time for us to bring a real prescription drug plan to the floor, one that is voluntary, one that is universal, one where every senior would have access, no matter where they live or what they do. Let us do the right thing and respond to our seniors.

CONGRATULATIONS TO THE U.S. SOCCER TEAM

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

Mr. DREIER. Madam Speaker, I would like to join my colleague, the gentleman from New York (Mr. WALSH), in extending congratulations to the U.S. Soccer Team.

Clearly, the greatest upset of the World Cup tournament has been this win of the U.S. team over Portugal. Coach Arena was extraordinarily bold in putting two great 20-year-olds in to ensure that they would have the chance to play a role in leading this team to victory.

Landon Donovan and DaMarcus Beasley are two new players who are obviously fighting very, very hard on behalf of the United States. As we head into the quarter finals, as the gentleman from New York (Mr. WALSH) said, there are a billion people around the world who are following the World Cup, and I hope very much that more Americans are among them as we see a spectacular U.S. victory.

MIRANDA GADDIS AND ASHLEY POND FROM OREGON ARE STILL MISSING

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

Ms. HOOLEY of Oregon. Madam Speaker, on June 3 People Magazine featured two young women. I come before this House again today to alert those who may be watching in Oregon and across the Nation to the tragic plight of two young teenagers from my district.

Miranda Gaddis and Ashley Pond, both 13 years of age, students at Gardiner Middle School in Oregon City and teammates on the school dance team, have been missing now for almost 3 months and 5 months. Ashley disappeared January 9; Miranda, March 8. Oregon City was shocked by the abduction of Ashley in January, and paid extra attention to keeping their children safe. Two months later and with their guard still up, the unthinkable happened and Miranda disappeared.

Both Ashley and Miranda were last seen by their mothers early in the morning as they left their homes at the Newell Village Creek apartments to catch the school bus. The FBI has confirmed that the disappearances appear to be related and that foul play is likely to be involved.

If Members have any information regarding Ashley or Miranda's whereabouts, I ask them to please contact their local FBI office. Let us not forget about our children. Let us not give up hope about our missing children.

PRESCRIPTION DRUG COVERAGE

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

Mr. BACA. Madam Speaker, I stand in support of a comprehensive prescription drug plan. We need to do something for our seniors. Seniors are the ones that made our country great, and too often we forget their contribution and what they have done.

We have a responsibility. Today many of them are faced with a crisis, and I say with a crisis, because now they have to pay an abundance of dollars on a fixed income. It becomes so difficult for our seniors to put food on the table when they have to decide what to do: ''Do I pay for medication that will relieve the pain and agony that I have?''

Some of these seniors have 15 to 30 prescription drugs that they have to pay for. It is too high. It has gotten ridiculous. This is not about profit, this is about taking care of the American people. This is about taking care of our seniors. We need to make sure that we come up with a comprehensive medical plan that covers them. We owe it to our seniors and we owe it to Americans, we owe it to this country.

I say, let us get behind a good, comprehensive plan that covers our seniors. They have suffered enough. Let us help them.

CONFERENCE REPORT ON S. 1372, EXPORT-IMPORT BANK REAUTHORIZATION ACT OF 2002

Mrs. MYRICK. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 433 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 433

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (S. 1372) to reauthorize the Export-Import Bank of the United States. All points of order against the conference report and against its consideration are waived.

The SPEAKER pro tempore (Mrs. EMERSON). The gentlewoman from North Carolina (Mrs. MYRICK) is recognized for 1 hour.

Mrs. MYRICK. Madam Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from Texas (Mr. FROST), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for purposes of debate only.

Madam Speaker, yesterday the Committee on Rules met and granted a normal conference report rule for the Senate bill, S. 1372, the Export-Import Bank Reauthorization Act of 2002. The rule waives all points of order against the conference report and against its consideration.

In addition, the rule provides for 1 hour of debate, equally divided and controlled between the chairman and ranking minority member of the Committee on Financial Services.

Madam Speaker, this should not be a controversial rule. It is the type of rule we grant every time for every conference report we consider in this House. The conference report itself is a strong step forward to help American manufacturers, American workers, and the American economy.

Madam Speaker, the Export-Import Bank Reauthorization Act of 2002 reauthorizes the bank for 4 years. The Ex-Im Bank plays a key role of promoting U.S. exports overseas and levelling the playing field of international trade, which is especially important to my area in North Carolina. The bank is an important tool for American manufacturers, enabling them to reach markets in which they would otherwise be closed out.

By reauthorizing the Ex-Im Bank, we demonstrate our commitment to promoting U.S. goods throughout the world and the U.S. economy at home. It has important provisions that encourage small business transactions by increasing the small business mandate for Ex-Im from the current statutory minimum of 10 percent to a minimum of 20 percent of total Ex-Im financing, and that will help small business. It gives them a bigger share of the pie.

It also requires Ex-Im to conduct outreach and increase loans to socially-disadvantaged individuals, our women, and to businesses which employ fewer than 100 employees; again, a big help, especially when so many corporations and small businesses in our country are starting to do more export.

That is especially true in my area. We have a lot of small businesses that are exporting in the last couple of years North Carolina products that had never done that before, so we are always looking for ways to encourage that.

S. 1372 also contains strong provisions relating to the U.S. trade laws that will ensure Ex-Im does not contribute to the overcapacity or dumping of goods on U.S. markets. Again, that is an area that we have had a lot of problems with, with steel and with textiles, which is very, very important in my area of North Carolina, in South Carolina, and some of the other southern States.

I want to commend my colleague, the gentleman from Pennsylvania (Mr. TOOMEY), for his leadership in crafting this important provision.

Finally, I am pleased that this legislation requires that the bank, when considering whether to guarantee, ensure, or extend credit, will take into account the extent to which a nation has been helpful or not in efforts to eradicate terrorism. We must stop the flow of money from going to countries which support terrorism, and specifically those identified by the President as comprising the axis of evil.

To that end, I urge my colleagues to support this rule and to support the commonsense legislation it underlies.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, I am pleased this conference report is on the floor today. It has strong bipartisan support, and I expect that it will pass overwhelmingly.

Since 1934, the Export-Import Bank has played a vital role in creating and sustaining millions of high-paying American jobs by supporting more than $400 billion in U.S. exports. As American business and jobs have become more dependent on trade over the years, the importance of the Ex-Im Bank has only increased.

In today's world of global trade, the Export-Import Bank serves as an indispensable lender of last resort, filling financial gaps that would otherwise hurt many American businesses and their employees. Perhaps most importantly, the bank levels the playing field for many U.S. companies, allowing them to compete with foreign companies that have significant support from their own governments.

But Ex-Im Bank financing does more than support jobs at exporting companies. It helps sustain and create jobs at tens of thousands of U.S. suppliers around the country who participate indirectly in Export-Import Bank-financed exports. These indirect exporters, many of which are small businesses, supply components, services, and technology to U.S. exporters of a wide range of products and services as diverse as environmental technology, construction and agricultural equipment, amusement park rides, aircraft, furniture, and computer and telecommunications technology.

Export-Import Bank financing has a ripple effect. It sustains jobs at companies large and small throughout the U.S. economy in almost every State and the great majority of congressional districts. Moreover, the bank makes good, sound investments for America. In fiscal year 2000, for example, the Ex-Im Bank used $759 million as leverage to support more than $15.5 billion in U.S. exporters. That has a tremendous bang for the buck.

In my north Texas district, where tens of thousands of jobs are directly dependent on exporting quality American products, we have seen firsthand just how important the Ex-Im Bank is to America's economy. For all these reasons, I am pleased that this conference report reauthorizes the bank for 5 years. That will provide U.S. companies and their workers with the certainty they need.

I urge the passage of this rule and of the underlying conference report.

Madam Speaker, I reserve the balance of my time.

Mrs. MYRICK. Madam Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. MANZULLO).

Mr. MANZULLO. Madam Speaker, I want to congratulate the conferees, particularly my subcommittee chairman and friend, the gentleman from Nebraska (Mr. BEREUTER), for coming up with a good bill that will support our Nation's small manufacturing exporters.

Ex-Im is one of the few government programs that actually serves small businesses. Last year, 90 percent of Ex-Im's transactions and 18 percent of the dollar volume went to small exporters. As chairman of the Committee on Small Business, I am proud of what the conferees have done to further enhance exports from small firms. Many of our markets are saturated in this country. Ninety-six percent of the world's consumers live outside the U.S. This conference report recognizes this reality by helping provide small business exporters access to these tough but critical markets.

The conference report agreed with the House to double Ex-Im's set-aside for small businesses from 10 percent to 20 percent. This conference report directs more of Ex-Im's resources to small business outreach, including the very small businesses, those employing 100 workers or less, and women and minority-owned firms.

Finally, this conference report focuses on the importance of technology for small businesses, and directs Ex-Im to put out more of its applications process online and track its documents electronically to speed up its work.

This 5-year reauthorization bill is one piece of the puzzle to help manufacturers in the district I am proud to represent recover from the economic downturn. We are suffering immensely with an unemployment rate higher than the national average. Manufacturing has lost over 2 million jobs in the past 3 years, and northern Illinois has not been immune.

Compounding an already weak economy is the high value of the American dollar, stiff foreign competition, high prices for steel, and tightening of credit, particularly for export finance. This conference report provides one tool to help offset the effect of the difficulty of obtaining trade finance for small business exporters.

Madam Speaker, I urge my colleagues to support this conference report. It will help ensure that quality and price, not the lack of adequate export financing, is the key for a small business exporter to win a sale abroad.

□ 1115

Mr. FROST. Madam Speaker, I yield 8 minutes to the gentleman from Vermont (Mr. SANDERS).

Mr. SANDERS. Madam Speaker, I rise in very strong opposition to the Export-Import Bank, and I do that as the ranking member of the Subcommittee on International Monetary Policy and Trade.

Madam Speaker, there is growing anger and frustration in this country at the increasing greed and illegal activities in corporate America. The American people are sick and tired of CEO salaries in the tens of millions of dollars, in the hundreds of millions of dollars that are now on average 500 times greater than what the average American worker receives. The American people and workers are sick and tired of CEOs slashing pension programs and health benefits for their retirees while corporate profits are soaring. The workers of this country are sick and tired of corporate America shutting down American plants, throwing American workers out of the street and taking our jobs to China, to Mexico where desperate people are forced to work for 20 cents an hour.

The American people are sick and tired of accounting gimmicks that cheat investors and employees. They are tired of CEOs setting up phony post office box companies in Bermuda so while the middle class pays more and more in taxes, CEOs and their corporations avoid their responsibilities in terms of taxes. And basically the American people are tired of corporate welfare. We are going to hear a whole lot in this body about making poor people responsible when it comes to corporate welfare. What about the CEOs and the major multinational corporations who get tens and tens of billions of dollars from the working families of this country? Some of my colleagues are going to tell us Export-Import Bank creates jobs, it does some good. Sure, it does. We give them a billion dollars a year, and we put at risk through loan guarantees some $15 billion a year; and if one sat out on a street corner and one gave away a billion dollars a year, he would also do some good.

But the issue is are we getting value for the amount of money that we are spending, and the answer is obviously no. Madam Speaker, the outrage of the Export-Import Bank is that we are giving billions of dollars to the major job cutters in America. Yes, that is true.

The largest corporations who come into Export-Import to get their corporate welfare laugh all the way to the bank because these are precisely the people who lay off American workers and then say, thank you, workers, for subsidizing our efforts.

Let us look at these desperate companies that are getting the corporate welfare from Export-Import. It is Boeing, General Electric, Caterpillar, Mobil Oil, certainly in need of taxpayer support, Westinghouse, AT&T, Motorola, Lucent Technologies, IBM, Enron. Enron getting helped from Export-Import. The irony here is that not only should the taxpayers of this country not be supporting profitable multinational corporations but the irony is we give them money and they say thanks, we are moving to China, we are moving to Mexico. General Electric, a major recipient of export import, we give them a lot of money. What is the result? From 1975 to 1995, GE reduced its workforce from 667,000 American workers to 398,000. Boeing, the same thing, huge job layoffs.

Jack Welch, interestingly enough, the former CEO of GE, when he gets on the welfare line he said, ''Ideally what you would have is to put every company on a barge.'' In other words, what he says is thank you for the money; but we are going to go anyplace in the world where we can get cheap labor.

In addition to its being corporate welfare, in addition to our, through Ex-Im, giving money to companies who have contempt for American workers, what also must be understood is that Export-Import is part of a failed trade policy. The United States trade deficit was $346 billion in 2001, and the trade deficit in goods was $426 billion. Let us wake up and understand that the permanent normalized trade relations with China is a failure. Yes, we gained some export jobs; but we are losing far, far more in terms of jobs being lost because companies have taken our jobs to China.

Over the past 4 years we have lost a total of 2 million factory jobs, representing 10 percent of our manufacturing workforce.

So the point here is Export-Import is part and parcel of a failed trade policy. Whether it is the most favored nation status with China, permanent normalized trade relations with China, NAFTA, that policy is failing. And it is time that we say we cannot continue to hemorrhage American jobs. Let me repeat. Under this great trade policy which Republican leaders talk about, some Democratic leaders talk about, corporate America and editorial boards say it is great; if it is so great, why between 1994 and 2000 have more than 3 million decent-paying manufacturing jobs been lost?

In 2001, the manufacturing sector lost 1.3 million jobs. In my own State of Vermont, a small rural State, small plant after small plant after small plant is closing down because they cannot compete against imports coming in from China where workers are being paid 20 or 25 cents an hour. And it is time that this body finally said enough is enough. Yes, we get millions and millions of dollars from corporate America for our campaigns; yes, that is great that they come to $25,000-a-plate fund-raising dinners. But what about the workers in rural Vermont, in California, in Illinois, in Ohio, who have lost their jobs? Maybe somebody should stand up for them. What about the high school graduates who used to be able to go out in the workforce and get a manufacturing job and make a living wage who today flip hamburgers at Burger King or McDonald's. Maybe they need a decent job even if they cannot contribute huge sums of money to this institution in terms of campaign contributions.

Our trade policy is a failure. Ex-Im is part of that trade policy. Let us defeat it for that reason. Let us end corporate welfare. Where are all of my conservative friends who want a balanced budget? Do you really want to give a billion dollars a year to some of the largest, most profitable corporations in America?

There are many reasons to defeat Ex-Im, but it is time that we stood up for the American taxpayer. It is time we stood up for the American worker. And it is time we told corporate America get off the welfare train. Start respecting American workers. Start respecting the United States of America. Do not sell our country out. Do not sell our workers out. Let us defeat Ex-Im.

Mrs. MYRICK. Madam Speaker, I yield such time as he may consume to the gentleman from Nebraska (Mr. BEREUTER). He is the chair of the Subcommittee on International Monetary Policy and Trade of the Committee on Financial Services.

Mr. BEREUTER. Madam Speaker, this Member rises today in support of H. Res. 433, the rule under which the conference report of the Export-Import Bank or Ex-Im Bank Reauthorization Act of 2001, S. 1372, will be considered.

As is customary for conference reports under this privileged rule, there will be an hour of debate divided between the majority and minority with no amendments being made in order, of course.

As the chairman of the House Subcommittee on International Monetary Policy and Trade of the Committee on Financial Services, which has jurisdiction over this effort, the Member, of course, has a special interest in the Ex-Im Bank legislation. And, therefore, this Member would like to thank the distinguished gentleman from California (Mr. DREIER), the chairman of the House Committee on Rules; the distinguished gentleman from Texas (Mr. FROST), the ranking member of the House Committee on Rules; and the gentlewoman from North Carolina (Mrs. MYRICK), who is managing the time on our side of the aisle, for their efforts in bringing this rule before the House floor. In addition, I want to thank the distinguished gentleman from Ohio (Mr. OXLEY), the chairman of the House Committee on Financial Services, for his leadership on the Ex-Im issues, and the distinguished gentleman from New York (Mr. LAFALCE), the ranking member of the House Committee on Financial Services, and the distinguished gentleman from Vermont (Mr. SANDERS), who he and I worked together on this legislation in compatible fashion, for their efforts on the reauthorization of the Export-Import Bank.

In contrast to what we have just heard, this is legislation which actually creates jobs in America, a great number of jobs.

The Ex-Im Bank is an independent U.S. Government agency that creates and sustains American jobs by providing direct loans to buyers of U.S. exports, guarantees to commercial loans to buyers of U.S. products and insurance products which greatly benefit short-term small business sales. So we are talking about American exports going abroad, things that are produced here by our American workers or farmers.

The Ex-Im Bank finances exports such as civilian aircraft, electronics, engineering services, vehicles, agricultural products; and the list is just as broad as you can possibly imagine.

To illustrate the importance of the Ex-Im Bank, in fiscal year 2000 the bank supported over $15.5 billion in U.S. exports through an appropriation of $759 million. It is important, however, to remember that the loans and loan guarantees that the bank issues, the transactions, are risk-based costs and insurance fees, so no Export-Import Bank is charging for the money loaned or loans guaranteed. And in almost every year in its 60-year existence, Ex-Im has produced a net profit for the Treasury over the appropriations given. Last year that net profit was over $1 billion.

Madam Speaker, in the past 60 years, the Ex-Im Bank has supported more than $300 billion in U.S. exports. Of course the Export-Import Bank is only intended to be a lender of last resort and not intended to compete with private lenders. Therefore, only about 2 percent of our exports use Ex-Im Bank transactions. For example, the Ex-Im Bank supports U.S. exporters in risky markets, and private financial institutions sometimes are unwilling or unable to do that. Yet the net default rate is less than 2 percent.

In fact, over the last 20 years, the Ex-Im Bank has an average loan default rate, as I said, of less than 2 percent of its total authorization. This bank was last reauthorized in 1997 for a 4-year period that initially expired on September 30. By extension, it will now expire on June 14 of this year. And the legislation which will be brought to this floor under the rule will be for a 5-year reauthorization.

When drafting the Export-Import Bank, the Member utilized the suggestions and recommendations of the distinguished chairman of the full committee and the ranking members of the committee and subcommittee and those of other members of the committee. We had a very democratic process in the subcommittee which extended into the committee deliberations. And many items in this important reform legislation, in many respects, came from the Members on both sides of the aisle.

Madam Speaker, on May 1, we passed this House legislation by voice vote; but we are now at the point where we are prepared to take up the conference report. After a conference of only about 4½ hours, we reached numerous important decisions to bring the Congress this conference report. Importantly, we also clarified and resolved the dispute between the Export-Import Bank and the Treasury Department. I have every indication that the President will sign this legislation, and I thank the Committee on Rules and the House leadership for bringing this important legislation to the floor today.

Mr. FROST. Madam Speaker, I yield 3 minutes to the gentlewoman from Oregon (Ms. HOOLEY).

Ms. HOOLEY of Oregon. Madam Speaker, foreign trade has long been a critical component of our economy. So long, in fact, that it predates the founding of our Nation. And despite the ups and downs of the local global market, there is absolutely no doubt that the American economy is dependent on trade. Yes, we import far more goods than any other nation; and, yes, we have a trade deficit. I do not like it. No one likes it. But the only way to remedy it is to enhance our export sector. But when we examine the trade deficit, let us remember that we already export more goods and services than any other nation.

Those exports represent 10 percent of the United States' GDP; and they support 12 million jobs, including one in five manufacturing jobs. They are not all huge multinational conglomerates like a General Motors. The overwhelming majority, 97 percent, are small- and medium-sized businesses. In Oregon, these businesses and family farms are the backbone of our economy. They provide good paying and rewarding jobs, and it is my goal to make sure that there are a lot more of them.

If there is a company that wants to sell its goods to a new market, particularly one that poses some degree of risk as well as profitability, then all too often the only financing for them is from the Export-Import Bank.

□ 1130

Furthermore, Ex-Im financing does more than support jobs at exporting companies. It creates an enormous ripple effect in the supply chain.

For many companies that export, tens of thousands of U.S. suppliers around the country are indirect exporters, many of which are small businesses, supply component services and technology providers.

Madam Speaker, the evidence is clear. Overseas sales are no longer optional for most U.S. companies. To compete and succeed, they must play on a global stage, and Ex-Im Bank can provide the U.S. companies with the financing tools they need to accomplish this.

While not perfect, it is the best tool for the job at hand, and I ask my colleagues to support the conference agreement.

Mrs. MYRICK. Madam Speaker, I reserve the balance of my time.

Mr. FROST. Madam Speaker, I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Madam Speaker, I thank the distinguished gentleman from Texas (Mr. FROST) for yielding me the time. I thank the proponents of this legislation and those who have brought this compromise or conference report to the floor, I thank them for their work.

Madam Speaker, the business of America is creating jobs and it is business, and frankly I think it is realistic to understand the global markets that we now live in. When we think of countries like Germany and France and England, there is a large proponent or a large part of their economic framework that is supported by the government, companies owned by the particular nation, giving them the upper hand. That is the global market or the global business world of which many of our companies compete with.

Although I may have some concerns about the whole issue of trade without regulation, I believe the Export-Import Bank is a good balance because what it does is it gives an even playing field or maybe even a leg up, a reasonable leg up to the businesses of America who are trying to compete internationally, competing against the major discounts and the major waivers that are given to corporations owned by the particular country of which they have to compete with.

I am very glad that in this legislation we have the tied aid credit fund which then requires those donor countries who are receiving benefit from the Export-Import Bank to buy resources from the United States. That creates jobs.

I am also pleased how this impacts our agricultural community, giving them the opportunity to have a two-way street.

The Advisory Committee for Sub-Sahara Africa, having been a supporter of the African Growth and Opportunity Act, and listening now to ambassadors from Africa and presidents from Africa, in the sub-Sahara continent they are saying that it is working, but they are also looking for added enhancement, and this advisory committee should get busy by creating opportunities for businesses in the United States to do more business in sub-Sahara Africa. This will generate these countries from being dependent to independent, along with, of course, the balance of debt relief which I so strongly support.

We also are very pleased that there is an anti-dumping order in this legislation; that the legislation includes issues on human rights, anti-terrorism, renewable energy and, of course, anti-fraud and corruption. That is key because we have seen over the last couple of months and the last year a falling from grace of many of our corporations that have not been following the rule of law or the ethics of which we would expect for them to do.

This should not be a wasteful legislative initiative. This should not be where we are taken advantage, but it should open the doors of opportunity.

My last point, however, Madam Speaker, is my concern. Yes, it is good that we move from 10 percent to 20 percent in assisting small businesses, but I believe we should move to 30 and 40 percent. Small businesses are the backbone of America. I would like to see them engage in international activities and trade and business. They can do so with the Export-Import Bank at a higher percentage of participation for them.

I would encourage my colleagues respectfully to consider that, and finally, Madam Speaker, I would simply say we must create businesses and lessen corruption. We can do that by supporting international businesses and jobs in America with supporting this legislation.

Madam Speaker, the Export-Import Bank has a very specific mission related to the promotion of American exports. This mission is to create and sustain American jobs by helping to finance American exports that would otherwise not be available in over 150 countries.

The Bank is required to not compete with the private sector, but rather steps in where commercial bank financing is insufficient or unavailable. They support exports that, due to the absence of competitive financing, otherwise would not take place—meaning loss of a sale and an impact on American jobs.

The Ex-Im Bank operates in a very competitive international environment, in which export credit agencies in other countries are increasingly aggressive in supporting the exports of our competitors. The Bank is critical in countering these transactions, by providing leverage for the U.S. to negotiate a gradual reduction in export subsidy activities among OECD members.

In a word, absent the Export-Import Bank, American exporters would find themselves competing against foreign exporters who receive government subsidies. Consequently, with the loss of key export markets, American exporters would lose export-oriented jobs. These jobs pay 18% more on average than non-export jobs.

The Ex-Im Bank does more than just provide a level playing field for American exports. The Bank has the charge of providing critical export financing in cases where there is a market failure in private lending. Frequently, these failures relate to the nature of the exporter. For example, small businesses often face problems attaining private credit for export transactions. For this, the Ex-Im Bank has

been a critical source of support for small business exporters nationwide.

The Export-Import Bank does not exist to promote exports by subsidizing American companies who are engaged in fair and open practices for business. The Ex-Im Bank does exist to defend American companies engaged in non-competitive markets. Therefore, the Bank's ultimate goal is to discourage these non-competitive practices.

In fiscal year 2001, the Ex-Im Bank supported $12.5 billion of American exports to emerging markets around the world, enabling many American companies to maintain and even expand their workforces. And 90 percent of the total number of Ex-Im Bank-supported transactions in fiscal year 2001 were in direct support of small business. Ex-Im Bank financing has a ripple effect that sustains jobs at companies large and small throughout the American economy, in almost every state and the great majority of congressional districts.

Ex-Im Bank steps in where the competition is toughest for American exporters, where they must compete to win export sales against foreign companies backed by their government's official export credit agencies.

Market failures are related to the nature and location of the export market. Markets in Sub-Saharan Africa and elsewhere in the developing world are frequently overlooked by private export credit. Ex-Im goes where private lenders are unwilling to go, to the ultimate benefit of these developing countries, the United States, and the global economy.

Ex-Im's charge to go into under-served markets is particularly relevant today, when economic engagement with other countries is an essential element of foreign policy and national security. In the months since last September, we have had to move very quickly to determine how best to reach out to countries and people who were previously of too little interest to the United States and other wealthy countries. Certainly, much has been achieved already in the war on terrorism by high-level engagement between the Bush Administration and foreign leaders. But top-level diplomacy will ultimately fail if it is not supported by bottom-up engagement in the political, social and economic spheres.

Here is where institutions like the Ex-Im Bank have a critical role to play. With each export transaction supported by the Bank, we have made a new connection and developed a new familiarity with a market, a people, and a country that had previously been slightly more foreign to us. With thousands of these transactions, we take a thousand steps forward toward a world of interdependence and prosperity—in short, a world in which terrorism finds it hard to exist.

S. 1372 emphasizes the need to expand outreach to small businesses. There are barriers to the Ex-Im Bank assistance for small business. Technology enhancements are critical to any meaningful effort to expand services for small businesses. However, for small businesses, working with the Ex-Im Bank may be a daunting prospect. This legislation can go a long way toward bringing in new small businesses and serving them better by expanding the use of technology throughout the transaction process. As a result, the legislation expands the budget authority for technology upgrades and provides guidance to the Ex-Im Bank on the implementation of new technologies.

The Ex-Im Bank has supported $1 billion in American exports to sub-Saharan Africa during the last two years, covering products and services ranging from bread-making equipment and agricultural machinery to commercial aircraft and construction equipment.

The Ex-Im Bank is an integral part of the American government's initiative to expand our country's economic engagement with sub-Saharan Africa.

In 2001, the Ex-Im Bank expanded its Sub-Saharan Africa pilot program to 16 countries in the region, allowing the Bank to support exports to certain markets in which the Bank would not otherwise be open for business. The program provides short-term insurance coverage to help businesses in the region buy American goods such as spare parts, raw materials, and agricultural commodities.

The Ex-Im Bank is working hard with African banks such as the PTA Bank in Nairobi and African regional development banks such as the ECOWAS Fund in Togo, pursuing agreements and partnerships to encourage these financial institutions to lend to customers purchasing American goods and services.

There is probably no market in the world where the the Ex-Im Bank has worked harder during the last two years than Nigeria. The Bank has financed exports ranging from solar-powered billboards and printing equipment to cement bagging equipment, a metal frame warehouse and dredging equipment for the Port of Lagos.

By providing guarantees for South African rand and CFA franc-denominated loans, the Ex-Im Bank has made it easier for American exporters to sell their products to Southern and West Africa.

As we require the Ex-Im Bank to expand its assistance and outreach to small businesses in developing societies, we should provide more, not less, funding for the administrative expenses that will come with this effort.

I support this bill and urge my colleagues to support as well.

Mrs. MYRICK. Madam Speaker, I yield such time as he may consume to the gentleman from Nebraska (Mr. BEREUTER).

Mr. BEREUTER. Madam Speaker, I thank the gentlewoman for yielding me this time, and I want to compliment the gentlewoman from Texas (Ms. JACKSON-LEE) for her statement. She has described some of the very important new reforms in the legislation, and I would just say to the gentlewoman that I, too, and the whole subcommittee and committee and the conferees of both Houses would like to see more small business involvement in the Ex-Im Bank.

I would say this. Over half the transactions of the Export-Import Bank do involve small business. We would like to see more than 18 percent of total resources going to small business, and that is why we are pushing them a little higher to a figure of 20 percent.

We started out, at the gentleman from Vermont's (Mr. SANDERS) initiative, aiming for an even higher level. I would like to see that at a higher level, but over half the transactions do involve small businesses.

Ms. JACKSON-LEE of Texas. Madam Speaker, will the gentleman yield?

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

Ms. JACKSON-LEE of Texas. Madam Speaker, I thank the gentleman for his work and I appreciate that.

Whenever I have gone into the district, as my colleague well knows, all of us probably have a higher percentage of small businesses in our respective communities than maybe our large corporations, so we appreciate them both, and I have always sought to encourage them to see the world in a larger viewpoint. I think these kinds of very valuable resources should help them.

I am glad to know that a large percentage are participating, and I hope that as we work through that increase, 20 percent can go up higher as well, and I thank the gentleman very much for his leadership.

Mr. BEREUTER. Madam Speaker, I thank the gentlewoman for her comments.

One more thing I might say. We found that the technology in the office of the Export-Import Bank was very obsolete. They recognized that fact but they have not spent enough money to improve it. If we make that situation better, small business is going to have better access to the Bank. Currently small businesses do not have the capacity to work the Ex-Im Bank process as easily as some of the larger firms. So we think by mandating improvement in this area, setting aside a separate budget category for updating the technology in the office, the Ex-Im Bank will be more accessible to small business. That, too, I think is an advance.

Ms. JACKSON-LEE of Texas. Madam Speaker, will the gentleman yield?

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

Ms. JACKSON-LEE of Texas. Madam Speaker, I would simply say, as my colleague well knows, the vice chair of the Export-Import Bank is Eduardo Aguirre who hails from Texas and knows that he has a balancing concern about small businesses. I applaud the technology issue, and I would encourage, I do not know how many times they have done this, I would encourage the Export-Import Bank to get out on the road as well, do a little bit more of that and do some educational outreach to our small business community around the Nation.

Mr. BEREUTER. Madam Speaker, that is good advice, and I thank the gentlewoman for her comments.

Mr. FROST. Madam Speaker, we have no further requests for time. I urge adoption of the rule, and I yield back the balance of our time.

Mrs. MYRICK. Madam Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. OXLEY. Madam Speaker, pursuant to House Resolution 433, I call up

the conference report on the Senate bill (S. 1372) to reauthorize the Export-Import Bank of the United States.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mrs. EMERSON). Pursuant to the rule, the conference report is considered as having been read.

(For conference report and statement, see proceedings of the House of May 24, 2002 at page H3064.)

The SPEAKER pro tempore. The gentleman from Ohio (Mr. OXLEY) and the gentleman from New York (Mr. LAFALCE) each will control 30 minutes.

Mr. SANDERS. Madam Speaker, under clause 8 of rule XXII, I seek to control one-third of the time in opposition to the conference report.

The SPEAKER pro tempore. Does the gentleman from New York (Mr. LAFALCE) favor the conference report?

Mr. LAFALCE. Madam Speaker, I favor the conference report.

The SPEAKER pro tempore. Under the rule, the time will be divided three ways. The gentleman from Ohio (Mr. OXLEY), the gentleman from New York (Mr. LAFALCE) and the gentleman from Vermont (Mr. SANDERS) each will control 20 minutes.

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

GENERAL LEAVE

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

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

There was no objection.

Mr. OXLEY. Madam Speaker, I yield myself 5 minutes.

Madam Speaker, I rise today to urge passage of the conference report to accompany S. 1372, the Export-Import Bank Reauthorization Act of 2002. This is a sound piece of legislation that will help U.S. exporters reach markets overseas, will maintain U.S. manufacturing jobs and will help the economy grow.

We have worked in a bipartisan manner throughout this process, and the House measure passed the Committee on Financial Services by voice vote and also passed on the floor of the House on May 1 by a voice vote, also. It is important to note that this support carried through to the conference report which was signed by every conferee, save one.

Madam Speaker, I would like to take this opportunity to thank the chairman of the Subcommittee on International Monetary Policy and Trade of the Committee on Financial Services, the gentleman from Nebraska (Mr. BEREUTER); the gentleman from New York (Mr. LAFALCE), the ranking member of the Committee on Financial Services; the gentleman from Pennsylvania (Mr. TOOMEY), my esteemed colleague; and the distinguished gentleman from California (Mr. GARY G. MILLER) for their hard work on the conference committee. Without the dedication and hard work of these Members, this reauthorization would not have reached the floor today.

Madam Speaker, our manufacturers face stiff competition from foreign companies seeking to expand the sale of their goods overseas. There is little argument that goods made in the U.S. are the highest quality and are in great demand. However, foreign companies receive significant assistance from their export credit agencies in finding markets and negotiating prices for their goods.

Without the Ex-Im Bank, U.S. exporters would be forced to compete in this international marketplace with one hand tied behind their backs. Ex-Im levels the playing field of international trade by allowing U.S. companies to compete on the quality of their products.

In a perfect world, we would not need export credit agencies, and the free market would operate without distortions. Because foreign manufacturers receive aid through export credit agencies, the United States must have a strong Ex-Im Bank in order to fight fire with fire.

Currently, some 70 governments around the world have export credit agencies like Ex-Im providing more than $500 billion a year in government-backed financing. Madam Speaker, as long as foreign governments are financing export credit agencies, we must support Ex-Im to ensure that our manufacturers and workers remain competitive in the global marketplace.

This conference report is about U.S. jobs. Without the Ex-Im Bank, many companies would lose bids to supply U.S. manufactured goods overseas or would simply move their production operation to other countries where they could receive export credit financing.

In testimony before the Committee on Financial Services last year, the president of a division of Case New Holland, Richard Christman, stated that when the company was deciding whether to construct a combine assembly plant in the U.S. or in Brazil, one of the primary factors they took into consideration was whether export credit financing would be available to sell their goods overseas. Because there was the possibility of Ex-Im Bank financing for the goods produced in the plant in the United States, Case decided to build their plants in the U.S.

This one decision created hundreds of jobs in our country and ensured that suppliers and other businesses affected by the operation of a major assembly plant would continue to benefit as a result of the Ex-Im Bank. These are real jobs and real exports that directly affect our economy.

Critics of Ex-Im claim that it is corporate welfare for the largest companies in the United States. That charge is simply not accurate for several reasons. First, approximately 90 percent of Ex-Im's transactions are with small businesses. Those businesses rely on Ex-Im to help them access overseas markets that they would otherwise not be able to reach. This conference report seeks to continue to increase the exposure of small businesses to Ex-Im Bank products by doubling the minimum dollar value of small business financing that the bank must pursue.

Second, while many of Ex-Im Bank's higher dollar transactions do go to larger companies, we should remember that those large companies utilize supplies from many small- and medium-sized businesses in order to create those products.

Third, Ex-Im serves as the lender of last resort for U.S. exports when commercial financing is not available for export sales. Without the Ex-Im Bank supplying this kind of high risk financing, many sales would not be made, and many U.S. workers would be without jobs.

Finally, let me make it clear that Ex-Im financing is not free. Ex-Im charges interest on its direct loans and premiums for its guarantees and insurance costs that the U.S. exporter usually passes through to its overseas customer. From the exporter's and customer's point of view, the bank does not subsidize the cost of financing an export transaction. Ex-Im is no less expensive to use than a commercial bank or other financial intermediary.

The opponents of this conference report have been trying to paint this as a giveaway for U.S. corporations, and it is most certainly not. This conference report goes a long way to protect workers, to encourage more small business transactions, to aid the environment and to protect human rights. I encourage my colleagues who may instinctively be opposed to this measure to take a good hard look at this conference report, think about how it will benefit U.S. business and the economy, and then support it.

Madam Speaker, I reserve the balance of my time.

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

I am pleased to rise in support of the conference report authorizing the Export-Import Bank through 2006. I want to commend the full committee chairman, my good friend, the gentleman from Ohio (Mr. OXLEY), most especially the chairman of the relevant subcommittee, the gentleman from Nebraska (Mr. BEREUTER), who has worked on these issues so arduously over the years, but also very especially my friend, the gentleman from Vermont (Mr. SANDERS), for his diligence in focusing attention on workers' issues and the role that the bank should play in job creation. Especially as a result of his efforts, this legislation clearly establishes that the bank's objective in all of its transactions shall be to contribute to maintaining or increasing the employment of workers in the United States.

The conference report contains many strong provisions, and I would like to highlight just a few. The legislation doubles the share of small business transactions that must be undertaken by the bank. It also emphasizes outreach to women and minority-owned businesses as well as businesses employing 100 or fewer workers. The bank will be required to report on progress toward increasing transactions and expanding outreach in each of these areas on an annual basis.

With the active participation of members of the steel caucus, we were able to strengthen language that prohibits Ex-Im transactions in areas where there has been a violation of our trade laws. The language also raises the bar for consideration of transactions when preliminary determinations of economic injury have been made. As a whole, this language will ensure that Ex-Im does not support projects, steel-related or otherwise, that would contribute to the oversupply of a good in a way that would cause harm to our domestic economy.

The legislation also establishes new requirements and guidelines on renewable energy, human rights and efforts to combat terrorism, fraud and corruption in foreign markets. I would like to recognize a handful of Democratic Members for the role they played in helping to craft many of these provisions: the gentlewoman from New York (Mrs. MALONEY) and the gentleman from Ohio (Mr. KUCINICH) for their work on the fraud and corruption provisions; the gentlewoman from California (Ms. LEE) for her efforts on outreach to women and minority-owned businesses; the gentleman from California (Mr. SHERMAN) for his efforts on antiterrorism measures; and the gentlewoman from Illinois (Ms. SCHAKOWSKY) for her work on improving human rights assessments in Ex-Im transactions.

In sum, though it is long overdue, this is a strong reauthorization bill that benefited from substantial input from Democratic Members, and I believe it will enable the Ex-Im Bank to fulfill its mission in the years ahead.

Finally, let me respond directly to the charges of corporate welfare that are often leveled against the Ex-Im Bank. First, it is a simple fact that each export transaction supported by the bank either supports existing American jobs or creates new American jobs. Absent Ex-Im support, thousands of export transactions would go unfunded each year, transactions involving big companies and small businesses, as well as those involving large export markets, like Mexico, and small export markets like that of Namibia.

As much as we hear about Ex-Im support for very large companies, the fact is that fully 90 percent of the bank's transactions last year directly supported small businesses and, as a result, helped to support thousands of small businesses and their workers in communities both urban and rural across the entire United States.

Madam Speaker, I reserve the balance of my time.

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

Our current trade policy is an absolute disaster. Export-Import Bank is an inherent part of that disastrous trade policy. The gentleman I am going to ask to speak in a moment comes from the State of Ohio, as does the chairman of the full committee, and they should know that between 1994 and 2000, under our disastrous trade policy, in Ohio alone 135,000 jobs were lost because of our disastrous trade policy.

Madam Speaker, I yield 3 minutes to the gentleman from Ohio (Mr. KUCINICH), who has been a strong fighter for the working people of his State and his country.

Mr. KUCINICH. Madam Speaker, I thank the gentleman from Vermont for yielding me this time, and I rise in opposition to the conference report.

Madam Speaker, when the Export-Import Bank Reauthorization Act was considered on the House floor on May 1, I offered an amendment that requires this bank to have applicants for financing disclose whether they have been found to have violated the Foreign Corrupt Practices Act. Critically, the amendment also requires Ex-Im to maintain its own list of entities that have violated this act.

Under my amendment, I stated on the floor of the House that Ex-Im would request that applicants report whether or not they have been found guilty by a U.S. court to have been in violation of the Foreign Corrupt Practices Act. Ex-Im would also independently keep a list of companies that have violated the act.

This independent list is crucial in order to deter applicants from withholding information about prior violations of the Foreign Corrupt Practices Act. Now, upon offering this amendment, the distinguished chairman of the Subcommittee on International Monetary Policy and Trade of the Committee on Financial Services expressed his support for the measure. From the CONGRESSIONAL RECORD of May 1, 2002, his words were, and I quote, ''The gentleman's amendment, I think, is highly appropriate. This kind of information should be made available and, in fact, generated, if necessary, within the Export-Import Bank.''

Clearly, then, the distinguished chairman understood the intent of my amendment, information on Foreign Corrupt Practice Act violators would be gathered both by requiring applicants to disclose prior violations and by requiring the Export-Import Bank itself to independently and internally compile a list of violators.

Unfortunately, Madam Speaker, the report has come out of the House-Senate conference on this bill, and it thoroughly guts this critical provision. Rather than require the Ex-Im Bank to independently search court records and compile a list of FCPA violators, the report only requires the bank to maintain a record of all applicants that have volunteered information on their Foreign Corrupt Practices Act history. Moreover, an applicant for Ex-Im financing only need disclose the violations that have occurred in the prior 12 months.

Consider what this means. The only way the Export- Import Bank can find out whether an applicant has violated the Foreign Corrupt Practices Act is if the company volunteers this information. And if the violation occurred more than a year before a company seeks Ex-Im funding, the company does not even have to mention it. So if a company lies about prior violations of the Foreign Corrupt Practices Act, if they lie about it, the Export-Import Bank would never know it.

Madam Speaker, the Enron debacle should make it clear to all of us that certain corporations will do absolutely anything to increase their profits. So what is the net result of the amendment that I offered and that the distinguished chairman of the Subcommittee on International Monetary Policy and Trade supported on May 1? Nothing.

I urge my colleagues to take a stand against allowing the Enrons of the world to continue to bilk the American taxpayer for enormous sums of money; and perhaps more importantly, I urge my colleagues to take a stand in favor of the rules of this hallowed House. I offered an amendment, the intent of which was made perfectly clear in my floor statement, was clearly understood and supported by the chairman of the relevant committee, and approved by the Members of this body. And the result, after conference, is the wholesale gutting of the provision's intent.

Conferees do not have the authority to read duly passed legislative provisions any which way they please, in gross contradiction of the duly established legislative history of the measure.

I strongly urge a ''no'' vote on the conference report.

Mr. OXLEY. Madam Speaker, I am pleased to yield 5 minutes to the gentleman from Nebraska (Mr. BEREUTER), the chairman of the Subcommittee on International Monetary Policy and Trade, who has been a force throughout this whole process.

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

Mr. BEREUTER. Madam Speaker, I thank the chairman for yielding me this time.

This is important legislation. Furthermore, the conference report makes very important, very substantial, highly desirable changes and reforms to the transaction ability of the Export-Import Bank. I am pleased to see that so many Members have made contributions.

The gentleman from New York has mentioned a number, appropriately, on his side of the aisle that have specific provisions which resulted in this legislation being advanced and improved;

and I would like to also mention, of course, the gentleman from Pennsylvania (Mr. TOOMEY), who will be speaking shortly about his provisions that are extremely important and make sure that we are not helping by providing assistance to American exporters to increase steel production abroad, for example. He will enlarge on that issue. I also want to thank the gentleman from Illinois (Mr. MANZULLO) for his effort on behalf of small business.

If we have problems for our workers because of what some people deem to be inadequacies in our trade law, or because of the competition we face from foreign export credit agencies, well, we should not cut off the hand of one of our workers in the process and expect we are going to do better. If we would defeat this legislation to disarm the Export-Import Bank, that is exactly what we would do.

This legislation, indeed, as the chairman said, is about jobs. It has created an extraordinary number of jobs; and it turns a profit for the American Treasury on top of it, last year over $1 billion of net income to the United States. Why? Because not only did we expand our exports, and that results in revenue, but this bank charges risk-based transaction fees and costs. Overall, of course, we want the private sector to provide the credit, and they have. Only 2 percent of our exports are financed with the loans or loan guarantees of this entity.

We have made important reforms and clarifications in the relationship between the Treasury and the Export-Import Bank that will assure that in those small number of cases, but very important cases, where we face unfair competition, subsidies from export credit agencies of other major exporting companies, that we have a chance to assist our exporters. That is about 2 percent of the total provisions. Actually, we have only used it two or three times a year and probably underutilized the so-called ''war chest.''

I would like to address specifically the comments of the gentleman from Ohio (Mr. KUCINICH). I remember well that colloquy, and in fact section 19 addresses important information to be considered by the Export-Import Bank in considering their transactions. While it is true that we rely to some extent upon the information provided to the Export-Import Bank for their determinations, section 21 also enlarges the Chafee amendment to ensure that we have enforcement of the Foreign Corrupt Practices Act, the Arms Export Control Act, the International Emergency Economic Powers Act, and the Export Administration Act. All of these are new reforms, additions to the Chafee language.

And I will say there are a very small number of violations of the Foreign Corrupt Practices Act that are pursued in our country, and we know which ones they are. So it is not just that we are relying on the information provided by the applicant for a transaction. That information is readily available. There are not that many, fortunately, violations of the Foreign Corrupt Practices Act. I wish we could say the same for other countries whose export credit agencies we face in competition.

I would say that the resources we make available focus to a major extent on small businesses, and we are trying to improve that, are really very inadequate compared to our gross national product. In fact, in absolute terms, six countries, major export countries, including our neighbor Canada, provide much more in the way of resources for assistance to their exporters than we do. But this is a step forward, a big step forward.

The advisory committee on sub-Saharan Africa is reauthorized. We provided additional assistance to try to make sure American exporters do focus on exports to Africa. We have made a number of other initiatives that make sure that minority-owned businesses are given special consideration. And those things are due to a bipartisan effort on the part of the subcommittee and committee members.

So Members of the House, this is good legislation. We have worked out our difficulties in a conference with the Senate. It creates an IG at the insistence of the Senate. We welcome that kind of addition. We want to make sure that the resources of the Federal Government, even though they are repaid and redoubled, are spent well and in a manner that Members can feel good about. And that is what this legislation does.

Madam Speaker, this Member rises today in support of the conference report for S. 1372, the Export-Import Bank Reauthorization (Ex-Im Bank) Act of 2001, which is being considered under a Rule. This important legislation extends the authorization of the Ex-Im Bank until September 30, 2006, and makes other appropriate changes to the charter of the Ex-Im Bank. The authorization of the Ex-Im Bank is set to expire on June 14, 2002. This Member, as the Chairman of the House Financial Services Subcommittee on International Monetary Policy and Trade, has a special interest in the Ex-Im Bank, which has jurisdiction over this subject.

This Member would like to thank the distinguished gentleman from Ohio, the Chairman of the House Financial Services Committee, (Mr. OXLEY) for his leadership on Ex-Im Bank issues. This Member would also like to thank both the distinguished gentleman from New York, the Ranking Member of the House Financial Services Committee, (Mr. LAFALCE) and the distinguished gentleman from New York, the Ranking Member of the House Financial Services Subcommittee on International Monetary Policy and Trade, (Mr. SANDERS) for their efforts in bringing this conference report to the House Floor.

This Member would also like to thank all the other conferees of this legislation, including the distinguished gentleman from Maryland, the Chairman of the Senate Banking Committee, (Mr. SARBANES) and the distinguished gentleman from Texas, the Ranking Member of the Senate Banking Committee (Mr. GRAMM).

As this Member mentioned earlier during the discussion of the rule for this conference report, the Ex-Im Bank is an independent U.S. Government agency that creates and sustains American jobs by providing direct loans to buyers of U.S. exports, guarantees to commercial loans to buyers of U.S. products, and insurance products which greatly benefit short-term small business sales. It is also important to note that the Ex-Im Bank charges risk-based interest and fees on the users of its products. As a result, last year, the Ex-Im Bank generated $1 billion of net income to the Treasury of the U.S. Government.

On September 10, 2001, this Member introduced the Export-Import Bank Reauthorization Act of 2001 (H.R. 2871). On October 31, 2002, the House Financial Services Committee passed this legislation by a voice vote. Thereafter, on May 1, 2002, this legislation was passed by the House Floor by voice vote. Furthermore, a conference committee was then convened with the Senate on their version of the Ex-Im Bank legislation. On May 21, 2002, the conferees met and resolved the remaining outstanding issues in the conference report. On May 24, 2002, the conference report for the Export-Import Bank Reauthorization Act of 2001 was filed with the signatures of 15 of the 16 conferees.

This Member would like to briefly summarize the following seven provisions of this conference report:

1. Reauthorization of the Ex-Im Bank;
2. Reauthorization of Sub-Saharan Africa-Advisory Committee and added emphasis on Africa;
3. Small business;
4. Increase in statutory Ex-Im Bank statutory ceiling for loans, grants, and insurance;
5. The Ex-Im Bank/Treasury relationship over the Tied Aid War Chest becoming explicit;
6. The $18 million guarantee approved by the Ex-Im Bank to support the sale of computer software by American exporters to Benxi Iron and Steel Co. in China; and
7. The inspector general.

First, the conference report of S. 1372 reauthorizes the Ex-Im Bank until September 30, 2006. As a result of this provision, the program budget, which supports the loans, guarantees, and insurance products of the Ex-Im Bank, and the administrative budget, which pays for all salary and overhead expenses, are both effectively authorized for such sums as are appropriated through FY2006.

Moreover, during the Subcommittee's first hearing on this subject, the Ex-Im Bank personnel testified that they were in desperate need of a technology upgrade which would particularly benefit small business users of the Ex-Im Bank. As a result, this conference report creates a technology budget subcategory within the Administrative budget.

Second, this conference report focuses on the efforts of the Ex-Im Bank in Sub-Saharan Africa. For example, the 1997 Ex-Im Authorization Act required the expansion of its financial commitments in Sub-Saharan Africa and reauthorized an advisory committee on this subject to make recommendations to the Board of Directors on how the Ex-Im Bank can encourage and facilitate greater support for American trade with Africa. This conference report would reauthorize the Sub-Saharan Africa Advisory Committee until September 30, 2006.

Third, this conference report makes very important changes which will encourage additional small business transactions with the Ex-Im Bank. It would require that the Ex-Im Bank earmark at least 20 percent of its total financing for small businesses. Under current law, the Ex-Im Bank is required to use only 10 percent of its total financing for small businesses. As of FY2000, the Ex-Im Bank provided about 18 percent of its total financing for small business. In addition, this conference report requires the Ex-Im Bank to focus on technology improvements, including allowing customers to use the Internet to apply for the Ex-Im Bank's small business programs. These efforts will greatly improve small business outreach.

Fourth, the Ex-Im Bank has a current $75 billion statutory ceiling on its portfolio of loans, guarantees, and insurance that are outstanding at any one time. Under this conference report, this statutory ceiling would be increased to $100 billion by FY2006. Increasing the Ex-Im statutory portfolio ceiling is one of the remedies needed to authorize the financial resources for the Ex-Im Bank to enable it to protect American exporters against unfair competition from the much more generous resources of our major export competitors. For example, according to the latest available data, the U.S. Export-Import Bank has a substantially lower level of export credit resources than the following seven countries: Japan, France, Korea, Canada, Germany, and the Netherlands.

Fifth, you will be interested to know that this legislation also would make very important clarifications in the administration of the Tied Aid War Chest which finances tied aid transactions. The Tied Aid War Chest was intended to be used by the Ex-Im Bank to protect American exporters by matching the concessionary financing of foreign export credit agencies. Unfortunately, the Tied Aid War Chest has been grossly under-utilized, which is due in part to the disagreements between the Ex-Im Bank and the Department of Treasury on how to use the Fund. In recent applications for the Tied Aid War Chest, there has been an obvious communication and organizational breakdown between the Ex-Im Bank and the Treasury Department. Moreover, the Ex-Im Bank and the Department of Treasury have had different legal interpretations as to their current statutory role over the use of the Tied Aid War Chest. The Conference Report resolves that issue.

Therefore, this legislation would address these past problems by creating a new definitive step-by-step process to be followed by the Ex-Im Bank and the Treasury Department regarding how the Tied Aid War Chest is to be administered. This conference report requires the Department of Treasury and the Ex-Im Bank to set the principles, process and standards on how the Tied Aid War Chest is used. It requires Ex-Im Bank, not the Treasury Department, to make case-by-decisions on the use of the Tied Aid War Chest. This conference report strikes the current language in the Ex-Im charter which states that the use of the Tied Aid War Chest ''must be in accordance with the Secretary of the Treasury's recommendations . . .''

It is important to note that an addition was made to the Tied Aid War Chest section. The conference report explicitly states that the Ex-Im Bank will not approve a use of the Tied Aid War Chest if the President determines, after consulting with the Ex-Im Bank and the Secretary of the Treasury, that the extension of tied aid would materially impede the enforcement of existing Organization for Economic Cooperation and Development (OECD) arrangements or future negotiations within the OECD. Giving the President an opportunity to stop any transaction is entirely appropriate and only makes explicit powers the President already has. This Member was pleased to endorse this change as were the House and Senate conferees who accepted it. The legislative language in the conference report is clear that such presidential power is not transferable to the Treasury Department or any other agency.

The industry groups continue to be in strong support of this tied aid clarification. U.S. exporters have a vested interest in the tied war chest becoming a viable tool in fighting and deterring concessionary financing by foreign export credit agencies.

Sixth, the distinguished gentleman from Pennsylvania (Mr. TOOMEY) successfully offered an amendment at the House full Committee markup of the Export-Import Bank Reauthorization Act of 2001, which passed by voice vote, that addressed the $18 million guarantee approved by the Ex-Im Bank on December 19, 2000, to support the sale of computer software by American exporters to Benxi Iron & Steel Co. in Benxi, Liaoning, China. The Toomey amendment conforms Ex-Im lending to current U.S. trade laws by barring any Ex-Im loan or guarantee to an entity for the 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. In addition, this conference report also requires the Ex-Im Bank to develop procedures and set up a comment period for loans or loan guarantees to a business which is subject to a preliminary countervailing trade duty or anti-dumping determination of material injury.

The conference report includes the exact language of the Toomey amendment with one addition which was offered by the distinguished gentleman from Pennsylvania and accepted by the conferees. This addition requires the Ex-Im Bank to consider, for transactions over $10 million, Section 201 investigations that have been initiated at the request of the President, the USTR, the Senate Committee on Finance, the House Committee on Ways and Means, or by the International Trade Commission. Also, the conference agreement requires the Ex-Im Bank to conduct a comment period for these types of transactions.

Lastly, it is important to note that the House conferees did accept the provision from the Senate Ex-Im bill which creates a Presidentially appointed inspector general for the Ex-Im Bank. According to a General Accounting Office (GAO) report on this subject dated September 6, 2001, the Ex-Im Bank has the largest budget authority of any Federal entity currently that does not have an inspector general.

Madam Speaker, in conclusion, over the last sixty years, the Ex-Im Bank has supported more than $300 billion in U.S. exports. Because the Ex-Im Bank creates and sustains American jobs, it needs to be reauthorized. Moreover, this Member fully expects the President to sign this conference report into law when it is presented to him.

For the reasons stated and many others, this Member urges his colleagues to pass the conference report to the Export-Import Bank Reauthorization Act of 2001.

Mr. LAFALCE. Madam Speaker, I yield 3 minutes to the distinguished gentlewoman from New York City (Mrs. MALONEY).

(Mrs. MALONEY of New York asked and was given permission to revise and extend her remarks.)

Mrs. MALONEY of New York. Madam Speaker, I thank our ranking member, the gentleman from New York (Mr. LAFALCE), for yielding me this time and for his leadership on this important bill.

I am pleased to rise today in support of the conference report for the Export-Import Bank through 2005. Today's vote has been a very long time in coming. Over the past year, Congress has passed a 6-month extension and a series of 30-day extensions to keep the bank in business as work on the conference report moved forward.

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Madam Speaker, this final conference report represents the sum of all that work, and I believe it sets the bank on a strong course for the next couple of years. As some of my colleagues have stated, the Ex-Im Bank is a successful government entity that facilitates and supports American businesses and worker interests by making exports possible to areas of the world that would otherwise be closed to U.S. companies.

The conference report builds on the past successes of the bank which supported $12.5 billion of U.S. exports in 2001, and has supported a total of over $400 billion of U.S. exports in its 68-year history. It is very important to the district that I represent. Since 1995, the Export-Import Bank has supported over $1 billion in exports out of my district alone.

While outreach to small businesses has been an increasing emphasis for the bank in recent years, the conference report strengthens this program. It directs the bank to improve its customer service and technology interface with small businesses, and doubles the value of bank support that must go to small businesses from 10 to 20 percent of the bank's total. Having recently met with a group of small business leaders and exporters in my district, I can tell Members this is a positive step and I would certainly support, as some of my colleagues have mentioned, a greater proportion going to small businesses.

Members concerned about small businesses should also be aware that this language in the conference report coincides with the signing of a memorandum of cooperation between the bank and the Small Business Association last month. Under this agreement, a new joint marketing campaign will be launched to attract small businesses to the bank. The report also builds on the bank's existing mandate to support

exports to Africa, and it imposes new safeguards on transactions that may fall under an existing countervailing duty, antidumping or section 201 ruling.

Finally, the conference report retains an amendment I offered in committee giving the bank explicit authority to turn down an application for Ex-Im Bank support for companies that have a history of engaging in fraudulent business practices. One of the main reasons that I believe the bank is important to the U.S. is that it allows us to compete with foreign export credit agencies such as those in Japan, Germany, France, Canada, and other countries. There are over 70 different ECAs that we must compete with. I believe in this global economy, the U.S. must not fall behind our international competitors. I praise the bipartisan leadership in getting to the point we are today, and I support the conference report and urge a yes vote.

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

Madam Speaker, opposition to the Export-Import Bank is not a progressive idea, it is not a conservative idea, it is an idea that should be supported with today's vote by any Member of Congress who wants to protect our taxpayers and protect American workers.

Madam Speaker, I yield 3 minutes to the gentleman from Texas (Mr. PAUL), who occasionally has different philosophical points of view from me, but I am pleased to have him speak in opposition to the Export-Import Bank.

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

Mr. PAUL. Madam Speaker, I rise in opposition to this bill. This bill is nothing more than subsidies for big corporations. If one were to look at the Constitution and look for authority for legislation of this sort in article I, section 8, it would not be found. That in itself should be reason to stop and think about this, but we do not look at that particular article too often any more.

Also for moral reasons, I object to this. Even if we accepted the idea that we should interfere and be involved in this type of activity, it is unfair because the little guy gets squeezed and the big guy gets all of the money. It is not morally fair because it cannot be.

One thing that annoys me the most is when Members come to the floor and in the name of free trade say we have to support the Export-Import Bank. This is the opposite of free trade. Free trade is good. Low tariffs are good, which lead to lower prices; but subsidies to our competitors is not free trade. We should call it for what it is. We have Members who claim they are free traders, and yet support managed trade through NAFTA and WTO and all these special interest management schemes, as well as competitive devaluation of currencies with the notion that we might increase exports. This has nothing to do with free trade.

I am a strong advocate for free trade, and for that reason I think this bill should not be passed. There are good economic reasons not to support this. Because some who favor this bill argue that some of these companies are doing risky things and they do not qualify in the ordinary banking system for these loans and, therefore, they need a little bit of help. That is precisely when we should not be helping. If there is a risk, it is telling us there is something wrong and we should not do it. It is transferring the liability from the company to the taxpayer. So the risk argument does not hold water at all.

The other reason why economically it is unsound, is that this is a form of credit allocation. If a bank has money and they can get a guarantee from the Export-Import Bank, they will always choose the guarantee over the nonguarantee, so who gets squeezed. The funds are taken out of the investment pool. The little people get squeezed. They do not get the loan, but they are totally unknown. Nobody sees those who did not get a loan. All we see is the loan that benefits somebody on the short run. But really on the long run, it benefits the big corporations. Many times it doesn't even do that.

Take a look at Enron. We have mentioned Enron quite a few times already. If we add up all of the subsidies to Enron, it adds up to $1.9 billion. That is if we add up the subsidies from OPIC as well. And look at what Enron did. They ran a ''few'' risks, and then they lost it. Who was left holding the bag? The taxpayers.

Madam Speaker, I strongly urge a no vote on this bill. If Members are for free trade, they will vote against this bill, and will vote for true free trade.

Mr. OXLEY. Madam Speaker, I yield 3 minutes to the gentleman from Pennsylvania (Mr. TOOMEY), a member of the conference committee.

Mr. TOOMEY. Madam Speaker, I thank the gentleman for yielding me this time.

I commend the gentleman from Ohio (Mr. OXLEY) and the gentleman from Nebraska (Mr. BEREUTER) for crafting a good bill, which I believe is going to make the Ex-Im Bank more accountable to the taxpayers. Specifically I thank the gentleman from Nebraska (Mr. BEREUTER) for working closely with me to ensure that the Ex-Im Bank is not in a position to reward foreign countries or industries that are in violation of U.S. trade law, and thank the gentleman for including me as a conferee on this report.

This is an important bill which reauthorizes the bank through 2006. There are several significant changes, one I would like to focus on in particular. To illustrate this provision that I wanted to focus on, I want to review very briefly the crisis that is facing the American steel industry. I think we are aware that the American steel industry has been devastated by a flood of imports. Foreign governments subsidize steel production, which creates a glut of steel, and prices in turn are depressed. The result has been devastating.

Over 33 American steel companies have been forced into bankruptcy. Bethlehem Steel, headquartered in my district, filed Chapter 11 last year. This is having a devastating impact on steel workers, their families, their communities and retirees who depend on these steel companies for their health care benefits.

In the face of this huge, global overcapacity, shockingly to me in late 2000, the Ex-Im Bank unfortunately provided financing for a project which would actually increase global capacity, specifically financing an $18 million project to increase by 1.5 metric tons the steel-making capacity at a Chinese steel company. This action was taken despite the recommendations to the contrary by the Treasury, the Secretary of Commerce, the Congressional Steel Caucus and others.

The good news is in this conference report we have a provision for the first time which would prevent a similar situation from ever recurring. There is a provision which prohibits the Ex-Im Bank from extending any loan or guarantee to any foreign company found in violation of U.S. trade law. Specifically, it would prohibit the Ex-Im Bank from providing a transaction to an entity for the resulting production of a product which is already subject to a countervailing duty or antidumping order, and prevent any loan or guarantee for an entity which is subject to an affirmative injury determination by the ITC under section 201. The bottom line is that we would not grant loans to companies that are already proven to be violating U.S. trade laws, and taxpayer funds could not be used to assist foreign corporations in aggravating an existing American economic problem.

While this provision was inspired by this Chinese steel company transaction, it is not specific to any industry or product; rather it would apply to any product or commodity for which there are violations of U.S. trade laws.

Again, I commend the leadership of this committee on both sides of the aisle for the hard work they have done in crafting a good bill. I would also like to thank the American Iron and Steel Institute, the American Steelworkers of America and the Congressional Steel Caucus for their support, and urge my colleagues to vote yes on this conference report.

Mr. LAFALCE. Madam Speaker, I yield 2 minutes to the gentleman from Texas (Mr. BENTSEN).

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

Mr. BENTSEN. Madam Speaker, I rise in strong support of the conference report, and I commend the chairman and ranking member of the full committee as well as the chairman and ranking member of the subcommittee for putting together what I think is a very well-balanced bill.

The bill has been through a number of iterations from the subcommittee to the full committee, and then through the conference. A number of the proposals, such as what the gentleman from Pennsylvania just discussed with respect to funding of industries where we have either dumping or countervailing duty issues at play have been addressed in the underlying bill. I think it shows that the Congress is willing to respond to criticisms which have been raised with respect to our various aid programs, including export finance programs.

A lot of critics will get up and argue that this bill is either unnecessary for libertarian reasons and that we ought to allow for free market to rule in worldwide trade; and others will argue that this does nothing other than really export U.S. jobs.

I would argue that both of those arguments are flawed. With respect to the free market aspect, over the years we have found that the United States, when compared to other export-oriented nations, funds export finance at a much smaller margin than most of our competitors do. So all we are doing in this instance through the Export-Import Bank is providing a modest amount of support when compared to other competing nations. I think it is something that we should not cede the field.

With respect to my colleague from Vermont and others, and I think the gentleman from Vermont is very well meaning in his approach, but I think his approach is unworkable. I think it takes the viewpoint that this is a zero sum game. Either we have jobs domestically or jobs abroad; whereas I think in the economy and what we are trying to accomplish through export finance is to expand the base of jobs that we have in the United States and abroad. I hope my colleagues support this bill. I think it is well drafted, and I rise in strong support of it.

Mr. SANDERS. Madam Speaker, I yield 3 minutes to the gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. Madam Speaker, if we are going to extend a Federal tax benefit, if we are going to take the money of the American working people and give it to corporations, should we ask something in return? Just a little something? The answer in this legislation is, no. We should not. Here is the subsidy, do whatever is desired.

Let us take a no-brainer here which was knocked out. Should companies that set these new triangular tax scams to avoid both taxes on their overseas production and on their U.S.-based production by doing the Bermuda Triangle, should they be prohibited from receiving this subsidy? That is, they are not paying any taxes any more in the United States of America. They have set up a scam which the wonderful accounting companies have figured out. Should they receive these subsidies? The answer in this report is, yes. There was language in there to prohibit this that was taken out. These companies are not paying any U.S. taxes, but we will give them a subsidy.

We hear a lot about small businesses. Yes, a large number of the transactions do involve small businesses. That is true. But the real measure is what percentage of the U.S. taxpayers' dollars in subsidies are going to the small businesses. It is less than 10 percent.

So what we are saying here is a large number of transactions and a tiny amount of the money are going to help small businesses, and the largest amount of the money, more than 80 percent, is going to the largest corporations in the world. All Fortune 500. Could we have just a little bit more of a restriction there and a real direction towards small business? This conference report says no.

□ 1215

Then we just heard, we have prohibited in this bill a repeat of the Benxi Steel Company. Well, guess what? No, this bill does not prohibit that. The original version might have prohibited it, but the language that has now been adopted in the conference report is so watered down that, indeed, I would challenge either the ranking member or the Chair to stand up and say definitively that the language in this bill would prohibit a repeat of that travesty, U.S. taxpayer money going to fund a corporation in China to steal jobs from United States workers. It will not.

Then finally, we can go to the issue of future here. AT&T, they are going to get an $87.6 million loan under the condition of the Chinese Government that they can begin to sell telecommunications products in China. Good news for U.S. workers? Well, it might have been, except that the Chinese Government also said that within 5 years, all of the production for all the equipment sold in China must be based in China. We are going to subsidize that. United States workers, taxpayers, are going to subsidize this.

A colleague stood up before me and said this should not be about the measure of where the jobs are, U.S. or overseas, that it does not matter. It matters a hell of a lot to me and the people I represent and to the U.S. taxpayers. Yes, the jobs should be based here in the United States of America.

Mr. OXLEY. Madam Speaker, I yield 3 minutes to the gentleman from California (Mr. GARY G. MILLER), also a member of the conference committee.

Mr. GARY G. MILLER of California. Madam Speaker, I would like to commend Chairmen OXLEY and BEREUTER for their leadership in crafting a very reasonable bill, and I rise in support of H.R. 2871.

California is the fifth largest economy in the world, but it benefits from the strategic role of the Export-Import Bank.

During fiscal years 1996 to 2000, 722 companies from California benefited from the assistance; 225 communities benefited; total value of exports were $8.3 billion; and 120,403 jobs were sustained. Most importantly, regardless of the rhetoric we have heard on the floor today, 72 percent of the transactions assisted small businesses; and that is most important, for small businesses are the engine that keeps this economy moving.

Far too often when we talk about numbers and figures, we do not apply it to a name and a face. Services provided by the Export-Import Bank to small businesses are overlooked, really; and that is a big issue today. But there are a lot of success stories, including ZMG Enterprises in Walnut, California, owned by Mr. Joe Gomez. ZMG Enterprises is a long-standing user of the bank's short-term, multibuyer insurance policy to cover the sale of nearly $11 million in annual sales of canned vegetables, fruits and table sauces, primarily to Mexico. For a small company, a family-owned business, $11 million is a lot of revenue to generate for a company. Mexico has traditionally been a COD country. This insurance policy backed by the bank enables Mr. Gomez to offer short-term credit to Mexican supermarkets so that the grocers can purchase more of his product in a single sale and there are reasonable guarantees. There is no money being lost. It is benefiting entrepreneurs in this country, specifically in California, the State and the district I represent. This is a good bill. I would encourage any individuals who have questions to take time to read the bill before they listen to some of the rhetoric on this floor.

Mr. LAFALCE. Madam Speaker, I yield 2 minutes to the gentlewoman from Indiana (Ms. CARSON).

Ms. CARSON of Indiana. Madam Speaker, I would like to preface and qualify my remarks by saying that I am not at all opposed to the comments that emanated from the gentleman from Vermont (Mr. SANDERS) and the gentleman from Oregon (Mr. DEFAZIO) because losing jobs overseas is indeed an acute problem, especially in my district where Indiana alone has lost over 90,000 jobs to foreign corporations.

I am going to speak in favor of this legislation in terms of reauthorizing the Export-Import Bank. If it passes today, of course it reauthorizes the sub-Saharan Africa Advisory Committee until September 30, 2006. It requires the bank to continue to report to Congress annually for each of the 4 years on steps taken in sub-Saharan Africa to increase U.S. exports and to consult with the Commerce Department and the Trade Promotion Coordinating Council on the bank's Africa activities.

In the year 2000, trade with sub-Saharan Africa was 2 percent of total U.S. exports and 1 percent of total U.S. imports. Three-fourths of total U.S. trade with sub-Saharan Africa is with just three countries: Nigeria, South Africa, and Angola.

When the 106th Congress passed major legislation to improve economic

relations between the U.S. and sub-Saharan Africa, known as the African Growth and Opportunity Act, I supported that enthusiastically and thought that this country was taking a major step forward in terms of the enhancement of our partnership with Africa and African business.

So I think that this bill for Indianapolis where we just celebrated a major exporter of businesses, the George F. Cram Global Company in Indianapolis just received a major award for outpacing others in terms of exporting this globe.

Mr. SANDERS. Madam Speaker, under our disastrous trade policy from 1994 to 2000, we lost over 3 million jobs due to our trade policies. The State and the country which has suffered the most is California, which lost over 300,000 jobs due to our trade policy.

I am proud to yield 4 minutes to the gentleman from California (Mr. ROHRABACHER).

Mr. ROHRABACHER. Madam Speaker, I rise in strong opposition to this 5-year reauthorization of the Export-Import Bank. First and foremost, let us recognize that this Congress has been very forceful in welfare reform aimed at getting poor Americans off of government subsidies and off of government handouts and into their self-sufficiency. Why is it that we cannot do for big American corporations what we have been doing to America's poorer people, insisting that they be self-sufficient? No, let us get America's biggest corporations off the dole. If we are going to focus on poorer Americans, let us make sure we also get these big American corporations off the dole.

According to the supporters of this bill, the Export-Import Bank sustains free trade. That, of course, pulls that definition way beyond any of the boundaries of logic. The reality is that the bank allows for privileged trade. Certain corporations are given the privilege of taxpayer-guaranteed investments so that they will have the privilege of moving their production out of the United States, making deals with another company in another country in order to set up a manufacturing unit in the other country, financed by the U.S. taxpayers no doubt.

The gentleman from Pennsylvania (Mr. TOOMEY), who suggested in his remarks that he will now vote for the Export-Import Bank, during the last debate on this issue, went into excruciating detail how thousands, 72,000 steelworkers' jobs had been lost and in the middle of this overproduction of steel there was, yes, an Export-Import Bank guarantee for a Chinese company to add even more, 1.5 million metric tons more of steel production in China, and how he is going to vote for the Export-Import Bank because there has been a guarantee in this bill that no more money will go to foreign companies that violate U.S. trade laws.

The question we must ask ourselves is, Why is any U.S. money, our taxpayer money, going to set up corporations in foreign countries in the first place? What is going on here? Oh, yeah, it is not going to go to companies now that violate U.S. trade laws that are setting up manufacturing units overseas. Why are we spending American tax dollars to build up manufacturing units in other countries when our own people need the jobs? What is going on here? As I say, we are too interested instead of getting poorer people off of welfare than we are to look at something like that.

Yes, and the fact is that if we have all those jobs going overseas that we are subsidizing, there will be more people on welfare. Who are the companies that will actually benefit from this? The companies that are being helped, yes, Boeing Corporation is being helped and a few other major companies that we have heard about, AT&T. But the gentleman from Oregon (Mr. DEFAZIO) pointed out that quite often what happens in these companies, it is not just that they are selling their product and then we have jobs here; but instead China and these other countries are insisting that they set up manufacturing units in those countries in order to get the deal. Yes, we have just about created an aerospace industry in China that will now be competing with our aerospace workers in my district. AT&T has created an electronics industry in order to make that sale. And part of the sale, of course, is a guarantee by the taxpayers that that manufacturing unit is going to be financed so that we can set up that job-producing company in China.

This makes no sense whatsoever. It makes no sense for us to subsidize these large companies in order to set up manufacturing units. That is what is going on with the Export-Import Bank. Do not let anybody kid you. I would vote against reauthorization and ask my colleagues to join me.

Mr. OXLEY. Mr. Speaker, I am pleased to yield 1½ minutes to the gentlewoman from New York (Mrs. KELLY), Chair of the Subcommittee on Oversight and Investigations.

Mrs. KELLY. Mr. Speaker, I rise in strong support of this bill. This report must be passed for one simple reason and that is the support for U.S. jobs. It is really easy to characterize this as a handout for big businesses. Well, those businesses mean jobs. They are the people who hire. In our global economy, U.S. companies must constantly be seeking new markets for our products. Our government needs to support these efforts because it supports U.S. jobs. Unfortunately, we do not live in a world in which our trading partners play fair. Our businesses must compete with businesses which are directly subsidized by the nations in which they operate. To add some level of fairness to this competitive disadvantage, the U.S. created the Export-Import Bank. In my area of New York, this has translated into over $70 million which has benefited both large and small businesses involving thousands of jobs in my district alone and tens of thousands of jobs in New York State.

The international market presents many problems for United States businesses seeking new opportunities. We must work to alleviate these problems for U.S. employers so the incentive to move jobs overseas will not be there. In this present economy, every one of us has to make a commitment to ensure more products bearing the ''Made in the USA'' label get to the markets abroad by supporting this legislation.

I urge my colleagues on both sides of the aisle to support this conference report.

In this committee's review of the Ex-Im's performance we determined that a greater effort must be made to increase the amount of funds which go to small businesses. This Conference Report requires a ten percent increase in the volume of funds going to small businesses.

Ex-Im provides an invaluable service for U.S. workers. Many U.S. products and services would never have been able to find new buyers in the global market place without the assistance of Ex-Im.

Mr. LAFALCE. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. SHERMAN).

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

Mr. SHERMAN. Mr. Speaker, I join with the gentleman from Vermont in opposing the disastrous trade policies that the United States has employed over the last decade. They have led to the largest trade deficit in the history of mammalian life.

The trade deficit affects people; $300 billion and more of trade deficit with a rough approximation of 40,000 jobs lost for every $1 billion of deficit.

We do not live in a perfect world. We live in a world in which Europe and Japan subsidize their exporters, and the only thing worse than us subsidizing ours through the Export-Import Bank, would be our failure to do so to partially balance what Japan and Europe do for theirs.

I also want to commend the conference committee for leaving a provision that was added by amendment in the House bill to require that when the Export-Import Bank makes its decisions, it include as an important criteria: whether the country involved is one that is cooperating with us in the war on terror. I think increasingly in all of our trade and foreign aid, we ought to ask that question.

I might add that the Export-Import Bank has to be contrasted with the World Bank, which is planning right now to loan $755 million to Iran. Iran was branded just two week ago by the State Department as the number one sponsor of terrorism among all the governments in the world.

□ 1230

So let us support the reauthorization of the Export-Import Bank, and let us be wary when the World Bank appropriation comes to this floor.

Mr. SANDERS. Mr. Speaker, I am pleased to yield 1 minute to the gentlewoman from Ohio (Ms. KAPTUR), one of the outstanding fighters in this Congress for American workers.

Ms. KAPTUR. Mr. Speaker, I have watched this Import-Export Bank for years, and the idea when it was set up in 1934 was to promote U.S. exports. I have even been questioning the name Export-Import Bank because it seems to me it has been much more successful at increasing imports into this country, displacing our manufacturing base year after year after year, than promoting exports. Look back to the loan that was made in the 1970s in Brazil to mine ore and help to create a Latin American steel industry that has contributed to the global steel overcapacity that her now swamped this Nation's industry. Not only is something fundamentally wrong with the way this organization functions but with our trade policy in general. America's trade deficits have never been larger. Why should we approve a bill for an organization for 5 more years that has helped to spawn our competitors? They are not creating export markets for us. They are creating export platforms where steel and electronics and apparel and aerospace products are U-turned back into this country displacing U.S. jobs. We should reject the reauthorization of the Export-Import Bank. I urge my colleagues to vote ''no'' on its final reauthorization today.

Mr. OXLEY. Mr. Speaker, I yield 1½ minutes to the gentleman from Ohio (Mr. NEY), a valuable member of our committee.

Mr. NEY. Mr. Speaker, I rise today to speak in support of the Export-Import Bank conference report. We are considering legislation necessary to help level the playing field for American exporters by guaranteeing that the Export-Import Bank will be there to help our Nation's companies compete against exporters subsidized by foreign governments. As our Nation has become a leader in advanced technologies, exports have become an increasingly important part, of course, to our economy. The Ex-Im Bank is critical in making sure that our companies are able to compete effectively in global markets. This institution levels what would otherwise be a tilted playing field and make sure that the debate is over the quality of the products of services, not who has the most subsidized prices.

Mr. Speaker, it is no secret that in the past I have always been critical of the Ex-Im Bank. Past actions have cast doubt over whether it was truly taking into consideration the needs of America's workers and our national security. For example, just a couple of years ago, Ex-Im made a loan for Benxi Steel in China to expand its steel-producing capacity when at the same time China was being investigated for dumping steel.

But the bottom line is that I am pleased to have had the opportunity to work with Chairman OXLEY, who has done a wonderful job, and the gentleman from Pennsylvania (Mr. TOOMEY). There are guarantees in here that make sure that our businesses are not hurt, and I would urge support of the conference report.

Mr. LAFALCE. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Speaker, I appreciate the gentleman's courtesy in permitting me to rise today in support of the conference committee report. I think we have heard already on the floor of this Chamber that the Ex-Im Bank is good for American business and it is not free money. It charges interest and it is overwhelmingly a net benefit to the United States Treasury. I have had the pleasure previously to talk about how it is good for my State, which is definitely an export-dependent State, in Oregon.

We have seen in the last 5 years Ex-Im finance a quarter billion dollars in Oregon exports, supporting 59 businesses, 44 of which are small businesses: in my community, Danner Boot, a small high-quality boot product; Calbag Metals Company, an outstanding family-owned environmentally sensitive metals and recycling company. I talked previously about the freightliner company that pays union family wages to machinists and painters that help create high-quality trucks. Without Ex-Im they would not have had an opportunity to sell these high-end units in Latin America.

But my special interest as a Member of Congress deals with protection of the environment, and I have been pleased to watch the work that has been done here demonstrating the evolution of the Ex-Im Bank in environmental exports programs. Last year Ex-Im supported $12.5 billion dollars of United States exports, almost a half billion of which were environmentally-beneficial goods and services. Environmental technology in this country is a $200 billion industry, but only 11 percent of that is currently exported.

Our competitors export almost twice as much of that. I have seen in my own community and around the country that this is an emerging market. With the help of the Ex-Im Bank, we will be able to help American business with critical environmental services that will improve the quality of life around the world. I urge support for the conference report.

The SPEAKER pro tempore (Mr. LINDER). The gentleman from Vermont (Mr. SANDERS) has 4½ minutes, the gentleman from New York (Mr. LAFALCE) has 5½ minutes remaining, and the gentleman from Ohio (Mr. OXLEY) has 2 minutes remaining and the right to close.

Mr. SANDERS. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, there are at least three good reasons to oppose the reauthorization of the Export-Import Bank.

First, the Export-Import Bank is an integral part of a failed trade policy. If you like the fact that between 1994 and 2000 the U.S. has lost more than 3 million decent-paying manufacturing jobs in Ohio, in Indiana, in New York State, all over the country, in my small State of Vermont, if you like and want to continue a failed trade policy, vote for the Export-Import Bank.

The second reason to oppose the reauthorization is corporate welfare. This country has a $6 trillion national debt and a growing deficit. We cannot take care of our veterans, we cannot take care of education, we cannot take care of affordable housing. But, yes, we do have hundreds of millions and billions of dollars available to subsidize the largest, most profitable corporations in America, corporations which shut down plants in this country and move to China and Mexico, corporations which pay their CEOs huge salaries while they lay off their employees.

Lastly, I think it is time to tell the CEOs of America they have to get off of the corporate welfare line; they have to produce jobs in America, not in China; they have to protect the taxpayers of this country.

Those are at least some of the reasons to oppose the Export-Import Bank.

Mr. LAFALCE. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Michigan (Mr. LEVIN).

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

Mr. LEVIN. Mr. Speaker, indeed there is a basic trade policy issue involved in this debate, and that is whether we want to shape trade policy, whether we want to shape the terms of competition, or we do not. Do we believe that trade as it expands is always better, regardless of its nature and its terms? I do not think it is. I think we have to shape trade policy.

Ex-Im is part of that picture. In competing with other nations who help their companies in terms of their exports, those other nations do so, and the question is, are we going to effectively compete with those nations? We are not going to help keep jobs in the United States by destroying the Ex-Im Bank. That is just not the way to do it.

There is talk about downsizing, for example, at Boeing. Ask the machinists who work at Boeing whether they want us to end the Ex-Im Bank. Their answer is no. Ex-Im Bank helps Boeing. It helps them produce goods in the United States that are exported to other places.

There have been problems with Ex-Im in terms of small business. There has been an effort to address those. We can probably still do better.

There has been a problem in terms of companies that violate U.S. trade laws. There is an effort to address this in this bill. We can probably still do better.

But the answer in terms of an effective shaped American trade policy,

which I believe in, is not to eliminate the Ex-Im Bank. We can do better, surely, in terms of shaping our trade policy, and I have been active in the efforts to do that. But it is misguided to say, those of us who believe you shape American trade policy, that you eliminate the Ex-Im Bank. I rise in support of the conference report.

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

Mr. Speaker, as you may recall, when this Ex-Im Bank was debated on the floor of the House, I offered an amendment that received 135 votes, including a majority of the Democrats and 22 Republicans, and that very simple amendment said that a company receiving Ex-Im funds must not lay off a greater percentage of U.S. workers than workers abroad. Frankly, during the conference committee, I was not surprised that that amendment was rejected. We did not win it on the floor of the House.

But let me tell you about another amendment that I offered. I offered an amendment that would simply require companies that receive assistance, now, we are talking about billions of dollars for corporate America, that those companies that receive this assistance sign a pledge, a nonbinding pledge, that they believe in employing U.S. workers at livable wages.

Now, imagine that: corporate America comes in, they get billions of dollars, and we want them to sign a nonbinding pledge that does no more than says they believe in employing American workers at a livable wage. I could not even get that amendment past the conference committee. I do want to thank the gentleman from New York (Mr. LAFALCE) for that amendment, but we could not get the majority to support it.

So the issue comes down to the fact that when you give billions of dollars to the largest corporations in America, what do the working families of this country have a right to expect? I think at a minimum when you are giving money to Boeing, when you are giving money to General Electric, when you are giving money to AT&T, you simply cannot have them accept this money from American taxpayers and say, Thank you very much. By the way, I am on my way to China because we just shut down a plant in your district, throwing American workers out on the street, and we are opening a factory in China. Thank you very much, suckers, in the United States for that taxpayer support.

I think the time is long overdue for the American people to be able to say that, corporate America, you finally have got to have some responsibility to the workers of this country, to the taxpayers of this country, and we should oppose the Ex-Im Bank.

Mr. LAFALCE. Mr. Speaker, I yield 15 minutes to the gentleman from Michigan (Mr. SMITH).

(Mr. SMITH of Michigan asked and was given permission to revise and extend his remarks.)

Mr. SMITH of Michigan. Mr. Speaker, let me just say little evidence exists that the Ex-Im Bank's credit assistance creates jobs. The Ex-Im Bank is a prime example of corporate welfare. The majority of the Ex-Im subsidies go to Fortune 500 companies. It is time to derail this kind of effort that selects favorites and distorts free trade.

Mr. Speaker, I rise to address the issue of corporate welfare. As we eliminate the fat from the federal budget, we should recommit ourselves to making sure all projects and programs are closely examined—not just the politically easy ones.

The Export-Import Bank (Eximbank) subsidizes loans and loan guarantees to American exporters. The experts agree; Eximbank should be abolished.

The Congressional Budget Office makes the following observation: Eximbank has lost $8 billion on its operations, practically all in the last 15 years; and little evidence exists that the Eximbank's credit assistance creates jobs.

The Congressional Research Service writes that: Most economists doubt that a nation can improve its welfare over the long run by subsidizing exports; and at the national level, subsidized export financing merely shifts production among sectors within the economy, rather than adding to the overall level of economic activity; export financing subsidizes foreign consumption at the expense of the domestic economy; and subsidizing financing will not raise permanently the level of employment in the economy. The Heritage Foundation recommends Congress ''close down the Export-Import Bank.''

Heritage further states: Subsidized exports promote the business interest of certain American businesses at the expense of other Americans; and little evidence exists to demonstrate that subsidized export promotion creates jobs—at least net of the jobs lost due to taxpayer financing and the diversion of U.S. resources into government-favored export activities at the expense of non-subsidized businesses. According to Heritage, phasing out subsidies will save 2.3 billion over 5 years.

The former Director of Regulatory studies at the Cato Institute calls the subsidy activity of Eximbank ''corporate pork.'' He stated, ''Even in the face of unfair international competition, the U.S. government doesn't have a right to use tax dollars to match equally stupid subsidies.''

Export financed by Eximbank actually hurt competitive U.S. exporters not selected for subsidies. The bank chooses winners and losers in the economy. The winners are selected foreign consumers and selected U.S. corporations.

The Eximbank is a prime example of corporate welfare. The majority of Eximbank subsidies go to Fortune 500 companies that could easily afford financing from commercial banks: Boeing, McDonnell Douglas, Westinghouse Electric, General Electric, and AT&T.

To raise funds for its lending and guarantee programs, Eximbank puts additional pressure on Treasury borrowing, driving up interest rates for private borrowers. That's all of us. From a corner barbershop wanting to expand to a young family trying to finance their first home. We all pay the price. Sadly, there's more.

Eximbank appears to have wasted money on frivolous items as well. After 50 years with the same agency logo, Eximbank decided it needed a new one. Designing a new logo—including creation, copyright search, and the redesign of bank brochures and literature—cost nearly $100,000 last year. And in 1993, Eximbank spent $30,000 to train 20 employees how to speak in public—including chairman Kenneth Brody. An outside consultant was paid $3,000 a day for this task.

Mr. Speaker, I believe government shouldn't choose winners in the economy. With Eximbank the big winners are foreign consumers, large corporations and professional speech coaches. The loosers are the American taxpayers.

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

Mr. Speaker, let me simply say that in a theoretical world that we might develop, there should be no need for an Ex-Im Bank, because no country should be engaging in subsidies of its exports. But we do not live within that theoretical world, we live within the real world; and within the real world, virtually every country in the world, most especially our major trading competitors, engage in the subsidization of their exports. That being the case, were we not to reauthorize Ex-Im Bank, we would be engaging in unilateral disarmament; and I, for one, do not favor unilateral disarmament.

Having said that, let me also say that it has always been my hope that administrations, both Democrat and Republican, would have been much more aggressive in negotiating a reduction or an elimination of export subsidies.

□ 1245

This is difficult to do with other countries, and it is difficult to do domestically. Other countries have been quite critical of our own Congress because of the recent agricultural bill that we passed saying that we have raised the bar considerably through the exports of our crops and agricultural products in a manner that they believe violates international law.

So we have to look to ourselves, too, but we should be negotiating a reduction or elimination so we could have multilateral disarmament rather than unilateral disarmament.

One more point, too. The Ex-Im Bank is a misnomer. Some individuals will say, well, they do more to help imports than they do exports. The fact is they do zero, nothing, to enhance imports; they do everything, 100 percent of all their programs, all their products, all of their services, all of their assistance, to promote exports of goods, products, and services made in the United States of America and sold abroad.

So one of the things we always should have done and I always favored is to simply strike the word ''import'' because of the misleading impressions that could be created. One Member got up on the floor and gave evidence of the misleading impression that has been created.

Having said that, in order for the United States to compete internationally within the trading arena, passage

of today's reauthorization bill, a very good one, a balanced one, one with Democratic and Republican input, is imperative. I would commend all Members to support it.

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

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

Mr. Speaker, in closing, I want to thank my friend, the gentleman from New York (Mr. LAFALCE), for his stellar efforts throughout this process; and also particularly the gentleman from Nebraska (Mr. BEREUTER). He would perhaps deflate a couple of rather incongruous statements made during the course of the debate.

Mr. Speaker, I yield the balance of my time to the gentleman from Nebraska (Mr. BEREUTER).

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

Yes, indeed, this agency focuses exclusively on exports, despite the name. I want to say definitively that now, when we have a 201 determination or a final order under Title VII, no American exporters may export products to those sectors abroad that are in violation of those two parts of our trade law. That is a major advance offered by the gentleman from Pennsylvania (Mr. TOOMEY). There was no retreat from that; in fact, in conference it was actually strengthened. We traded a very important procedure for a report; a very big advance.

Another point here: Ten percent of the resources of the Export-Import Bank do not go to small business, as suggested; 18 percent. Over 90 percent of all the tax credits are for small business, and we are pushing them to go even much further by the mandate here.

I do not like American exports of jobs, jobs going abroad; but this legislation actually keeps American exporters producing products here, products, manufactured goods and services, and helps our exporters compete, sometimes against subsidized tax credits transactions, by other foreign export credit agencies. Yet, only 2 percent of all of the loans ever go into default.

The Export-Import Bank has a net return of resources year after year after year to the U.S. Treasury. Why? Because we charge risk-based insurance and fees. So the idea of this being a large corporate giveaway or a huge subsidy is just not the case.

I would say to the gentleman from California, for example, or the gentleman from Texas, California is number two in terms of exports abroad coming out of that State because of the Export-Import Bank, and Texas is number three. Think about those aerospace workers and what it means to California, Washington State, and other States involved.

Mr. Speaker, I urge support of the conference report.

Ms. KILPATRICK. Mr. Speaker, I rise today in support of S. 1372, the Export-Import Bank Conference Report. The Export-Import Bank has, as its main goal, the focus of helping businesses compete in the global arena. Since its creation in 1934, the Export-Import Bank has been successful in supporting U.S. businesses by providing needed assistance that allows these businesses to expand and promote their goods in other countries. Without this assistance, many of these businesses would not see this goal realized. Furthermore, as many countries provide higher levels of export financing subsidies to their companies than the U.S., the Export-Import Bank plays a crucial role in helping to even out this imbalance for U.S. firms in the international market.

The Export-Import Bank has to its credit many positive outcomes. It has not only been able to sustain vital U.S. jobs in both small and large companies, but it has also created many jobs around the country. In FY 2001 alone, the bank supported over $12.5 billion in U.S. exports to markets all over the world. Companies across the country see the benefits of working with the bank, as more than 2,000 American companies of all sizes utilize its services each year. In my home state of Michigan, the value of exports supported by the bank since October 1997 is well over $500 million.

The conference report strengthens the ability of the Export-Import Bank to continue its commitment to assisting U.S. companies. The report increases the loan ceiling for the bank each year, culminating in $100 billion in FY 2006. It also contains other important provisions, including anti-dumping, antiterrorism, and human rights provisions that are important factors when considering possible transactions with other countries. The conference report also requires the Export-Import Bank to improve its technical capacity that will strengthen its ability to touch more small businesses and will facilitate the usage of the bank's services for all companies.

The conference report increases the bank's small business requirement to 20 percent from its current level of 10 percent. While this represents a positive step forward, I join with my colleagues in urging a higher percentage level of support in years to come and encourage the bank to do all it can to expand its outreach effort to small businesses, specifically minority and women-owned businesses. The report also strengthens U.S. export efforts in Africa, which I strongly support.

I thank my colleagues, particularly Chairman OXLEY and Ranking Member LAFALCE, for their hard work and commitment in putting forth a strong bill that will enhance the Export-Import Bank's ability to assist U.S. companies of all sizes as they look to expand and compete in the global market.

Mrs. ROUKEMA. Mr. Speaker, I have been a strong supporter of the Ex-Im Bank since coming to Congress in 1981. The Bank plays a very significant role in US trade policy. It ensures that US businesses will not be denied access to overseas markets because of market imperfections that prevent them from obtaining financing from the private sector or because of unfair competition from foreign export agencies. Ex-Im has initiated thousands of transactions in foreign markets that commercial banks deem too risky to enter. Because of the Ex-Im, U.S. businesses export more goods and develop new and stronger trading relationships abroad.

The world of finance and the international trading system are changing fast. Other countries are finding more sophisticated ways of assisting their exporters and new financing mechanisms are being developed. Instead of placing restrictions on the Ex-Im and cutting its funding, we should be working to enhance the banks capabilities to assist business abroad my making sure they have the tools necessary to assist US exporters in this changing global economy.

If fiscal year 2001 Ex-Im Bank financed nearly $12.5 billion of US exports world wide which supported millions of US jobs. Nearly 90 percent of Ex-Im Bank's transaction in fiscal year 2001 was on behalf of small businesses.

In New Jersey alone, the Ex-Im Bank has supported over 214 companies and 138 communities. It is estimated that over 44,974 jobs are sustained by Ex-Im efforts. For example, JB Williams Company located in Glen Rock, New Jersey, is a small, 45-employee manufacturer of specialty soaps and bath products that has been using Ex-Im Bank's short-term export credit insurance since 1998 to expand its exports to Saudi Arabia, Poland, Korea, Colombia, and other counties.

This legislation extends the charter of the U.S. Export-Import Bank for 4 years and creates offices on Small Business Exporters within the Bank. It also increases the value of transactions that the Bank can hold in its portfolio at any time, raises the percentage of small business transactions the Bank should pursue, and improves the operation of the Tied Aid Credit Program. This measure further mandates that the Bank take into consideration U.S. trade laws when considering a transaction, examine whether a recipient company has been involved in any corrupt practices prior to a transaction's approval. And, in the context of our need to fight a war on terrorism, this bill requires the Bank to assess whether a country has been helpful in U.S. efforts to combat terrorism.

This bill raises the level of total Ex-Im portfolio (loans, guarantees, and insurance) outstanding at any one time from the current level of $75 billion to $100 billion by FY 2006. The mandate for small business activity will be raised from 10 percent to 20 percent of the total value of Ex-Im transactions, with 8 percent of the total going to businesses with less than 100 employees.

The Ex-Im Bank improves America's competitiveness overseas, promotes small business and creates and sustains U.S. jobs. I urge my colleagues to support this Conference Report.

Mr. KNOLLENBERG. Mr. Speaker, I rise today in support of the Export-Import Bank, and in support of this conference report.

For nearly eight years, I've been a member of the Appropriations Subcommittee on Foreign Operations. This Subcommittee provides the funding for Ex-Im's program budget. During this time I've become very familiar with the Bank's operations and the important role it plays in supporting U.S. jobs, assisting small U.S. businesses, and helping to finance development in emerging markets around the world.

Support for Ex-Im means real jobs for real people. In its 68-year history, Ex-Im Bank has supported over $400 billion of U.S. exports, sustaining and creating millions of high-paying U.S. jobs. In fiscal year 2001 alone, Ex-Im Bank supported $12.5 billion of U.S. exports to developing countries, enabling many U.S. companies to maintain and even expand their workforces.

Ex-Im's impact is felt throughout America and affects companies of every size, but the Bank's positive impact is particularly strong on small businesses. Ninety percent of the total number of Ex-Im Bank supported transactions in fiscal year 2001 was in direct support of small businesses.

Ex-Im Bank aggressively reaches out to small businesses through a variety of partnerships with lenders, city and state trade offices, small business associations, Congressional offices, and other federal agencies such as the Small Business Administration. I commend Ex-Im for this effort.

Exports are crucial to the U.S. economy. Overseas sales are no longer optional for most U.S. companies. Exports accounted for over one-quarter of U.S. economic growth over the last decade and support an estimated 12 million American jobs. In order to grow the U.S. economy and increase the number of jobs, export opportunities need to grow as well. The Export-Import Bank has a critical role to play in this effort.

I urge my colleagues to join me in supporting the Export-Import Bank and supporting this conference report.

Ms. WATERS. Mr. Speaker, I rise to oppose the conference report on S. 1372, the Export-Import Bank Reauthorization Act.

The purpose of the Export-Import Bank is to create American jobs for American workers. Unfortunately, the Bank has a history of providing assistance to companies that have been exporting American jobs and hiring cheap, foreign labor. For example, the Export-Import Bank insured a $3 million loan to help General Electric build a factory where Mexican workers will make parts for appliances that will be exported back to the United States. As a result, 1,500 American workers will lose their jobs to Mexican workers who will be paid only two dollars per hour.

When the House of Representatives considered its version of the Export-Import Bank Reauthorization Act, an amendment was offered to ensure that the Bank does not subsidize companies that are exporting American jobs instead of American-made products. Unfortunately, this amendment was not adopted.

I am especially concerned by the fact that the Conference Committee deleted the Office on Africa provision from the Export-Import Bank Reauthorization Act. The House version of this legislation included a requirement that the Export-Import Bank establish an Office on Africa to monitor Export-Import Bank lending for projects in African countries. This provision was supported by both the Financial Services Committee and the full House of Representatives, and there was no reason for the Conference Committee to delete it.

I urge my colleagues to oppose S. 1372, the Export-Import Bank Reauthorization Act.

The SPEAKER pro tempore (Mr. LINDER). All time has expired.

Without objection, the previous question is ordered on the conference report.

There was no objection.

The SPEAKER pro tempore. The question is on the conference report.

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

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

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

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 344, nays 78, not voting 12, as follows:

[Roll No. 210]

YEAS—344

Abercrombie
Ackerman
Aderholt
Allen
Baca
Baird
Baker
Baldacci
Ballenger
Barrett
Barton
Becerra
Bereuter
Berkley
Berman
Berry
Biggert
Bishop
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bono
Boozman
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (SC)
Bryant
Burr
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Chambliss
Clay
Clayton
Clement
Clyburn
Collins
Combest
Cooksey
Costello
Coyne
Cramer
Crenshaw
Crowley
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Tom
DeGette
Delahunt
DeLauro
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doyle
Dreier
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Farr
Fattah
Ferguson
Fletcher
Foley
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Gekas
Gephardt
Gibbons
Gillmor
Gilman
Gonzalez
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Herger
Hill
Hinchey
Hinojosa
Hobson
Hoeffel
Holden
Holt
Honda
Hooley
Horn
Houghton
Hoyer
Hulshof
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (OH)
Kanjorski
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
LaFalce
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Lynch
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller, Gary
Miller, George
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Napolitano
Neal
Nethercutt
Ney
Northup
Nussle
Obey
Olver
Ortiz
Osborne
Ose
Oxley
Pascrell
Pastor
Payne
Pelosi
Phelps
Pickering
Pitts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sandlin
Sawyer
Saxton
Schakowsky
Schiff
Schrock
Scott
Serrano
Sessions
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stenholm
Stump
Sweeney
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—78

Akin
Andrews
Armey
Baldwin
Barcia
Barr
Bartlett
Bass
Bilirakis
Bonior
Brown (OH)
Burton
Chabot
Coble
Condit
Conyers
Cox
Crane
Cubin
Culberson
Davis, Jo Ann
Deal
DeFazio
DeLay
DeMint
Doolittle
Duncan
Everett
Filner
Flake
Forbes
Goode
Hayes
Hayworth
Hefley
Hilleary
Hoekstra
Hostettler
Hunter
Jackson (IL)
Jones (NC)
Kaptur
Kerns
Kucinich
Matheson
McInnis
McKinney
Miller, Jeff
Mink
Mollohan
Nadler
Norwood
Oberstar
Otter
Owens
Pallone
Paul
Pence
Peterson (MN)
Petri
Platts
Rivers
Rohrabacher
Royce
Sanders
Schaffer
Sensenbrenner
Shadegg
Smith (MI)
Stark
Stearns
Strickland
Stupak
Sullivan
Sununu
Tancredo
Wamp
Waters

NOT VOTING—12

Bachus
Bentsen
Blagojevich
Ganske
Gilchrest
Hilliard
Miller, Dan
Peterson (PA)
Riley
Roukema
Slaughter
Traficant

□ 1313

Messrs. KERNS, BARTLETT of Maryland, CRANE, HEFLEY, SULLIVAN and Mrs. CUBIN changed their vote from ''yea'' to ''nay.''

Mr. GEKAS and Mr. HERGER changed their vote from ''nay'' to ''yea.''

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

INVESTING IN AMERICA'S FUTURE ACT OF 2002

Mr. REYNOLDS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 432 and ask for its immediate consideration.

□ 1315

The Clerk read the resolution, as follows:

H. RES. 432

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 4664) to authorize appropriations for fiscal years 2003, 2004, and 2005 for the National Science Foundation, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Science. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Science now printed in the bill. Each section of the committee amendment in the nature of a substitute shall be considered as read. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mr. ISAKSON). The gentleman from New York (Mr. REYNOLDS) is recognized for 1 hour.

Mr. REYNOLDS. Mr. Speaker, for the purposes of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MCGOVERN) pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purposes of debate only.

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

Mr. REYNOLDS. Mr. Speaker, House Resolution 432 is a fair, open rule providing for consideration of H.R. 4664, the Investing of America's Future Act. The purpose of this legislation is to authorize appropriations for fiscal year 2003, 2004 and 2005 for the National Science Foundation.

The rule provides for 1 hour of general debate equally divided and controlled by the chairman and ranking minority member of the Committee on Science. The rule waives all points of order against consideration of the bill.

Additionally, the rule provides that the amendment in the nature of a substitute recommended by the Committee on Science now printed in the bill be considered as an original bill for the purpose of amendment, and provides that the bill shall be considered for amendment by section. The Chairman of the Committee of the Whole has the authority to accord priority in recognition of Members who have preprinted their amendments in the CONGRESSIONAL RECORD.

Finally, the rule provides for one motion to recommit, with or without instructions.

As an independent Federal agency, the National Science Foundation's mission is to support science and engineering among all disciplines. Currently, the NSF funds research and education activities at more than 2,000 universities, colleges, schools, businesses and other research institutions throughout the United States.

Federal investment in educating America's youth in the foundation areas of math, science and technology is the only way to maintain our competitive edge in a global economy and to create economic prosperity here at home. The ever changing world of science demands that the research behind it keep pace with the times.

This legislation will provide a 15 percent annual increase for NSF through fiscal year 2005, providing critical financial support that will ensure our Nation's continued advancement in science, education and research. Much like this Republican-led Congress has kept its commitment to double funding for the National Institutes of Health, this legislation will initiate a plan to double NSF moneys over a 5-year period.

This kind of increase is consistent with President Bush's focus on education improvements, such as the Math and Science Partnership Act and the Undergraduate Math and Science Education Improvement Act. This increase will also supply dollars for the countless major research equipment projects that have been approved but simply await funding.

Technology, science and research are powerful components in our development of society. Continually advancing science and research will discover new cures for diseases, improve our quality of life and create jobs and economic growth across America. As someone who hails from a State and region that has fully embraced the value and potential this type of scientific research offers, I can attest to how important this investment is to our future.

NSF-funded projects often bring national and even international attention to towns and cities across America, and sustained research efforts and collaborations have meant growth and new employment opportunities in those areas. This ripple effect energizes communities and attracts young Americans to fields and job markets like science and engineering, areas that are key to making American industry more competitive across the globe.

The long-time president of Massachusetts Institute of Technology, physicist Karl Taylor Compton, once said, ''Modern science has developed to give mankind a way of securing a more abundant life.'' Through this important investment in science, technology and research, this Congress can help ensure for the American people and communities across our Nation a more abundant life.

Mr. Speaker, I urge my colleagues to support this fair and open rule and the underlying legislation.

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

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

I thank the gentleman from New York (Mr. REYNOLDS) for yielding me the customary 30 minutes.

Mr. Speaker, this is a fair and open rule for a noncontroversial bill. H.R. 4664, Investing in America's Future Act, will reauthorize the National Science Foundation, including an increase in funding for the NSF by 15 percent for each of the next three fiscal years. This increase will result in the doubling of the NSF budget over the next 5 years.

NSF is a critical institution whose mission is to promote the progress of science; to advance the national health, prosperity and welfare; and to secure the national defense.

In doing so, NSF has worked with and funded research institutions all across the country. For example, NSF has granted over $311 million to Massachusetts last year, including $3.3 million to the Worcester Polytechnic Institute, and $1.9 million to the University of Massachusetts at Dartmouth to fund very, very important projects that are vital to our national security and our national defense.

This reauthorization bill was unanimously referred to the House by the Committee on Science. The funding level called for in this legislation is above the President's request, and it addresses the growing imbalance between Federal support of biomedical research and physical sciences research. It also helps to ensure that America's present and future scientists and engineers are globally competitive.

The 21st century holds a great deal of promise, but there are also serious challenges ahead. Fortunately, the United States has some of the finest researchers and research institutions in the world. We must ensure that the scientific community in this country has the resources they need to meet our challenges.

The bill before us today I think is an important step in that effort. Mr. Speaker, I commend the members of the Committee on Science for their bipartisan work on this important bill. I ask Members to support this open rule and to support the Investing in America's Future Act.

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

Mr. REYNOLDS. Mr. Speaker, I yield 1 minute to the gentleman from Michigan (Mr. SMITH), the sponsor of this important legislation.

Mr. SMITH of Michigan. Mr. Speaker, let me just say, this legislation is

named the Investing in America's Future Act because that is really what it is. Basic research is what is needed to develop new ideas for products that the world demands. It is how we develop ways to increase the efficiency and productivity in the way we produce those certain products. Basic research, which NSF has done such a tremendous job in its peer review, is really key to not only our economic security but our national security. Smart weapon technology come from basic research.

Let me for just a moment quote a previous statement from NIH, the National Institutes of Health. They said if you do not do more research, basic research coming from NSF, we are going to have to set up our own division for basic research in NIH. Adequate basic research is key to our health, key to our economy, key to our national security.

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

Mr. REYNOLDS. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan (Mr. EHLERS).

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

In preparation for the discussion of the bill itself, I would just like to offer some general comments about the nature of basic research and the importance of funding basic research because that often raises questions in the mind of the public and, consequently, questions in the minds of the Congress.

Basic research is that research which is done to understand the basic underpinnings of science, the basic underpinnings of the nature of our universe and how it operates. It is very broadly based. It is not specifically directed toward any particular problem in society and sometimes not even toward a problem in the sciences. It is an effort to really learn more about the universe and how it and all its composite parts work.

That makes it very difficult to defend in the political process, but let me simply point out to my colleagues some of the results of basic research that we take for granted today.

In the 1930s, there was some research done on a very esoteric topic called stimulated coherent emission of radiation. This was theoretical work. It was very low cost work. The National Science Foundation did not exist. It was done by a professor and a few others working together, and they deduced that it was possible to have stimulated emission of light where one would have one photon, one particle of light, hitting an atom in an excited state, and one would have another photon come out that was exactly like the one that came in, and yet the one that came in would be unaffected. So one obtains double the amount of light and the light was coherent; that is, the wavelengths matched and the light was in phase.

This was essentially an unremarkable result in 1930 because no one had yet imagined a way in which it could be done, but after World War II, during which we learned a lot about more advanced physics, and researchers began investigating this with microwave radiation and discovered, in fact, it did work; this work was done by Charles Townes, a good friend of mine, a good physicist, who is now at Berkeley. He discovered that he could direct a microwave photon at an excited atom and get two microwave photons out that were coherent, traveling in exactly the same direction, in phase, and with identical frequencies.

He immediately recognized that this could also lead to light amplification by stimulated emission of radiation, and so the laser was developed about 1960, or in that time frame. It was a laboratory curiosity.

I remember the first time I saw a laser and played with it. It was almost a toy, and we had fun with it. What an amazing thing, that one could amplify light! And yet everyone today is familiar with lasers; They have become ubiquitous. We use them for everything from lining up sewers to making certain that the tiles in the ceiling of a building are level, to conducting surgery of various types, on to many other uses, cutting metals and cutting cloth. Most likely the dresses and suits that are being worn here today were cut by laser initially before they were sewn together. All of this is based on the initial research work done in 1930.

Let me take another example, nuclear magnetic resonance, an esoteric bit of research which occurred while I was in graduate school. Who really cared about the nuclear spins and magnetic moments of hydrogen nuclei? Yet that nuclear magnetic resonance work which forms the basis for what we today call magnetic resonance imaging, a fantastic medical advance. diagnostic tool, the MRI, which look inside our bodies and tell us whether we have cancer, or a torn muscle, or something else. Similarly, the CT scan came out of research in high-energy elementary particle physics, an esoteric topic as far removed from everyday life as we can imagine.

□ 1330

The question is, so what? The point is simply that during the past decade the marvelous economic expansion we enjoyed was, according to Alan Greenspan and other experts, almost entirely based on the basic research that we funded some 30 to 50 years ago. If we want to continue to enjoy economic growth and expansion, if we want to continue to lead the world, we have to also continue leading the world in basic research.

That is what this bill is all about, continuing to lead the world in basic research so that our children and grandchildren are going to have the same economic advantages that we enjoy today, just as our parents and our grandparents invested in basic research so that we could enjoy the fruits of that today. That is what this bill is about.

That is why the Congress must pass this bill so that we adequately fund basic research and continue the economic base and growth that we enjoy today, and so that we can continue to expand our basic understanding of the universe and all it contains, and learn about the scientific processes that constantly occur.

Mr. MCGOVERN. Mr. Speaker, I yield 3 minutes to the gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. Mr. Speaker, I thank the gentleman for yielding me this time. And this is the first time I have had him yield to me in his capacity as a member of the Committee on Rules. We are all very proud of that accomplishment for him and thank him for his great leadership there and on this bill, which is a very important one.

Mr. Speaker, I rise in support of the rule and in support of the legislation, and I commend the Committee on Science for their excellent work on this reauthorization for the National Science Foundation funding. For a long time, our colleague, the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON), has sponsored a bill and given us all the opportunity to register our support for drastically increasing the funding of the National Science Foundation. I am so pleased now that the Committee on Science has taken up that leadership, and the considerable leadership of the chairman, et cetera, of the committee to make this a possibility; that we would be on a path to doubling the National Science Foundation budget.

Mr. Speaker, I serve as a member of the House Subcommittee on Labor, Health and Human Services, and Education of the Committee on Appropriations. A number of years ago, we set off on this path to double the funding for the National Institutes of Health. We are in our last year of that doubling effort. It was very important to the health of the American people. So, too, is the doubling of the National Science Foundation. Not only do we have to do this, but we should do more.

We had the Tech Talent Act, which encourages young people and mentors them in studying math and science so that we have the seed corn for us to have the scientists who will maintain and improve and enhance our technological base, and as well, as the gentleman from Michigan (Mr. EHLERS) said, our economic base as well.

Our progress in the National Institutes of Health, the Human Genome Project and other progress, really springs from the improved instrumentation that came from the technology side of it, the hard sciences, physical sciences side of it, the nonbiomedical science. So we all benefit across the board in terms of biomedical research, which is so important to the American people; the economic success, which is so important to our country; and also the fulfillment of the young people who have the talent and should be encouraged to study math and science and become scientists.

So I am absolutely delighted today that in this bipartisan way we can come to the floor. I commend the distinguished chairman of the committee and the subcommittee, as well as the Members on both sides of the aisle, for making this a reality for the Congress to take this vote and make it a reality for our country; and I will do everything in my power working with them to ensure that this can be translated not only into an authorization but an appropriation as well.

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

Mrs. BIGGERT. Mr. Speaker, I thank the gentleman for yielding me this time, and I rise today in support of the rule and as a cosponsor and strong supporter of H.R. 4664, the National Science Foundation Authorization Act, or Investing in America's Future Act.

I want to commend the members of the Committee on Rules for this open rule, and the chairman of the Committee on Science, the gentleman from New York (Mr. BOEHLERT); and the ranking member, the gentleman from Texas (Mr. HALL) of the Committee on Science; as well as the chairman of the Subcommittee on Research, the gentleman from Michigan (Mr. SMITH); and the ranking member, the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON), for expeditiously ushering this bill through that committee and to the floor.

Mr. Speaker, a distinguished committee, chaired by Senators Gary Hart and Warren Rudman, released a report on national security at the beginning of 2001. While it did not receive a lot of public attention at the time, the Hart-Rudman report has been revisited often since September 11. One aspect of the report with particular relevance to the bill we are considering today is its finding and recommendation on the importance of basic research. According to the Hart-Rudman report on national security, and I quote, ''The U.S. Government has seriously underfunded basic scientific research in recent years. The quality of the U.S. education system, too, has fallen well behind those of scores of other nations. The inadequacies of our systems of research and education pose a greater threat to U.S. national security over the next quarter century than any potential conventional war that we might imagine.''

The report goes on to recommend doubling the Federal Government's investment in science and technology research and development by 2010. Mr. Speaker, the bill we pass today takes an important step in the right direction.

In addition to supporting basic research at colleges and universities nationwide, the NSF works to ensure that American teachers and professors have the skills, training, and equipment to prepare future scientists and researchers. This is critical as science and technology become increasingly important to our economy, our health, our environment, and our national security.

Mr. Speaker, I urge my colleagues to support this rule and this bill.

Mr. MCGOVERN. Mr. Speaker, I yield myself the balance of my time to say that this is a good rule. It is an open rule. It is nice to have an open rule. More importantly, this is a good bill and deserves the support of all our colleagues.

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

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

Since the dawn of man, the human race has been ingrained with a fascination and need to slip beyond its boundaries and explore the unknown. From across the continents to the depths of the ocean and to the far reaches of space, that pioneer spirit continues to this day.

The National Science Foundation embraces that spirit with its record of excellence in research, education, technological advancement, and discovery. They make possible the pioneer spirit within us all.

I ask my colleagues to join me in supplying the necessary tools to the National Science Foundation so they can continue along the path of important contributions to America and to mankind. Their programs are an important demonstration of how efficient government investment can return great dividends to society. There is no better time to invest in America's future.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore (Mrs. BIGGERT). Pursuant to House Resolution 432 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 4664.

□ 1339

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4664) to authorize appropriations for fiscal years 2003, 2004, and 2005 for the National Science Foundation, and for other purposes, with Mr. ISAKSON in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from New York (Mr. BOEHLERT) and the gentleman from Tennessee (Mr. GORDON) each will control 30 minutes.

The Chair recognizes the gentleman from New York (Mr. BOEHLERT).

Mr. BOEHLERT. Mr. Chairman, I yield myself such time as I may consume.

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

Mr. BOEHLERT. Mr. Chairman, I am proud to bring to the floor today H.R. 4664, the Invest in America's Future Act, which was approved unanimously by the Committee on Science. This landmark bill would put the National Science Foundation on a track to double its budget over the next 5 years, while, at the same time, imposing strict new management requirements to ensure that the National Science Foundation continues to spend our money wisely.

This Congress has already demonstrated its faith in and reliance on the National Science Foundation several times in recent months, and I hope and expect that we will continue to do so today. Earlier this year, by the overwhelming margin of 400 to 12, we passed a cybersecurity bill that relied on NSF to fund the research needed to protect our Nation's computer systems and networks. At this time last year, we passed by voice vote a bill to initiate the President's math and science education partnerships, a program that NSF is now beginning to carry out; and we have passed appropriation bills that have included generous, if still insufficient, increases for the National Science Foundation.

So the 107th Congress is already on record as acknowledging the vital role played by NSF in both research and education, and we have already recognized the Foundation's need for additional funds. Today, we take the next logical step.

The scale of NSF's budget today is simply not commensurate with the breadth and importance of its mission. Congress reached that same conclusion about the National Institutes of Health, and we have followed through by doubling that research agency's budget. But health research is not the only kind of research on which our Nation depends. And, indeed, even health research itself depends on advances outside of biomedicine, the kinds of advances that produce new research tools and new understandings of chemistry and physics.

So it is time to give NSF, a much smaller agency than NIH, a budget commensurate with its mission. When we look at the new fields of science and engineering that will boost our economy in this new century, fields like nanotechnology, where do we turn to ensure that our Nation's researchers stay at the cutting edge? The National Science Foundation. When we look at the field of information technology, which facilitates every activity in today's economy, where do we turn to ensure that the U.S. remains at the cutting edge? NSF. When we consider our even more urgent need for a highly skilled technologically-literate workforce, where do we turn to ensure that our education system, from kindergarten through postgraduate work, is preparing the people we need? You

guessed it, the National Science Foundation.

We turn to the National Science Foundation to solve some of our most pressing problems. We cannot turn from NSF when we decide where to invest Federal funds. It is time to give NSF the money it needs.

But do not take my word for it. Do not even take the word of all the university and research groups that have endorsed this bill. They are the obvious beneficiaries. Instead, listen to the major industrial entities that are backing this bill, groups like the National Association of Manufacturers, the Semiconductor Industry Association, and Technet. They understand that federally funded basic research, research which industry has little incentive to fund, is needed to keep the American economy humming.

But some may still wonder, despite the support for raising NSF's budget, whether the agency can handle such a significant increase. I would argue that there is no agency better placed to handle it. NSF is a lean agency that spends little of its budget on administration. It is the only agency in the entire Federal Government that received a green light rating from the Office of Management and Budget for the quality of its operations. It is repeatedly cited as a model of how Federal agencies should be run.

But despite NSF's stellar record, this bill will not allow the agency to rest on its laurels. The bill imposes several new management requirements to ensure that Federal taxpayer dollars are wisely spent.

□ 1345

There is a new report NSF must submit to Congress explaining how it decided to allocate its funding. There is a new requirement to ensure that the public has greater access to National Science Board meetings. There is a new joint NSF–NASA advisory committee on astronomy research.

Most importantly, there is a new process to prioritize major equipment projects and to manage them more consistently. Right now, there is no way for anyone outside the foundation to understand how these large projects, like new telescopes and research stations, are selected or ranked.

Under our bill, the director and the board will have to agree on a list of projects in priority order that will be submitted to the Congress. Actual budget proposals may still have to depart from that order, but at least we will all be starting with the same information in evaluating such budget proposals.

Mr. Chairman, this is a responsible bill, it is a needed bill, it is a bill that has garnered widespread support in committee and outside this Chamber, and it deserves support from all of us today. In passing this bill, we do nothing more, and nothing less, than reaffirm some basic principles: That being the world leader in research is important to our Nation's health, defense, and economic well-being; that improving science and math education is critically important; that a great Nation should not skimp on its investments to improve human understanding of natural phenomena.

It is through NSF that we turn those principles into actions. To paraphrase Daniel Webster, it is a small agency, but there are those of us who love it. I urge support for this bill.

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

Mr. GORDON. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in support of Investing in America's Future Act of 2002, H.R. 4664, a 3-year reauthorization bill for the National Science Foundation.

The bill represents a bipartisan effort by the Committee on Science to provide the level of resources necessary to sustain the important work of the National Science Foundation in science and engineering research and education.

I want to congratulate the chairman of the Subcommittee on Research, the gentleman from Texas (Mr. SMITH) and the ranking Democratic member, the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) for their efforts to craft this bill. I also thank the chairman of the Committee on Science, the gentleman from New York (Mr. BOEHLERT) for his leadership in working closely with this side of the aisle in developing the bill.

NSF is our premier agency for support of basic research at academic institutions in the physical sciences and the nonmedical biological sciences, in mathematics, and in engineering. Basic research discoveries launch new industries that bring returns to the economy far exceeding the original public investment.

The Internet, which emerged from the research projects funding by DOD and NSF, strikingly illustrates the payoff potential of such research expenditures. In fact, over the past 50 years, half of U.S. economic productivity can be attributed to the technological innovation and the science that has supported it.

Unfortunately, the simple truth is that during the 1990s we underinvested in the fields that NSF supports.

A recent report from the National Academy of Sciences provides specific examples that make this case. The report shows that between 1993 and 1999 Federal research support at academic institutions fell by 14 percent in mathematics, by 7 percent in physics, by 2 percent in chemistry, and by 12 percent in electrical engineering.

Inadequate funding for basic research in such important fields imposes a price on society, because new ideas are lost that would otherwise underpin future technological advances.

Of even more importance, anemic funding of academic science and engineering research reduces the numbers of new young scientists and engineers who constitute the essential element necessary to ensure the Nation's future economic strength and security.

H.R. 4664 authorizes funding growth for NSF of 15 percent per year for 3 years, bringing the total authorization level to $7.3 billion by the third year. This follows a funding path to double NSF's budget over 5 years, as was proposed by the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) in the NSF authorization bill she introduced, and I cosponsored, last year.

We were not alone in calling for substantial funding increases. Such prominent figures as Federal Reserve Chairman Greenspan, former House Speaker Gingrich, and former presidential science advisor Allan Bromley have pointed out the importance of increasing support for basic research in science and engineering.

The coalition for National Science Funding, a group of 80 scientific, engineering, and professional societies, universities, and corporations, specifically called for providing a 15 percent funding increase for the NSF this year as the next step in doubling the NSF budget.

The funding growth proposed by H.R. 4664 will enable the foundation to expand its investment in cutting-edge research initiatives and shore up its core research programs.

Equally important, the bill will increase efforts to improve the skills of K–12 science and math teachers, develop better science and math curricular materials, and attract more women and minorities to careers in science and engineering.

H.R. 4664 is an important bill that will help ensure the Nation maintains a vigorous basic research enterprise, which is an essential component for a strong economy for our national security.

Mr. Chairman, I commend this measure to my colleagues and ask for their support and its passage in the House.

Mr. Chairman, I ask unanimous consent to yield the balance of my time to the gentlewoman from California (Ms. WOOLSEY) to control the time for the remainder of the debate.

The CHAIRMAN. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. BOEHLERT. Mr. Chairman, I yield 3 minutes to the gentleman from Texas (Mr. SMITH).

Mr. SMITH of Texas. Mr. Chairman, I support this legislation to increase the National Science Foundation budget by 15 percent for next year. This bill will put us on the path to double the NSF budget over the next 5 years.

Science inspires us to conquer the unknown, invent what does not exist, and improve what already exists. It all begins with research.

President Bush's budget proposal recognized the importance of science funding with a 9 percent increase in science and technology spending. That is the

good news. But among the various science agencies, the increases in amounts varied greatly.

The National Institutes of Health, NIH, received the lion's share of funding under the administration's proposal. The NIH budget has increased to a point where it is now larger than the rest of the budgets of the science agencies put together, and the proposed increase alone in NIH funding is larger than the research budget of the National Science Foundation.

Biomedical research is important and the NIH should receive adequate funding. The administration's proposed budget rightly recognized the importance of our physical health. But, Mr. Chairman, our citizens' economic health is just as important as their physical health.

The NSF funds the cutting edge research that allows the U.S. to dominate the high technology field. Our commitment to the funding in the bill ensures that our technological preeminence will continue. Scientific research at the NSF has greatly enhanced our lives and has advanced science and technology. Consider the benefits of better weather forecasting, the saved lives that result from MRIs, the promise of faster semiconductors, and breakthroughs in nanotechnology that will drive our scientific efforts in the new century.

Mr. Chairman, H.R. 4664 improves the quality of math and science education with $200 million in funding for the Math and Science Partnerships Initiative, which encourages more students to enter graduate level science studies.

In our technology-driven economy, math and science skills are essential. If we want to prepare the next generation with the skills they need for success, we must increase their knowledge of science. Either we continue to invest in the sciences, or risk losing the ability to lead the world in research. This legislation recognizes the priority of research and development, and I urge my colleagues to support it.

Ms. WOOLSEY. Mr. Chairman, I yield 3 minutes to the gentlewoman from California (Ms. LOFGREN).

Ms. LOFGREN. Mr. Chairman, I would like to take this opportunity to commend the gentleman from New York (Mr. BOEHLERT), the gentleman from Texas (Mr. HALL), the gentleman from Texas (Mr. SMITH), the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON), and the gentlewoman from California (Ms. WOOLSEY) for allowing me to share this time, and for their leadership and imagination in bringing H.R. 4664, the Investing in America's Future Act of 2002 before us today for our consideration.

I am proud to be an original cosponsor of this important piece of legislation. I have long been a passionate advocate for the National Science Foundation and the work they oversee. This work begins the laudable goal of doubling NSF's budget over the next 5 years.

Competition for NSF grant funding is very intense. Every year NSF receives about 30,000 proposals for research in education projects. Of these, about one-third only are funded. These grants usually go to colleges, universities, academic consortia, nonprofit institutions, and small businesses. The NSF also supports collaborative projects between universities and industry, as well as U.S. participation in international cooperative research and education efforts.

By increasing the amount of money available for grants, the NSF will be able to greatly enhance opportunities for scientific inquiry, and will generate invaluable progress in a wide range of fields. The resulting discoveries will help drive economic growth and enhance the quality of life for all Americans.

NSF is the second largest source of federal funds for academic research. Students of mathematics, science, the environment and engineering will be better able to compete in the global marketplace because the investments made by NSF will generate exciting opportunities to enhance their studies.

I believe our Nation is well served by increasing the resources available for NSF. For these and many other reasons, I am proud to support this bill and I know this measure will pass the House today with overwhelming bipartisan support. This day will mark a day when we make the future of this country immeasurably brighter and bigger because investing in science is always a good investment.

Mr. BOEHLERT. Mr. Chairman, I yield 4 minutes to the gentlewoman from Maryland (Mrs. MORELLA), the angel of NIST.

Mrs. MORELLA. Mr. Chairman, I thank the guardian of the Committee on Science for yielding the time to me.

It is with great pleasure that I rise as a very proud cosponsor to speak on behalf of H.R. 4664, the National Science Foundation Reauthorization Act. I thank the gentleman from New York (Mr. BOEHLERT) and the gentleman from Texas (Mr. SMITH) and the ranking members for their leadership on this issue. This committee has had a congenial disposition; but the bipartisan nature under which we have operated to produce this bill is a true tribute to the leadership and consensus-building skills on both sides of the aisle. I hope we can continue to work together to produce this kind of legislation.

Mr. Chairman, 5 years ago we made a historic pledge to double the budget of the National Institutes of Health. It took a lot of hard work to get the initial commitment, and even more to see it through. Despite a war on terrorism and an economic downturn, Congress and the administration kept its word and fulfilled that promise. The NIH is funding twice the work it did a mere 5 years ago. That is a tremendous accomplishment. In the 21st century, revolutions in our understanding of biology will rival those of physics in the 20th, and work sponsored by the NIH must continue to be a priority.

However, their initiatives cannot and must not be pursued exclusively. Science has become intricately interconnected; discoveries in one drive innovations in others. Without adequate research into the underlying fields of physics and chemistry, advancements in biology and medicine will stall. If we expect the myriad achievements of recent years to continue, we must support the underpinning science and engineering more robustly. As such, I believe we need a more balanced portfolio and need to champion the traditional areas of research, as well as the exciting new projects that have generated so many headlines of late.

□ 1400

In addition, we must do a better job of training the next generation of scientists and engineers. Fewer and fewer Americans are undertaking technical careers, accepting the torch from elder scientists and building on the accomplishments of generations past. We have made up for this shortfall largely by relying on foreign students and post-docs to fill the ever widening void. This is a poor long-term solution, and we must find ways to arrest the decline of American scientists.

The National Science Foundation is uniquely positioned to accomplish both of these goals. As the premier supporter of the overall scientific enterprise, the NSF has the exclusive ability to balance research and education dollars. They already reach across the entire scientific spectrum, touching all of the major disciplines, and can ensure underfunded areas of science and technology receive adequate support.

They are also the primary Federal agency when it comes to science education. They more than anyone else are responsible for supporting new scientists in all of the physical disciplines, and they are prepared to target traditionally underrepresented groups to fill the gaps.

I myself had the opportunity to work with NSF on the Congressional Commission on the Advancement of Women, Minorities and Persons with Disability in terms of recognizing the important contribution that they can make to the development of our next generation of scientists and engineers. As our society becomes more and more technologically focused, we must ensure that our educational system is training our youth to meet the rigorous demands of the future. The NSF has a vital role to play. I know that they are up to the task.

What is more, the NSF has consistently scored at the top of all government agencies when it comes to efficient and effective use of resources. The GAO routinely gives them favorable evaluations. They are one of only a few agencies to successfully comply with GPRA requirements. They have all the tools, and they know how to use

them. All they need are the resources. With this bill, they will have them.

I have been a consistent advocate of an increased science portfolio. This is the way to go. The NSF deserves our support. I urge my colleagues to support this bill.

Ms. WOOLSEY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in support of the NSF reauthorization. H.R. 4664 is a good bill, it is a bipartisan bill; and I want to compliment Chairman BOEHLERT, Chairman SMITH, and the ranking members for closely working together so that both sides are well represented in this legislation. Even during these tight budget times, investing in basic research like that at NSF is a wise and fiscally-prudent decision. I strongly believe we must make significant long-term investments in this Nation's sciences. This bill does just that.

The need for increased funding at NSF is clear. Recent data published by the National Academy of Sciences on Federal funding for basic research shows us that we are not meeting today's challenges. Sadly, there is strong evidence of declining basic research funding in many of the physical science areas. However, since NSF is the source of 36 percent of the Federal funding for basic research that is performed at universities and colleges in the physical sciences, we now have a chance to reverse course.

In my home State of California, NSF partners with the University of California on numerous research proposals in the physical sciences. I know that this bill will continue to support those needed partnerships for our long-term science and research needs. It is clear that in this instance, the returns to the Federal Government far exceed our public investment. That is why I urge my colleagues to support this bill to increase the NSF budget.

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

Mr. BOEHLERT. Mr. Chairman, I am pleased to yield 4 minutes to the distinguished gentleman from Michigan (Mr. EHLERS).

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

Mr. EHLERS. Mr. Chairman, I thank the gentleman for yielding me this time. I would like to add to the comments I made a moment ago under the discussion for the rule but apply those comments specifically to the National Science Foundation.

Over the past decade, we have had some interesting trends in the funding of scientific research in the United States. However, we have failed to keep pace with that of other nations. At the moment, we are spending less on research compared to GDP in the United States than Japan does and the gap is increasing, not decreasing. Even worse, we are spending less compared to our GDP than Germany does. Even worse, we are rapidly being overtaken by South Korea. We are losing ground. Yet we are supposed to be the superpower, the world's leader, not only in military might but also in research and advancement. We have to change that trend. We made a good step in that direction a few years ago when we doubled the NIH budget over a period of 5 years. It is high time we do precisely the same for the National Science Foundation.

Just to illustrate the impact of what has happened and how things have gotten out of balance, I have here a very small chart, which I hope my colleagues can read, and at least see the trend lines, which shows very clearly what has happened to NIH, as shown on the top line. A few years ago NIH was bundled fairly closely to NASA and Department of Energy research. We decided to double it, and it has shot up exponentially as happens when you double things, whereas NASA is holding its own or slightly down, and DOE, the Department of Energy, has gone down.

We are spending less on research in the Department of Energy now than we did 10 years ago, in real dollars. The National Science Foundation, our most important basic research entity, is struggling along at the bottom of the chart. It had slight increases over the past decade, but very slight. I maintain that that is out of balance. As the rate of NIH goes up, NSF should also go up, because the National Institutes of Health builds its research on the basic research that is done under the auspices of the National Science Foundation. They go to the well of this basic research periodically and build on what has been developed there. But if they go to the well and the well is empty, all the money that we have spent for NIH is not going to count for much. It is essential that we proceed with the doubling that is proposed in this bill for the National Science Foundation. I commend Chairman BOEHLERT and Chairman SMITH for leading the charge in this effort. It is something that we must do and that we can do.

To those who are worried about budget busting, let me simply point out that this year's increase in the National Institutes of Health is greater than doubling the NSF budget will be. In other words, this year's increase in NIH is greater than the total current budget of the National Science Foundation. At the very least, we can easily afford to double the NSF budget; and by doing that over 5 years, we are spending one-fifth of what we have been spending each year to increase NIH.

This is a good bill. I urge that my colleagues vote for it. I urge that we pass this bill and put this doubling program into effect.

Ms. WOOLSEY. Mr. Chairman, I yield 3 minutes to the gentleman from North Carolina (Mr. ETHERIDGE).

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

Mr. ETHERIDGE. Mr. Chairman, I thank the gentlewoman for yielding me this time and Chairman BOEHLERT and Ranking Member HALL and the gentleman from Texas (Mr. SMITH) and the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) for their efforts in getting this bill. I am proud to be a cosponsor as well.

I rise in strong support of H.R. 4664, Investing in America's Future Act. This legislation, that will increase the funding for the National Science Foundation, is critical and it is probably more critical at this time than anyone can imagine. I believe that maintaining our Nation's global scientific and economic leadership provides the best justification for funding basic research, and that is really what we are talking about here. I also believe that a solid academic foundation in math and science education is critical to our success as a Nation in the 21st century.

As the lead source of Federal funding for basic research at colleges and universities, NSF supports research and educational programs that are crucial to technological advances in the private sector and for training our next generation of scientists and engineers. NSF funds cutting-edge research in science and technology that is critical in the United States. The research funded by the foundation has played a pivotal role in raising the standards of living in the United States as well as around the world.

As we have already heard from others, with a very small portion of Federal spending, the National Science Foundation has had a powerful impact on national science and engineering. Every dollar invested in this agency returns manifold in its worth in economic growth. For example, over 25 percent of the Federal support for academic institutions for basic research is provided through the National Science Foundation and almost 50 percent of the funding for nonmedical research at universities is provided through the National Science Foundation. NSF also provides 46 percent of the basic research in engineering performed at colleges and universities and also helps train more than 25,000 graduate students each year. I am pleased with the accomplishments that NSF has made in research and education initiatives, and I strongly support the doubling of NSF's budget by the proposed increase of 15 percent over the next 3 years in pursuit of this effort.

As the former superintendent of schools of my home State of North Carolina, I have worked for many years to improve science and mathematics education in our schools. We need better science and mathematics education in the K–12 classrooms if we are going to have it in university students. Quality instruction is the key to helping students learn in these critical fields. At a time when we are trying to improve the quality and quantity of science and mathematics in America, appropriate investments in NSF is critical to enabling our students to compete in today's knowledge-based economy. This increase in NSF budget will

help ensure that improving science and mathematics education remains a national priority. I urge the vote and signature by the President.

Mr. BOEHLERT. Mr. Chairman, I am pleased to yield 3 minutes to the distinguished gentleman from New York (Mr. GRUCCI).

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

Mr. GRUCCI. Mr. Chairman, I rise today to express my support for H.R. 4664, the Investing in America's Future Act. This bill would reauthorize the National Science Foundation at its highest level for the next 5 years, placing it in an unprecedented doubling track. I thank Chairman SMITH and Chairman BOEHLERT for the time on the floor today to speak on this very important issue and for their leadership on this increasingly important issue.

I am proud to be a cosponsor of this important legislation. H.R. 4664 not only takes a decisive step to doubling the funding for the National Science Foundation but also is a clear example of the support of this House in scientific discovery and growth. Now more than ever science and technology are leading the way to not only expand America and make it the best it can be but also to protect our citizens and improve our homeland security. Technologies such as radiation detectors and highest-level x-ray are keeping our homes, our businesses, and our transportation systems safe every day. But these critical technologies originate from the same place, from the Federal laboratories and university research that benefit from the National Science Foundation. Basic research is key to generating these ground-breaking and important technologies that we utilize in our lives every day.

My district is the home to leaders in basic research, the Brookhaven National Laboratory and the State University of New York at Stony Brook. These great institutions have benefited greatly from the support and funding from the National Science Foundation, advancing their endeavors and educational opportunities for students and scientists alike.

□ 1415

I am pleased that the bill includes important language clarifying the selection process of the Major Research Equipment Account. These large scale research projects are some of the best science our Nation has to offer, and it is imperative that a clear selective process is in place with congressional oversight. I thank the gentleman from New York (Chairman BOEHLERT) for his leadership on this issue and for including this language in the bill.

The National Science Foundation represents the best in math and science education. In order for our Nation to remain a world leader in discovery and innovation, we must strive to educate our younger generation, engaging them in math and science activities.

It is no surprise that the bill is entitled the Investing in America's Future Act, because that is exactly what we will succeed in doing by passing this legislation. Educational programs funded by the National Science Foundation offer students opportunities for exciting studies in innovative fields of learning. From as early as grade school through to the post-doctoral level, the National Science Foundation provides the much-needed support to those students striving to achieve in the science field.

Again, I am proud to be a cosponsor of this very important legislation and thank the gentleman from New York (Chairman BOEHLERT) for the time to speak here today. I look forward to the passage of this exciting bill and urge a ''yes'' vote from my colleagues.

Ms. WOOLSEY. Mr. Chairman, I yield 4 minutes to the gentleman from Washington (Mr. BAIRD).

Mr. BAIRD. Mr. Chairman, I thank the gentlewoman for yielding me time.

Mr. Chairman, I rise in support of H.R. 4664, to authorize funds for the National Science Foundation. As a proud cosponsor of this legislation, I want to thank the gentleman from New York (Chairman BOEHLERT) and the ranking members for their excellent work on this; but I also want to reinforce my strong support for the $50 million funding for the Advanced Technological Education Program in FY 2002 and $55 million for the program in 2003.

The Advanced Technological Education Program is an NSF program designed to help community colleges train high-tech workers. It is the only NSF program focused solely on community colleges. This program provides funds for both existing and new ATE programs.

These programs will become increasingly important as our economy becomes more dependent on technologically skilled workers. In fact, every single one of the top 10 fastest-growing occupations identified by the Department of Labor will require specialized knowledge in the fields of math and science. ATE programs will fund technology, math and science programs that will directly contribute to student success in those fields.

A few weeks ago my colleague the gentleman from North Carolina (Mr. PRICE) and I introduced H.R. 4680, the Science Undergraduate Community College Education Enhancement Act, or, as we call it, SUCCEED. This bill will further direct ATE money to important science, math and technology two-year education programs.

Almost half of all college students in America are enrolled in community colleges, but many of the core math and science programs at these institutions are now severely underfunded. This is unacceptable, especially at a time when our knowledge-based economy depends on a workforce with a solid grounding in math and science.

The SUCCEED Act will function in several areas. First of all, it will expand the scope of existing grant programs to not only focus on the advanced upper division courses, but on the basics in math and technology skills and science skills that are necessary for success in more advanced course work.

In addition and importantly, it will expand partnerships between 2-year and 4-year institutions. Increasingly, our 2-year community colleges are partnering with 4-year institutions, and the SUCCEED Act will provide funding for integrated research between community and 4-year colleges.

This bill will also provide access to state-of-the-art equipment for our classrooms. We cannot expect our students in the community colleges to learn the kind of advanced skills they need if we do not have the fundamental infrastructure and equipment for them to learn those skills.

Finally, this bill will establish an external advisory committee to study how the effectiveness of this legislation is proceeding and to disseminate critical information to share that with other 2-year institutions.

Again, I want to thank the staff of the Committee on Science for their outstanding work, and my own staff member, Ms. Kate Sinner, for her work on this. Thanks again to the gentleman from New York (Chairman BOEHLERT).

Mr. BOEHLERT. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I want to thank everyone involved with this, but none more than the gentleman I am about to introduce to consume the balance of our time. The gentleman from Michigan (Chairman SMITH) is the spark plug behind this legislation. He is serving with great distinction on that very important Subcommittee on Research, and he constantly reminds us every single day about the importance of the work we are about.

Before yielding the balance of my time to the gentleman from Michigan (Chairman SMITH), I would like to note that we have a staff that is second to none on the Committee on Science, Republicans and Democrats, all professionals working well together to fashion the type of product that we can bring to the floor with a great deal of pride. This is one such product, and the man most responsible for it is the gentleman from Michigan (Mr. SMITH).

Mr. Chairman, I ask unanimous consent that the gentleman from Michigan (Mr. SMITH) be allowed to control the balance of my time.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The CHAIRMAN. The gentleman from Michigan (Mr. SMITH) is recognized for 9 minutes.

Mr. SMITH of Michigan. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I thank the gentleman from New York (Chairman BOEHLERT) for those gracious remarks.

Mr. Chairman, I feel privileged to be allowed to be the sponsor of this legislation, H.R. 4664. But, as we all know, we have a fantastic scientific community out there, and NSF is one of the lead agencies that has done such a tremendous job. In our committee, it has been a bipartisan support, right from the get-go, with the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON), the ranking member of the Subcommittee on Research.

The last time this agency was authorized was in 1998 as part of a 3-year bill that expired at the end of fiscal year 2000. That is why I think it is so important that we move ahead with this legislation today, to make sure that the House has the kind of oversight of all agencies of government, as it is destined to do.

Let me just say that it is so clear from every evaluation and every economic analysis that the Federal investment in science and technology is about as good an investment as you can possibly make with the Americans' taxpayer money to make sure that we have the basic research for national security. Smart bombs and smart weapons and the technological ability of our economic security come from this kind of basic research.

It is also important for our economy, and we have been credited by Mr. Greenspan and many others that our economic strength is derived from the basic research that we have worked on over the last 50 years, and certainly not the least is the strength of the health in the United States.

I would like to give one quote that is very interesting, and that is from Harold Varmus, the former director of NIH. He said, ''Congress is not addressing with significant vigor the compelling needs for adequately funding the National Science Foundation, which is the basis of a lot of the research and a lot of the tools they are using at NIH.''

This bill is the product of 2 years of hearings and examinations of NSF activities by the Committee on Science and our Subcommittee on Research; and during this time the committee received input from prominent scientists, economists, government officials and from other experts with an interest in improving federally funded basic research.

In the end, we arrived at three principal conclusions. One, NSF is a model government agency with an exemplary record of supporting basic research within a peer-reviewed, competitive grant process that funds only the best cutting-edge research, and does so using under 5 percent of the total budget in overhead costs.

Second, as a relatively small Federal agency responsible for just 4 percent of the total Federal research development expenditures, NSF-funded research has led to a myriad of discoveries that have improved, as I mentioned, public health, strengthened our economy, and enhanced our lives and well-being in many ways we could not have imagined 30 years ago.

Three, a number of areas within NSF programs require additional funding to assure continued advancements in the Nation's scientific enterprise. Among them are funding new education initiatives, alleviating grant pressure within a system that cannot fund over 30 percent of highly rated research proposals.

Again, of all of these highly rated research proposals, we only end up being able to fund 30 percent of the excellent ideas that are coming in from all of the universities and research facilities. It is for these reasons that the gentleman from New York (Chairman BOEHLERT), the gentleman from Texas (Mr. HALL), I and every member of the Committee on Science called for significant increases in support for NSF in this legislation.

I say this as a true fiscal conservative that strongly supports the President's efforts to keep nondefense discretionary spending in check so we can fully focus our budget on the Federal Government's number one priority of defending our Nation, and basic research is part of that responsibility.

Mr. Chairman, I yield 2 minutes to the gentleman from Minnesota (Mr. GUTKNECHT).

Mr. GUTKNECHT. Mr. Chairman, I thank the gentleman for yielding me time.

Mr. Chairman, I rise in support of this bill today. Let me say this about research and what we do in the United States, and I think it needs to be said. Research is a very important part of what we do here in the United States, and it is a very important part of our economic growth.

About half of the economic growth in the United States today is as a result of research which has been funded in the past. We represent about 4 percent of the world's population, but we represent about 44 percent of the money that is spent on basic research. That is important, and there is a correlation.

I was fortunate to go and visit some of our national labs. They truly are national treasures. What they do through the National Science Foundation, not only through our labs but our universities around the country, makes a big, big difference.

A few years ago I was privileged to meet with a fellow by the name of Gene Fry. Now, Gene Fry is a researcher at a little company called 3M. Now, this probably was not original, but he said something very important that day. He said if we knew what we were doing, it would not be research.

There is a lot of truth to that. A lot of the projects that we fund at the beginning it is hard to defend. But ultimately the reason that we live in the world we live in today is because brave legislatures in the past and brave business people in the past have been willing to invest in projects that may not have made a lot of sense at the time.

I think we have to have the courage to stand up and say research is a very important responsibility to the Federal Government. We get a huge rate of return on the money that we invest in research, and we will determine today what kind of a world our children will live in. This is an important bill. I am happy to rise in support of it.

Ms. WOOLSEY. Mr. Chairman, I am honored to yield 6 minutes to the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON), the ranking member of the Subcommittee on Research.

(Ms. EDDIE BERNICE JOHNSON of Texas asked and was given permission to revise and extend her remarks.)

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I rise today in strong support of H.R. 4664, the National Science Foundation Authorization Act of 2002. I want to thank the gentleman from New York (Chairman BOEHLERT); the ranking member, the gentleman from Texas (Mr. HALL); and the gentleman from Michigan (Chairman SMITH) for working with me and the rest of the committee in a bipartisan manner on this important piece of legislation that makes a strong statement about our commitment to invest in America's future.

H.R. 4664 places the National Science Foundation on the path to double its budget in 5 years, which was the goal of H.R. 1472, the NSF authorization bill that I introduced last April 2001. I introduced H.R. 1472 because I strongly believed that investing in basic research, math and engineering research is essential to the future economic prosperity and global competitiveness of our country. Even after September 11, what we are depending on most now will be the kinds of technology that the research from the National Science Foundation has brought to the forefront.

The National Science Foundation plays a leading role in educating our youth in math and sciences and training the scientists and engineers of tomorrow, and the agency is working to ensure that tomorrow's high-tech workers reflect a diversity of America. It is my sincere hope that my colleagues will recognize the importance of basic research to our Nation's future and will pass H.R. 4664.

The National Science Foundation expends only 3.8 percent of the Federal research and development funds, yet this relatively small amount belies the importance of the agency to our country. The National Science Foundation provides 23 percent of the basic research funding at academic institutions. For specific research areas, the National Science Foundation's role at universities is even larger. It funds 36 percent of research in the physical sciences, 49 percent of research in the environmental sciences, 50 percent of research in engineering, 72 percent of research in mathematics, and 78 percent of research in computer science. So, clearly, the National Science Foundation plays a disproportionately important role in funding some of the most basic research areas that have implications far beyond their own academic area.

□ 1430

To give an idea of the quality and importance of the NSF-funded research to our Nation, consider the fact that over 100 Nobel prizes have been awarded to scientists supported by the National Science Foundation research in the fields of physics, chemistry, physiology and medicine and economics. In nearly every field of science and engineering are examples of outstanding research supported by the National Science Foundation. This research leads to critical advances in the understanding of our world and in technology that improves our lives.

For example, the National Science Foundation support at the National Center for Supercomputing Applications at the University of Illinois developed the first Internet browser that led to the explosive growth of the World Wide Web. The National Science Foundation-funded research in atmospheric chemistry identified the ozone depletion over the Antarctic, the ozone hole, as it has come to be known. NSF-funded research on mathematics and solid modeling led to the widespread use of computer-aided design and computer-aided manufacturing that has revolutionized industry and enhanced workplace productivity. These are but a few examples of the scientific breakthroughs that have been funded by the NSF in recent years, and this and other research supported by NSF ultimately strengthens our economy. The connection between research funding and the strength of the economy has been expounded by such diverse sources as former presidential science advisor Allen Bromley, Federal Reserve Chairman Alan Greenspan, former Speaker of the House Newt Gingrich, and the Hart-Rudman Commission for National Security. Yet despite the importance of basic research to the future economic health and well-being of our country, NSF now must decline more than $1 billion worth of high quality research proposals each year. Why? Because NSF's budget is insufficient to meet the demands of our Nation's vibrant research sector.

Mr. Chairman, while it is true that everyone must learn to live within their budget, and NSF has, it is a shame that top-notch proposals go unfunded for lack of resources. It is essential that our Nation's premier science research agency has the resources it needs to fund advances that could lead to the next World Wide Web or deciphering the genome of a critically important crop. Our generation has benefitted enormously from the investment of our parents and grandparents made in basic research decades ago, and we owe it to our children to see that they enjoy the same pace of technological advancement that we have enjoyed. It is critical that we invest in basic research today that will lead to better life tomorrow.

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In addition to funding basic research at our Nation's laboratories, the National Science Foundation makes essential investments in training the scientists and engineers of tomorrow. NSF research awards and direct research fellowships help train over 24,000 graduate students each year, the future scientists and engineers essential to our high-tech economy. The bill before us today seeks to strengthen NSF's graduate research fellowships by funding more research grants and increasing the average grant size and duration.

NSF programs also help to improve science education for all students and to prepare them for citizenship in a world increasingly dominated by technology. Today we continue to have manpower shortages in many high technology fields, and many industries rely on the labor and brain power of foreign nationals. The ideal way to alleviate the shortages is by ensuring that our Nation's children of all races and both genders receive the basic grounding in science and mathematics that will prepare them to pursue careers as scientists, engineers and technologists. Now, more than ever, we need to ensure that an adequate number of Americans choose careers in the sciences and engineering. We cannot allow inadequate funding to cripple NSF's efforts in this area.

Mr. Chairman, over the past few months, there has been a great deal of debate about the appropriate level of funding for the National Science Foundation. Some have proposed essentially flat levels of funding, while others have proposed a small 8.8% increase for one fiscal year. These levels are simply not enough for an agency as highly regarded and as critical to the future well-being of our Nation as the National Science Foundation. I say that we must double the budget of NSF and invest in our Nation's future. H.R. 4664 was developed in a bipartisan fashion and enjoys the strong support of the Science Committee. I urge my colleagues to vote in favor of this legislation.

Ms. WOOLSEY. Mr. Chairman, I yield 4 minutes to the gentleman from North Carolina (Mr. PRICE).

(Mr. PRICE of North Carolina asked and was given permission to revise and extend his remarks.)

Mr. PRICE of North Carolina. Mr. Chairman, I want to commend the Committee on Science for its work in putting together this reauthorization for the National Science Foundation. This bill shows us the path we must take to ensure that our Nation continues to lead the world in technological innovation and in scientific capacity, by doubling Federal funding for the NSF over the next 5 years, just as we have done for the National Institutes of Health.

In a widely-circulated letter last year, Dr. Harold Varmus, the former director of the NIH, made it clear that we do health research no favors when we underfund basic research in the physical sciences. Physical science disciplines are often the key not only to providing the tools used in conducting health research, but in delivering the benefits of health research to the public.

Just take a walk through any hospital surgical unit or emergency room, where you will be surrounded by more pieces of medical technology than you can count, and you will quickly understand this point.

I also want to draw the attention of Members to the bill's reauthorization of the National Science Foundation's Advanced Technology Education program. The ATE program is the only NSF program targeted to community colleges.

Associate-degree-granting colleges educate the vast majority of the three to five technicians that support each engineer, scientist, and medical doctor across this Nation.

Meeting the demand for high-tech workers by both our modernizing manufacturing sector and our new-economy enterprises requires strengthening undergraduate education in science, mathematics, and technology at associate-degree-granting colleges, where nearly half of all undergraduate college students are enrolled. That is the purpose of the ATE program, which provides grants to 2-year institutions to develop new curricula and teaching methods and materials in advanced technology fields.

I have worked on our Subcommittee on VA, HUD, and Independent Agencies of the Committee on Appropriations to increase ATE funding, and we have enjoyed some successes. However, current funding is still under $40 million a year, and cut of $950,000 has been recommended by the administration for the next fiscal year. A more adequate authorization would offer considerable help.

Fortunately, the Committee on Science accepted an amendment offered by my good friend, the gentleman from Washington (Mr. BAIRD), to authorize the ATE program at $50 million for fiscal year 2003, with a $5 million increase for each of the next 2 fiscal years.

In fact, the gentleman from Washington (Mr. BAIRD) and I have introduced legislation to more broadly expand and strengthen the ATE program.

In addition to increasing funding for the program, the Science Undergraduate Community College Education Enhancement Development Act, the SUCCESS Act, H.R. 4680, would give community colleges more flexibility to develop innovative core math

and science curricula, and would provide more opportunities for community college students to have research experiences at 4-year institutions.

Our bill would also establish an advisory committee, comprised of representatives from industry and academia, to evaluate the effectiveness of the ATE program and to make recommendations on how it can be improved. Also, it would promote the dissemination of ATE results to community college systems across the Nation.

While the increased authorization level for the ATE program is included in the bill before us now, the gentleman from Washington (Mr. BAIRD) was successful in adding the remaining provisions of H.R. 4680 to the Undergraduate Science, Mathematics, Engineering, and Technology Improvement Act, which was also recently approved by the Committee on Science.

I again congratulate the Committee on Science and our colleagues on both sides of the aisle for the fine work they have done today in bringing H.R. 4664 to the House floor. I urge all of our colleagues to support it.

Ms. WOOLSEY. Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey (Mr. HOLT).

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

Mr. HOLT. Mr. Chairman, I thank my friend, the gentlewoman from California, for yielding time to me.

Mr. Chairman, I am pleased to support this legislation. It is, I think, very important, and I think the committee, under the leadership of the gentleman from New York (Mr. BOEHLERT) and the gentlewoman from Connecticut (Mrs. JOHNSON), has done an excellent job.

We heard that the National Science Foundation provides only a few percent of the total Federal research and development budget, but it provides a large fraction of the support for mathematics, biological sciences, earth sciences, social sciences, and engineering.

We have all heard about the many things that have come out of NSF research: the work in thin film technology, in genetics, in magnetic resonance imaging, CD players, printers, Taxol, and so forth.

It is also important to recognize the return on investment to this Federal investment. Economists will argue about whether the return on investment in research and development is 20 percent, 40 percent, or 60 percent. Whatever it is, it is extraordinarily high. This is one of the best things that we as a Congress can do who have been entrusted with the worthwhile expenditure of taxpayer money.

As one Member of Congress who himself has conducted NSF-funded research, and who every year that I have been in Congress has worked to see the NSF budget increased, I am very pleased to see the NSF on this faster growth path, because we can talk about funding the National Institutes of Health and other health-related research here in the United States, but unless we invest in the research that leads to improved techniques and instrumentation and the training of scientists, that investment in health research will not yield the returns that we should be getting from it.

Just today I have been having some briefings with investigative and intelligence organizations. They have reminded me just today how much they are dependent on research that is coming out of the National Science Foundation for their work in dealing with anthrax and other pathogens.

Finally, I would say the most important work that the National Science Foundation is doing is the work in our schools, particularly in the pre-college setting. The members of the committee are to be commended for putting together such a good authorization bill.

Ms. WOOLSEY. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. HONDA).

Mr. HONDA. Mr. Chairman, I thank the gentlewoman for yielding time to me. I would like to commend the chairman and the ranking member of the Committee on Science and the chairman and ranking member of the Subcommittee on Research for their leadership on this issue.

Investment in research and development is one of the single largest contributing factors to the Nation's past, present, and future economic growth. The U.S. high technology industry spends more on R&D than on any other industry, but because corporations feel acute pressure to focus scarce research dollars on market-driven product development, the Federal Government must play an integral role in the longer-term basic research that leads to fundamental innovations.

Federal support for basic research has contributed to the development of the Internet, personal computers, the silicon chip, lasers, fiber optics, supercomputers, and magnetic resonance imaging. The first graphical web browser, high-speed networks, artificial intelligence, databases, and the graphical user interface all have their roots in government-sponsored research.

Over the past few years, funding for research in the physical sciences has declined as a fraction of overall R&D spending. Funding for the National Institutes of Health now makes up over half of all non-defense research, and the proposed research at NIH funding this year is as large as NSF's entire budget.

This funding imbalance threatens long-term research at a time when we are quickly approaching the physical limits to semiconductor performance. A new technological revolution is needed if we are going to continue improving computer performance like we have in the past few years. It is essential that we invest in basic research to provide the scientific basis for this technological revolution so that we can maintain the gains in productivity that lead to economic growth.

A sustained public and private investment in R&D will also foster a skilled American work force, stimulate new technologies, and maintain U.S. dominance in vital industries, elements critical to retaining the United States' global economic leadership in the new millennium.

The 2001 report of the Hart-Rudman Commission on National Security for the 21st Century determined that ''the scale and nature of the ongoing revolution in science and technology . . . pose critical national security challenges to the United States.''

To address the challenge, the commission recommended a doubling of all Federal funding for science and technology research and development by 2010. I believe we should strive to achieve this goal, and I recommend and urge my colleagues to support H.R. 4664.

Ms. WOOLSEY. Mr. Chairman, I yield back the balance of my time.

(Mr. SMITH of Michigan asked and was given permission to revise and extend his remarks.)

Mr. SMITH of Michigan. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, let me say that it would be nice just to include myself in the good remarks made by both sides of the aisle on the importance of basic research.

One area that we have not talked about that I think is so important in NSF is it keeps young, quality minds at that university staying in research, so it encourages the talented young people in our university systems to stay on, to get their Master's degrees and their Doctor's degree.

Just in terms of sort of proving that point, if we are looking at all the Nobel Laureates in physics, in chemistry, and in economics, most every one of those individuals at one time in their career had an NSF grant. So part of the tremendous success of the program is keeping these talented young people in that research arena to do what is necessary to strengthen our economy, to improve our public health, and certainly to add to our ability to defend ourselves and our national security.

□ 1445

America's position as a world leader in science and education is a key element to our national security. Let me just mention in the report on national security in the 21st century, the Hart-Rudman Commission noted that and, I will quote, ''The inadequacies of our systems of research and education pose a greater threat to U.S. national security over the next quarter century than any potential conventional war that we might imagine.''

It is important that we move ahead, that we improve our education system, that we work more diligently than we ever have before, keeping more students in the math and sciences as they

move their careers through high school and into the college arena.

With that, Mr. Chairman, I would like to summarize by saying that I believe we have put together a strong piece of legislation that will allow Congress to demonstrate its commitment to continuing the economic gains and technological advances of recent years through support of fundamental basic research. The increase in this legislation is a sound investment and is brought by bipartisan support, was passed through both the Subcommittee on Research and the full Committee on Science by a unanimous vote.

Mr. Chairman, I urge all Members to support the bill.

I would like to point out that NSF-funded research has also directly benefited America's effort in response to the events of 9/11—supporting emergency grants pioneering the use of genomics as a tool in forensic analysis of microbes after last October's anthrax attacks. Also, an NSF-funded robotics grant led to the development of software-guided robots that were used successfully to search the rubble and locate victims at the World Trade Center Disaster site.

NSF research has also led to faster computer Magnetic Resonance Imaging the Internet, Doppler radar, discoveries of new planets, new polymers materials that are used in products ranging from clothing to automobiles, and most recently, fundamental plant genomics research that will lead to improved crop varieties that increase yields while better protecting the environment. These are just a few examples, but the list goes on and on.

I want to reiterate that NSF has supported these achievements with an efficiency that is almost unheard of in the Federal Government. NSF has been recognized for it's strong management—as the only cabinet agency to receive a ''green light'' rating in the President's budget. Mitch Daniels, the Director of the Office of Management and Budget, has hailed NSF as ''one of the true centers of excellence in government.''

Let me summarize by saying that I believe we have put together a strong piece of legislation that will allow Congress to demonstrate its commitment to continuing the economic gains and technological advancements of recent years through support of fundamental basic research. The increase in this legislation is a sound investment and has broad bipartisan support, was passed through both the Research Subcommittee and the full Science Committee by voice vote, and I urge all members to support the bill.

NSF has supported the research of more than half of the United States Nobel laureates in physics, chemistry, and economics. Since 1989, 80% of NSF-funded Nobel prize winners were funded by NSF before winning the prize.

Research supported by the National Science Foundation has led to a myriad of discoveries, technologies, and products that improve our daily lives, including: a greater understanding of bacteria, viruses, and the structure of DNA; medical diagnostic tools, such as Magnetic Resonance Imaging (MRI); the Internet, web browsers, and fiber optics, which have revolutionized global communication; automated DNA sequencing machines; polymer materials used in products ranging from clothing to automobiles; Doppler radar used for accurate weather forecasting; artificial skin that can help recovering burn victims; economic research in game and decision theory which has led to a greater understanding of economic cycles; and discoveries of new planets, black holes, and insights into the nature of the universe.

More recently, NSF-funded research has benefited America's effort in response to the events of 9/11. An NSF-funded grant led to the development of software-guided robots that were used successfully to search the rubble and locate victims at the World Trade Center disaster site. Also, NSF supported emergency grants pioneering the use of genomics as a tool in forensic analysis of microbes after last October's anthrax attacks.

These advances have all come from an agency that receives only 4% of the total annual Federal spending for R&D.

NSF has also been the lead Federal agency in a number of national science initiatives, such as those in information technology, plant genomics, and nanotechnology.

The National Science Foundation's innovative education programs work to ensure that every American student receives a solid foundation in science and math through support for the training and education of teachers, the public, and students of all ages and backgrounds, and by supporting research into new teaching tools, curricula, and methodologies.

Mr. WELDON of Pennsylvania. Mr. Chairman, I rise to voice my concern over this legislation that will double the National Science Foundation's (NSF) budget in five years. I feel that while we have taken the effort to double the National Institutes of Health (NIH) and now NSF, this committee has neglected NASA. I am supportive of our commitment to NSF and have a history of such support. At this time, however, given the lack of attention this committee has given NASA, I cannot support this particular piece of legislation.

NASA's budget has been neglected for over a decade. When one considers inflation, the NASA budget is not keeping pace. This sends the wrong message. As a medical doctor and scientist, I very much appreciate the work that NIH and NSF do, but to keep NASA out in the cold I feel is the wrong approach. No other agency has such a daring, exciting and public mission. It is time we treated NASA as a valued Federal agency instead of letting it wither on the vine.

Mr. COSTELLO. Mr. Chairman, I rise today in support of H.R. 4664, the Investing in America's Future Act. Past investment in fundamental scientific research has fueled growth of our economy, trained our technological workforce, and provided the research needed for national and homeland security. It is time to ensure our future prosperity and security by recognizing the important work performed by the National Science Foundation (NSF), the only agency devoted to supporting basic science research in science, math, and engineering across all fields and science and math education at all levels.

This legislation will double the NSF's budget over the next five years. Increasing funding for the NSF demonstrates the recognition of the lasting benefits that basic research provides to our economic and national security. The increase would also be used to expand core science programs to fund highly ranked grant proposals, pursue new initiatives like nanotechnology and biocomplexity, and fully fund K–12 education programs that have been authorized by the House of Representatives. In addition, the bill provides greater transparency to the process through which major research and facilities construction projects are evaluated, prioritized, and selected for funding by requiring the Director to develop a list of proposed projects, ranking the relative priority of each for funding. This will allow Congress and NSF to expand its investments in cutting-edge research initiatives and to preserve its core research and education programs.

Mr. Chairman, I strongly believe that investing in basic science, math, and engineering research is essential to the future economic prosperity and global competitiveness of our country and an important investment for the future. For these reasons, I support this legislation and urge my colleagues to do the same.

Mr. UDALL of Colorado. Mr. Chairman, as a cosponsor of H.R. 4664, I rise in support of this important bill that will put the National Science Foundation on a track to double its budget in five years.

I thank Chairman BOEHLERT and my colleagues in the Science Committee for their hard work on this bill.

I think we all recognize that investing in basic research is critical for a strong economy and national security. In the past 50 years, half of U.S. economic productivity can be attributed to technological innovation and the science that has supported it. Despite this fact, over the last two decades Federal investment in R&D has fallen by one-third as a share of the GDP.

This bill will help put us on the right track. Federal investment in science underpins our global competitiveness and our prosperity. NSF-funded research made possible the discovery of the ''ozone hole,'' developed the first Web browser, advanced the field of molecular genetics, and funded much of the early research leading to the development of speech activation and recognition technology. Less directly but no less importantly, NSF is often the major source of support for education and training of Ph.D. scientists and engineers, many of whom have gone on to make major private-sector contributions in the development of cell phones, fiber optics, and computer assisted design.

NSF provides fully 23% of total Federal support for university research—or nearly half excluding NIH sponsored biomedical research. From sources such as former science advisor to the first President Bush, Allen Bromley, and Federal Reserve Chairman Alan Greenspan, to the Hart-Rudman Commission on National Security, we hear that Federal funding for research is a necessary precondition for continued economic success and security in our high technology economy.

I think former Speaker Newt Gingrich said in best in a 1999 Washington Post op-ed. He wrote that ''Out of our sense of patriotism and our own enlightened self-interest, we should . . . insist that Federal investment in scientific research be doubled over the next five years. . . . Anything less will weaken the future for all of us.''

Mr. Chairman, I agree, and I urge support of this important bill.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I would like to thank the Members of the Science Committee, subcommittee, sponsor, and all the Members who worked so hard on

H.R. 4664, the Investing in America's Future Act of 2002.

I would like to take this opportunity today to voice my strong support for this legislation.

This legislation authorizes additional funding to a very important organization, the National Science Foundation.

The bills directs NASA to jointly establish an Astronomy and Astrophysics Advisory Committee to assess and provide recommendations regarding the coordination of astronomy and astrophysics programs at each agency.

This is one of the several provisions in this bill that would strengthen NASA. NASA plays a huge role in the 18th Congressional District, as many of my constituents are employed there.

The continued development of this nation's science program ought to be one of this nation's top priorities. By establishing a joint committee on astronomy to assess coordination of astronomy programs between the agencies and to assess the activities of the agencies relative to recommendations of the surveys conducted by the National Academy of Sciences, this bill would further make the science program accountable to Congress.

As a member of the Science Committee, I can attest to the fact that we have held numerous hearings investigating and asking relevant questions on how to best fund the NSF and how to best make it accessible and accountable to Congress.

By focusing directly on the research initiatives such as information technology, nanoscale science and engineering, and mathematical sciences, as well as the Major Research Instrumentation program, H.R. 4664 further enhances the research and education departments of the National Science Foundation.

Let me also voice my strong support for the funding of minority institutions in science education. This provision will open the door for many future scientists to carry the torch for many years to come.

I urge my colleagues to support this legislation.

Ms. BALDWIN. Mr. Chairman, I rise in strong support of this legislation, which will reauthorize the National Science Foundation for the next three years. This bill is of the highest priority to me and to many colleges and universities in my district. I've already heard from students, professors and administrators from the University of Wisconsin who have told me that a lack of serious commitment to science funding and research would not only stunt the growth and education of many qualified students, but would also seriously cripple some of their most critical research efforts. This is why I'm delighted with the commitment in this legislation to increase NSF funding by 15 percent each year for the next three years. This commitment is similar to the highly successfully funding commitment that doubled the National Institutes of Health budget over the past five years.

The NSF funds 25% of the basic research conducted in universities across the nation, and a considerably higher percentage in selected fields. The NSF funds 425 grants for well over $60 million at the University of Wisconsin-Madison alone, helping to make UW-Madison one of the top research universities in the country. NSF grants and fellowships also help train over 24,000 graduate students each year, many of whom go on to make major contributions in academia and industry. University research funded by the NSF trains new generations of scientists and engineers, but without the type of funding increase outlined in this legislation, universities will be forced to limit the number of graduate students that they are able to admit to these programs.

One example of a thriving NSF project in my district is the IceCube Neutrino telescope, which is headed by UW-Madison. When completed, this groundbreaking new telescope will look deep into our universe in ways that traditional telescopes cannot. It is truly on the cutting edge of astronomical research and will allow us to view the universe in an entirely new and innovative manner. Furthermore, IceCube has been subjected to exhaustive peer review and is one of many shining examples of the sound science and basic research that the NSF successfully fosters.

It is my sincere hope that funding levels outlined in this legislation are met when it comes time to fund the NSF. Science funding for research should be and often is a result of bipartisanship. I am pleased that this is the case today. In that spirit, I urge a yes vote on this legislation and urge appropriators to fully fund the NSF at these new levels.

Mr. LARSON of Connecticut. Mr. Chairman, I rise today in strong support of a bill designed to improve the security, economy, and standard of living of all Americans, the Investing in America's Future Act, H.R. 4664. The bill accomplishes this by putting the nation's premier science agency, the National Science Foundation, on track to double its budget in five years.

Mr. Chairman, it is no secret that America has long recognized that its long-term strength and security, and its ability to recover and sustain high levels of economic growth, depends on maintaining its edge in scientific achievement and technological innovation. Biomedical advances have permitted us to live longer, healthier, and more productively. Advances in agriculture technology have permitted us to be able to feed more people at a cheaper cost. The information revolution can be seen today in the advanced instruments schools are using to instruct our children and in the vast information resources that are opened up as a result of the linkages created by a networked global society. Our children today can grow up to know, see, and read more, be more diverse, and have more options in their lives for learning and growing. Other emerging technologies—such as nanotechnology—have untold potential to make our lives more existing, secure, prosperous, and challenging.

Many companies also recognize this and they, therefore, focus their industrial, economic, and security policies on the nurturing and diffusion of technological advancement through all levels of society in a deliberate fashion. Countries that follow this path of nurturing innovation focus a lot of their efforts into recruiting and training the very best engineers and scientists, ensuring that a pipeline which pumps talented and imaginative minds and skills is connected to the needs of the country's socio-economic and security enterprise.

It always pays to be mindful of the fact—especially in the wake of the September 11 events—that there is a strong and tight linkage between our national security and the level of science and technology proficiency in America. Our strength and leadership in the world is based on the might of our defense, strength of our economy, and the quality of our education system. Without any one of these three components the global preeminence of the nation suffers. These three components are, in turn, maintained on a foundation of strong leadership in the business of scientific and technological innovation, which keeps the engines of progress moving forward.

To remain a strong nation, we must ensure that the single most important element that keeps us dynamic, innovative, prosperous, and secure—and therefore strong—is there for us: our science and technology enterprise. In short, we need to support the NSF and we need to support this bill.

I am honored to be a sponsor of this important legislation in the United States House of Representatives and I urge my colleagues to support it.

Mr. SCHIFF. Mr. Chairman, I rise today in support of H.R. 4664, the ''Investing in America's Future Act.'' This bill reauthorizes the National Science Foundation (NSF) for three years, increasing its funding by 15% each year. Today we are taking an important step forward by enhancing our commitment to our nation's science enterprise and setting a long-term goal of doubling the budget of NSF.

The National Science Foundation is the only Federal agency devoted to supporting basic research in science, math, and engineering across all fields and science and math education at all levels. In fact, NSF funds 25% of the basic research conducted in U.S. universities, and a considerably higher percentage in selected fields. NSF grants and fellowships help train over 24,000 graduate students each year, many of whom go on to make major contributions in academia and industry.

My district is home to one of our nation's premier scientific research institutions, the California Institute of Technology (Caltech), and one of the most prominent beneficiaries of NSF grant funding. In fiscal year 2001, Caltech received 31% of its total federal agency research support from NSF, totaling near $44 million. And Caltech is not alone. In fiscal year 1999, NSF provided 16% of the total federal research and development funds provided to ALL California universities, an impressive sum of $367 million.

By increasing NSF funding, we will enable this fine institution to expand core science programs, fund highly ranked grant proposals that would otherwise go unfunded, and pursue new initiatives such as nanotechnology and biocomplexity. We must continue to support the backbone of our new economy—fundamental scientific research and education—by supporting the National Science Foundation and its many groundbreaking endeavors.

I urge my colleagues to support H.R. 4664 and to remain steadfast in our commitment to our nation's science enterprise.

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

The CHAIRMAN pro tempore (Mr. BONILLA). All time for general debate has expired.

Pursuant to the rule, the committee amendment in the nature of a substitute printed in the bill shall be considered by sections as an original bill for the purpose of amendment and each section is considered read.

During consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering an amendment that he has printed

in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

The Clerk will designate section 1.

The text of section 1 is as follows:

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 ''Investing in America's Future Act of 2002''.

The CHAIRMAN pro tempore. Are there any amendments to section 1?

Mr. EHLERS. Mr. Chairman, I ask unanimous consent that the remainder of the committee amendment in the nature of a substitute be printed in the RECORD and open to amendment at any point.

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

There was no objection.

The text of the remainder of the committee amendment in the nature of a substitute is as follows:

SEC. 2 DEFINITIONS.

In this Act:

(1) BOARD.—The term ''Board'' means the National Science Board established under section 2 of the National Science Foundation Act of 1950 (42 U.S.C. 1861).

(2) DIRECTOR.—The term ''Director'' means the Director of the National Science Foundation.

(3) FOUNDATION.—The term ''Foundation'' means the National Science Foundation.

(4) INSTITUTION OF HIGHER EDUCATION.—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)).

(5) NATIONAL RESEARCH FACILITY.—The term ''national research facility'' means a research facility funded by the Foundation which is available, subject to appropriate policies allocating access, for use by all scientists and engineers affiliated with research institutions located in the United States.

(6) UNITED STATES.—The term ''United States'' means the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and any other territory or possession of the United States.

SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

(a) FISCAL YEAR 2003.—

(1) IN GENERAL.—There are authorized to be appropriated to the National Science Foundation $5,515,260,000 for fiscal year 2003.

(2) SPECIFIC ALLOCATIONS.—Of the amount authorized under paragraph (1)—

(A) $4,138,440,000 shall be made available to carry out Research and Related Activities, of which—

(i) $704,000,000 shall be for networking and information technology research;

(ii) $238,450,000 shall be for the Nanoscale Science and Engineering Priority Area;

(iii) $60,090,000 shall be for the Mathematical Sciences Priority Area; and

(iv) $75,900,000 shall be for Major Research Instrumentation;

(B) $1,006,250,000 shall be made available for Education and Human Resources, of which—

(i) $50,000,000 shall be for the Advanced Technological Education Program established under section 3 of the Scientific and Advanced-Technology Act of 1992 (42 U.S.C. 1862i); and

(ii) $30,000,000 shall be for the Minority Serving Institutions Undergraduate Program;

(C) $152,350,000 shall be made available for Major Research Equipment and Facilities Construction;

(D) $210,160,000 shall be made available for Salaries and Expenses; and

(E) $8,060,000 shall be made available for the Office of Inspector General.

(b) FISCAL YEAR 2004.—

(1) IN GENERAL.—There are authorized to be appropriated to the National Science Foundation $6,342,550,000 for fiscal year 2004.

(2) SPECIFIC ALLOCATIONS.—Of the amount authorized under paragraph (1)—

(A) $4,735,600,000 shall be made available to carry out Research and Related Activities, of which—

(i) $774,000,000 shall be for networking and information technology research;

(ii) $286,140,000 shall be for the Nanoscale Science and Engineering Priority Area;

(iii) $90,090,000 shall be for the Mathematical Sciences Priority Area; and

(iv) $85,000,000 shall be for Major Research Instrumentation;

(B) $1,157,190,000 shall be made available for Education and Human Resources, of which $55,000,000 shall be for the Advanced Technological Education Program established under section 3 of the Scientific and Advanced-Technology Act of 1992 (42 U.S.C. 1862i);

(C) $225,000,000 shall be made available for Major Research Equipment and Facilities Construction;

(D) $216,460,000 shall be made available for Salaries and Expenses; and

(E) $8,300,000 shall be made available for the Office of Inspector General.

(c) FISCAL YEAR 2005.—

(1) IN GENERAL.—There are authorized to be appropriated to the National Science Foundation $7,293,930,000 for fiscal year 2005.

(2) SPECIFIC ALLOCATIONS.—Of the amount authorized under paragraph (1)—

(A) $5,445,940,000 shall be made available to carry out Research and Related Activities;

(B) $1,330,770,000 shall be made available for Education and Human Resources;

(C) $285,710,000 shall be made available for Major Research Equipment and Facilities Construction;

(D) $222,960,000 shall be made available for Salaries and Expenses; and

(E) $8,550,000 shall be made available for the Office of Inspector General.

SEC. 4. OBLIGATION OF MAJOR RESEARCH EQUIPMENT FUNDS.

(a) FISCAL YEAR 2003.—None of the funds authorized under section 3(a)(2)(C) may be obligated until 30 days after the first report required under section 7(a)(2) is transmitted to the Congress.

(b) FISCAL YEAR 2004.—None of the funds authorized under section 3(b)(2)(C) may be obligated until 30 days after the report required by June 15, 2003, under section 7(a)(2) is transmitted to the Congress.

(c) FISCAL YEAR 2005.—None of the funds authorized under section 3(c)(2)(C) may be obligated until 30 days after the report required by June 15, 2004, under section 7(a)(2) is transmitted to the Congress.

SEC. 5. ANNUAL PLAN FOR ALLOCATION OF FUNDING.

Not later than 60 days after the date of enactment of legislation providing for the annual appropriation of funds for the Foundation, the Director shall submit to the Committee on Science of the House of Representatives, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Health, Education, Labor, and Pensions of the Senate, a plan for the allocation of funds authorized by this Act for the corresponding fiscal year. The portion of the plan pertaining to Research and Related Activities shall include a description of how the allocation of funding—

(1) will affect the average size and duration of research grants supported by the Foundation by field of science, mathematics, and engineering;

(2) will affect trends in research support for major fields and subfields of science, mathematics, and engineering, including for emerging multidisciplinary research areas; and

(3) is designed to achieve an appropriate balance among major fields and subfields of science, mathematics, and engineering.

SEC. 6. PROPORTIONAL REDUCTION.

(a) OVERALL AMOUNTS.—If the amount appropriated pursuant to section 3(a)(1), (b)(1), or (c)(1) is less than the amount authorized under that paragraph, the amount available under each subparagraph of paragraph (2) of that subsection shall be reduced by the same proportion.

(b) RESEARCH AND RELATED ACTIVITIES AMOUNTS.—If the amount appropriated pursuant to section 3(a)(2)(A) or (b)(2)(A) is less than the amount authorized under that subparagraph, the amount available under each clause of that subparagraph shall be reduced by the same proportion.

SEC. 7. NATIONAL RESEARCH FACILITIES.

(a) PRIORITIZATION OF PROPOSED MAJOR RESEARCH EQUIPMENT AND FACILITIES CONSTRUCTION.—

(1) DEVELOPMENT OF PRIORITIES.—

(A) LIST.—The Director shall develop a list indicating by number the relative priority for funding under the Major Research Equipment and Facilities Construction account that the Director assigns to each project the Board has approved for inclusion in a future budget request. The Director shall submit the list to the Board for approval.

(B) UPDATES.—The Director shall update the list prepared under paragraph (1) each time the Board approves a new project that would receive funding under the Major Research Equipment and Facilities Construction account and as necessary to prepare reports under paragraph (2). The Director shall submit any updated list to the Board for approval.

(2) ANNUAL REPORT.—Not later than 90 days after the date of the enactment of this Act, and not later than each June 15th thereafter, the Director shall transmit to the Congress a report containing—

(A) the most recent Board-approved priority list developed under paragraph (1);

(B) a description of the criteria used to develop such list; and

(C) a description of the major factors for each project that determined its ranking on the list, based on the application of the criteria described pursuant to subparagraph (B).

(3) CRITERIA.—The criteria described pursuant to paragraph (2)(B) shall include, at a minimum—

(A) scientific merit;

(B) broad societal need and probable impact;

(C) consideration of the results of formal prioritization efforts by the scientific community;

(D) readiness of plans for construction and operation;

(E) international and interagency commitments; and

(F) the order in which projects were approved by the Board for inclusion in a future budget request.

(b) FACILITIES PLAN.—

(1) IN GENERAL.—Section 201(a)(1) of the National Science Foundation Authorization Act of 1998 (42 U.S.C. 1862l(a)(1)) is amended to read as follows:

''(1) IN GENERAL.—The Director shall prepare, and include as part of the Foundation's annual budget request to Congress, a plan for the proposed construction of, and repair and upgrades to, national research facilities, including full life-cycle cost information.''.

(2) CONTENTS OF PLAN.—Section 201(a)(2) of the National Science Foundation Authorization Act of 1998 (42 U.S.C. 1862l(a)(2)) is amended—

(A) in subparagraph (A), by inserting '', including costs for instrumentation development'' after ''described in paragraph (1)'';

(B) by striking ''and'' at the end of subparagraph (B);

(C) by striking the period at the end of subparagraph (C) and inserting a semicolon; and

(D) by adding at the end the following new subparagraphs:

''(D) for each project funded under the Major Research Equipment and Facilities Construction account—

''(i) estimates of the total project cost (from planning to commissioning); and

''(ii) the source of funds, including Federal funding identified by appropriations category and non-Federal funding;

''(E) estimates of the full life-cycle cost of each national research facility;

''(F) information on any plans to retire national research facilities; and

''(G) estimates of funding levels for grants supporting research that will make use of each national research facility.''.

(3) DEFINITION.—Section 2 of the National Science Foundation Authorization Act of 1998 (42 U.S.C. 1862k note) is amended—

(A) by redesignating paragraphs (3) through (5) as paragraphs (4) through (6), respectively; and

(B) by inserting after paragraph (2) the following new paragraph:

''(3) FULL LIFE-CYCLE COST.—The term 'full life-cycle cost' means all costs of development, procurement, construction, operations and support, and shut down costs, without regard to funding source and without regard to what entity manages the project.''.

(c) PROJECT MANAGEMENT.—No national research facility project funded under the Major Research Equipment and Facilities Construction account shall be managed by an individual whose appointment to the Foundation is temporary.

SEC. 8. MAJOR RESEARCH INSTRUMENTATION.

The Foundation shall conduct a review and assessment of the Major Research Instrumentation Program and provide a report to Congress on its findings and recommendations within 1 year after the date of the enactment of this Act. The report shall include—

(1) estimates of the needs, by major field of science and engineering, of institutions of higher education for the types of research instrumentation that are eligible for funding under the guidelines of the Major Research Instrumentation Program;

(2) the distribution of awards and funding levels by year and by major field of science and engineering for the Major Research Instrumentation Program, since the inception of the Program; and

(3) an analysis of the impact of the Major Research Instrumentation Program on the research instrumentation needs that were documented in the Foundation's 1994 survey of academic research instrumentation needs.

SEC. 9. ASTRONOMY AND ASTROPHYSICS ADVISORY COMMITTEE.

(a) ESTABLISHMENT.—The Foundation and the National Aeronautics and Space Administration shall jointly establish an Astronomy and Astrophysics Advisory Committee (in this section referred to as the ''Advisory Committee'').

(b) DUTIES.—The Advisory Committee shall—

(1) assess, and make recommendations regarding, the coordination of astronomy and astrophysics programs of the Foundation and the National Aeronautics and Space Administration;

(2) assess, and make recommendations regarding, the status of the activities of the Foundation and the National Aeronautics and Space Administration as they relate to the recommendations contained in the National Research Council's 2001 report entitled ''Astronomy and Astrophysics in the New Millennium'', and the recommendations contained in subsequent National Research Council reports of a similar nature; and

(3) not later than March 15 of each year, transmit a report to the Director, the Administrator of the National Aeronautics and Space Administration, and the Congress on the Advisory Committee's findings and recommendations under paragraphs (1) and (2).

(c) MEMBERSHIP.—The Advisory Committee shall consist of 13 members, none of whom shall be a Federal employee, including—

(1) 5 members selected by the Foundation;

(2) 5 members selected by the National Aeronautics and Space Administration; and

(3) 3 members selected by the members selected under paragraphs (1) and (2).

(d) SELECTION PROCESS.—Initial selections under subsection (c)(1) and (2) shall be made within 3 months after the date of the enactment of this Act. Initial selections under subsection (c)(3) shall be made within 5 months after the date of the enactment of this Act. Vacancies shall be filled in the same manner as provided in subsection (c).

(e) CHAIRPERSON.—The Advisory Committee shall select a chairperson from among its members.

(f) COORDINATION.—The Advisory Committee shall coordinate with the advisory bodies of other Federal agencies, such as the Department of Energy, which may engage in related research activities.

(g) COMPENSATION.—The members of the Advisory Committee shall serve without compensation, but shall receive travel expenses, including per diem in lieu of subsistence, in accordance with sections 5702 and 5703 of title 5, United States Code.

(h) MEETINGS.—The Advisory Committee shall convene, in person or by electronic means, at least 4 times a year.

(i) QUORUM.—

(1) IN GENERAL.—Except as provided in paragraph (2), a majority of the members serving on the Advisory Committee shall constitute a quorum for purposes of conducting the business of the Advisory Committee.

(2) EXCEPTION.—The selection of a member under subsection (c)(3) shall require a vote of ¾ of the members appointed under subsection (c)(1) and (2).

(j) DURATION.—Section 14 of the Federal Advisory Committee Act shall not apply to the Advisory Committee.

SEC. 10. BOARD MEETINGS.

(a) PURPOSE.—The purpose of this section is to ensure that the Board complies with the requirements of section 552b of title 5, United States Code, that all meetings, with the exception of specific narrow statutory exemptions, be open to the public.

(b) COMPLIANCE AUDIT.—The Inspector General of the National Science Foundation shall conduct an annual audit of the compliance by the Board with the requirements described in subsection (a). The audit shall examine the extent to which the proposed and actual content of closed meetings is consistent with those requirements.

(c) REPORT.—Not later than February 15 of each year, the Inspector General of the National Science Foundation shall transmit to the Congress the audit required under subsection (b) along with recommendations for corrective actions that need to be taken to achieve fuller compliance with the requirements described in subsection (a), and recommendations on how to ensure public access to the Board's deliberations.

AMENDMENT OFFERED BY MS. RIVERS

Ms. RIVERS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Ms. RIVERS:

At the end of the bill, insert the following new section:

SEC. 11. SCHOLARSHIP ELIGIBILITY.

The Director shall not exclude part-time students from eligibility for scholarships under the Computer Science, Engineering, and Mathematics Scholarship (CSEMS) program.

Ms. RIVERS (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN pro tempore. Is there objection to the request of the gentlewoman from Michigan?

There was no objection.

Ms. RIVERS. Mr. Chairman, this is a very simple amendment that will offer relief in some very complicated lives. The NSF currently administers the Computer Science, Engineering and Mathematics Scholarships program, which was established by the American Competitiveness and Workforce Improvement Act of 1998.

This program assists students training to enter the high-tech workforce in computer science, computer technology, engineering, engineering technology or mathematics. Unfortunately, NSF requires that students be enrolled full time as students, precluding working students, especially older students who have full time jobs and families, from qualifying for these scholarships. As someone who attended college and law school while juggling work and family obligations, I know firsthand how much good a change like this would do for folks who are working so hard.

The data clearly shows that traditional full-time students are no longer the overwhelming majority of those attending undergraduate institutions. The U.S. Department of Education's National Center for Education Statistics found in 1999, the most recent data available, that of the 15 million students here in the United States, nearly 6 million, or 41 percent, were attending on a part-time basis. According to the current population survey conducted by the Census Bureau, the greatest percentage rise in college attendance was by women 30 and over, 2.3 million new students. Approximately 23 percent of all male college and graduate students were age 30 or older.

The National Center for Education Statistics has estimated that in 2000, students 25 or older outnumbered those younger than 25. And according to the American Association of Community Colleges, community colleges in this country enroll over 10 million students, that is 44 percent of all United States undergrads, and 63 percent of those attending community college are part-time students.

The average age of a student at a community college is now 29 years old. Furthermore, more than 80 percent of community college students balance studies with full-time or part-time work.

My amendment simply states that NSF's CSEMS program would be open to students enrolled in appropriate programs less than full time. The expansion of the CSEMS program will open the doors of opportunity to those who want to acquire or finish degrees in the very fields we need the most workers,

high technology. Add flexibility to the program and allow university administrators the discretion to help those who need the help most, regardless of whether they are an 8-, 10-, 12-, or 16-credit student per quarter. It would also enable NSF to administer all of the scholarship funds it currently has available under this program.

I understand that much of this money sits unused due to lack of advertising, which is compounded due to the exclusion of part-time students. This amendment would fix the problem.

In my home State of Michigan, several schools have received CSEMS program grants, including the University of Michigan that I represent, Grand Valley State University, Western State University, Central Michigan University, Kettering University, Lake Superior State University, and the University of Detroit. All of these institutions enroll part-time students, but none of those students are eligible for this program.

We should extend the same assistance to them as their full-time colleagues receive. Having access to the CSEMS scholarship can make a significant difference when it comes to making a choice about pursuing a degree or not. The availability of Federal help in financing my education allowed me to go from being a teen mom working in low-wage jobs to being a Member of this august body. Education made the difference.

Let us open the door to success just a little bit wider so more Americans can walk through it.

Mr. SMITH of Michigan. Mr. Chairman, will the gentlewoman yield?

Ms. RIVERS. I yield to the gentleman from Michigan.

Mr. SMITH of Michigan. Mr. Chairman, the gentlewoman is correct. More and more of our students are adult and are part-time. It is a good amendment, and we accept the amendment.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I rise in support of my colleague from Michigan's amendment. This amendment seeks to expand educational opportunities for working Americans in the sciences, mathematics, and engineering.

NSF's Computer Science, Engineering, and Mathematics Scholarship (CSEMS) Program was established to support financially needy post-secondary students pursuing careers in the high-tech sector. The acute shortage of trained scientists and engineers in our country is well documented, and critical sectors of our economy find it necessary to import high-tech labor from other countries under the H–1 B visa program.

NSF is doing a great deal to address the shortage of home-grown scientists and engineers, but currently, the CSEMS program is only eligible to full-time students. The expansion of the eligibility of the CSEMS program to include part-time students will have two important results. The first is that it addresses our nation's need for more scientists and engineers in key sectors of our economy. The second is that it provides talented, motivated, and economically needy students with the resources they need to improve their quality of life and fulfill their dreams.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentlewoman from Michigan (Ms. RIVERS).

The amendment was agreed to.

AMENDMENT OFFERED BY MS. WOOLSEY

Ms. WOOLSEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Ms. WOOLSEY:

At the end of section 3, add the following new subsection:

(d) BIOSAFETY RESEARCH.—Of the amount authorized under subsection (a)(2)(A), $15,000,000, and of the amount authorized under subsection (b)(2)(A), $20,000,000, shall be available for support of fundamental research in areas related to assessing biosafety. For purposes of this subsection, the term ''biosafety'' means safety with respect to the effects of biological research on organisms and the environment.

Ms. WOOLSEY (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

Ms. WOOLSEY. Mr. Chairman, my amendment would create a research program within the National Science Foundation to address a significant gap of knowledge on biosafety, a gap of knowledge that must be filled. The amendment establishes the Biosafety Research Program, so we can understand in scientific terms the effects of altering biological systems. It funds the basic science needed to understand the effects of introducing new plant and animal varieties through both traditional breeding techniques and through new methods of biotechnology in our agriculture, horticulture and aquaculture systems.

For thousands of years we have experimented with plants, animals, microbes, and ecological systems in an effort to survive and prosper through the development of food and fiber sources, medicines and other materials essential to our well-being.

Essentially, we have been moving our biological system around, sometimes intentionally, sometimes not intentionally.

Here I use the term ''biological systems'' in the broadest sense. A biological system could be a set of genes, a whole organism, an ecosystem, or a group of ecosystems that co-exist in the landscape. It is no secret, Mr. Chairman, that a contentious debate has surrounded the introduction of biotechnology products. The debate has been characterized more by statements of hope by the advocates and fear from opponents than by science-based information. It is time we replace the rhetoric, the rhetoric on both sides, with a firm understanding of how these varieties are likely to operate in the real world.

With the adoption of my amendment, the Biosafety Research Program will provide an identifiable pool of research funds for scientists to ask the basic research questions that could prevent unintended scenarios. I want my colleagues to know that this program will not fund risk assessment. It will not fund monitoring or the development or evaluation of risk-management strategies. Those activities in the area of applied research are not within the NSF mission. They are and should be supported by programs at USDA, EPA, and FDA, the entities charged with reviewing and regulating products being introduced into the market.

The program my amendment creates in NSF is not a substitute for increased funding in these other agencies; however, I do believe that the applied research programs of these agencies need to be increased also to address the questions the public is asking about these new products.

Before I close, Mr. Chairman, I want to call attention to several recent reports from the National Academy of Sciences on invasive species and agriculture biotechnology that have called for more research in this areas, including one released earlier this year. My amendment closely follows the recommendations contained in these academy reports. I also have a series of excerpts from these recent reports that I will insert into the RECORD at this time.

QUOTATIONS FROM NAS REPORTS

''The committee realizes that there remain some uncertainties regarding the use of pest-protected plants, including transgenic pest-protected plants. These uncertainties can lead to ambiguities in regulation and often force agencies to base their decisions on minimal data sets. Additional research should continue to refine and improve risk assessment methods and procedures and continue to develop additional data on both conventional and transgenic pest-protected plant products.'' (p. 139, NAS 2000)

''Research to increase our understanding of the population biology, genetics, and community ecology of the target pests should be conducted, so that more ecologically and evolutionary sustainable approaches to pest management with pest-protected plants can be developed. Knowledge of pests' roles in the larger biological community (for example, their role as food sources for non-target organisms or their roles as predators of other agriculturally relevant pests) will allow us to anticipate better the indirect effects of declines in the pests due to both conventional and transgenic pest-protected plants. Knowledge of the pest population biology will enable prediction of the types of pest-protection mechanisms that would most efficiently reduce a target organism's pest status and would help us to design more accurate resistance management plans.

Research to assess gene flow and its potential consequences should be conducted . . . more ecological and agricultural research is needed on the following: weed distribution and abundance (past and present), key factors that regulate weed population dynamics in managed and unmanaged areas, the likely impact of specific, novel resistance traits on weed abundance in managed and unmanaged areas, and rates at which resistance genes from the crop would be likely to spread among weed populations.'' (p. 140–141 NAS 2000)

RECOMMENDATIONS

''In cases when crucial scientific data are lacking about the potential impacts of gene

flow on wild or weedy relatives, the committee recommends delaying approval of deregulation pending sufficient data, establishing a scientifically rigorous monitoring program in key areas to check for undesirable effects of resistance transgenes after the transgenic pest-protected plant is commercialized, or restricting the initial areas where the plants can be grown.'' (p. 141–142 NAS 2000)

''APHIS jurisdiction has been restricted to the U.S. borders. However, in an era of globalization, environmental effects of transgenic crops on the ecosystems of developing countries will be an important component of risk analysis. As exemplified by the effects of the Green Revolution varieties of wheat and rice, novel crop genes often have indirect effects on the environment. These indirect effects can occur because the new crop traits enable changes in other agricultural practices and technologies that impact the environment. They also can indirectly affect vertical integration of agriculture and equality of access to food. Society cannot ignore the fact that people who lack food security often cause major effects on both agricultural and nonagricultural environments, so in a broad context the positive or negative effects of transgenes on human well-being can be seen as an environmental effect.

Environmental concerns raised by some of the first transgenic crops (e.g. gene flow, disruption of the genome, non-target effects) could be ameliorated by expanding our knowledge base in specific areas of molecular biology, ecology, and socioeconomic. Furthermore, such an expanded knowledge base could lead to the production of transgenic plants that would improve the environment. To increase knowledge in relevant areas the committee recommends substantial increases in public-sector investment in the following research areas: (1) improvement in precommercialization testing methods; (2) improvement in transgenic methods that will minimize risks; (3) research to identify transgenic plants traits that would provide environmental benefits; (4) research to develop transgenic plants with such traits; (5) research to improve the environmental risk characterization processes; and (6) research on the social, economic, and value-based issues affecting environmental impacts of transgenic crops.'' (p. 16 NAS 2002)

''The committee cannot presently judge whether extensive commercialization of transgenic—and other crops bearing novel traits—will significantly perturb agroecosystems or neighboring ecosystems because of major gaps in our knowledge of these systems.'' (p. 23 NAS 2002)

''The committee finds, . . . that specific types of transgenic and conventional crops can pose unique environmental hazards. Also, the committee finds that there are good arguments for regulating all transgenic crops. To be effective such a regulatory system must have an efficient and accurate method for rapidly evaluating all transgenic plants to separate those that require additional regulatory oversight from those that do not.'' (p. 52 NAS 2002)

''Perhaps more than anything else, the experience with commercialization of transgenic crops has revealed gaps in the knowledge base for understanding and measuring the environmental risks of crop production, irrespective of whether recombinant DNA technologies have been applied.'' p. 254 NAS 2002

''Formal research support in the United States for the study of environmental impacts of transgenic plants has been sparse.'' p. 255 NAS 2002

In reference to USDA's Biotechnology Risk Assessment Research Grants program:

''. . . The program has allocated no more than a few million dollars for research each year. Recently, the USDA's Initiative for Future Agriculture and Food Systems (IFAFS) program has included a competition for funding research, education, and extension on the management of environmental risks of agricultural biotechnology. Both funding programs have substantial limitations—BRARGP because its focus is only on assessment and because the total amount of funding is so low; IFAFS because the focus is only for risk management and the funding program itself is anticipated to have a short life. Neither program funds monitoring or research related to monitoring.

Reserch on the environmental impacts of transgenic plants can be accomplished through other funding sources if the research questions asked have general significance. For example, issues directly associated with the impacts of transgenic plants may often be associated with critical, but largely unanswered, questions in other fields. For example, whether or not the introgression of pest resistance transgenes into wild populations will result in the evolution of weediness or invasiveness is directly associated with important questions in population biology regarding the genetic and ecological causes and correlates of invasiveness (Traynor and Westwood 1999).'' (p. 255 NAS 2002)

''Recommendation 7.3: Significant public-sector investment is called for in the following research areas: improvement in risk analysis methodologies and protocols; improvement in transgenic methods that will reduce risks and improve benefits to the environment; research to develop and improve monitoring for effects in the environment; and research on the social, economic, and value-based issues affecting environmental impacts of transgenic crops.'' (p. 259 NAS 2002)

National Research Council. 2002. ''Environmental Effects of Transgenic Plants: The Scope and Adequacy of Regulation'' National Academy Press, Washington, DC.

National Research Council 2000. ''Genetically Modified Pest-Protected Plants: Science and Regulation. Washington, DC National Academy Press.

Mr. Chairman, we all live in a world in which we move things around with increasing frequency and speed. So we must make at least a modest investment in understanding how those movements are likely to affect our world. That is why I am asking my chairman and my colleagues to support this amendment, because it is the right thing to do.

Mr. SMITH of Michigan. Mr. Chairman, I move to strike the last word.

Mr. Chairman, we must reluctantly rise in opposition to the amendment from my very good friend from California. I certainly agree with the gentlewoman that the National Science Foundation should conduct basic research that will enable us to understand better the impacts of biotechnology and other biological research on organisms and on the environment. In fact, NSF already conducts such research. Indeed, this House passed a bill just a few weeks ago that charged NSF, again, with conducting such research. That bill introduced by myself and the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON), had been approved by the Committee on Science. So I wholeheartedly endorse the idea that NSF should fund this kind of research and they will.

My problems with the amendment are narrower, but still significant. First the numbers in the amendment are entirely arbitrary. They may be too large; they may be too small. We have no idea. We have never looked into it. In an area this important, I do not think we should be pulling numbers out of thin air.

Second, NSF funds a lot of different scientific disciplines and subdisciplines. We chose not to pick out many of these specific areas in this bill for congressionally or politically targeted spending levels because once we go down that road, there is no end to it. We want to give the foundation, the scientific community the maximum flexibility that has served us so well.

So generally we have limited ourselves to initiatives proposed by the President in areas on which the House has previously acted. The kind of research that the gentlewoman from California (Ms. WOOLSEY) is highlighting is important, but not necessarily more important than areas of research we are not citing by name in this bill. We need to limit the number of areas of science that we single out for set-asides in this bill.

Let me say in conclusion, and maybe thirdly, I have a process problem with this amendment.

□ 1500

We have worked on this bill in a bipartisan manner for almost 2 years. The bill passed unanimously in committee because of lengthy bipartisan discussions. I am not eager to add new issues on the House floor. We are poised now to pass a bill that can move swiftly through both the House and the other body, and I think many of us do not want to add anything that has even the potential to slow our progress.

So I urge my colleagues to oppose this amendment. It is unnecessary and could slow passage of an important measure, and I will work with the gentlewoman to ensure that the area of science she is seeking to protect continues to receive its due from the National Science Foundation.

Ms. WOOLSEY. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Michigan. I yield to the gentlewoman from California.

Ms. WOOLSEY. Mr. Chairman, two things. First, this would have been part of the debate in the committee had I not been asked not to bring it up in committee but to bring it as an amendment to the floor, and I was asked by the majority party to do that. So please be clear, this is not something I did not want to bring to the committee.

Second of all, when my colleague talks about the funding being arbitrary, our decision on this funding came from the same place that our whole committee's decision to double the funding for NSF came from. We do not know how much money we need. We know we need more, and I know with my amendment we need something. So I want to get started and the

public wants to get started so that we can scientifically decide what is good and what is not good.

Mr. SMITH of Michigan. Mr. Chairman, reclaiming my time, to make it clear, it is somewhat of a different amendment than the gentlewoman submitted in the Committee on Science, but even more and above that, it seems to me like we should agree that if we can leave NSF and the scientific community and the peer review process to do and decide on these initiatives and how much is reasonable, the legislation that we passed recently by the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) and myself does not say we are going in one area or the other. It says do more research. Let us leave that up to the scientific community in deciding how much money should be spent in any particular area of this biological research.

Ms. RIVERS. Mr. Chairman, I move to strike the requisite number of words.

I rise in support of this particular amendment, but I would like to ask a specific question relative to an area of research that might be related to this program, and so I offer to the sponsor this question. Is it the gentlewoman from California's (Ms. WOOLSEY) anticipation that this particular biosafety research program would provide research that would better understand why plants and animals become invasive pests when they are introduced in new habitats?

Ms. WOOLSEY. Mr. Chairman, will the gentlewoman yield?

Ms. RIVERS. I yield to the gentlewoman from California.

Ms. WOOLSEY. Mr. Chairman, that is exactly my intention.

Ms. RIVERS. Mr. Chairman, I thank the gentlewoman for her response.

I note that the National Academy of Sciences recently released a report called Predicting Invasions of Nonindigenous Plants and Plant Pests. In that document they state, ''In spite of a long history of interest in biological invasion, scientific inquiry in invasion is still nascent. Progress in understanding and predicting invasions will depend on how well the insights of investigators with diverse training can be coalesced and directed to decipher the myriad combinations of immigrant species, new ranges, and novel circumstances that can produce a biological invasion. The last 10 years has seen the emergence of a broad consensus that the prediction of biological invasion is a field presenting national need. It will take some time, however, to generate the predictive principles on which policy-makers, regulators, the scientific community, and the public can have confidence.''

They go on to say that, ''The challenge of constructing a scientific basis for predicting the risk associated with nonindigenous species needs to be met by a significant national effort, including other agencies within the USDA, other branches of the Federal Government responsible for research and land management, agricultural and natural resource agencies of State governments and the scientific community at large.''

I am very pleased to support this bill, with emphasis on invasive species, because in Michigan we have a terrible problem. When the zebra mussels hitched a ride in ship ballast water and were introduced to the Great Lakes and other bodies of water, their populations exploded. These animals are continuing to cause serious ecological and economic damage in my region, and I believe we need much more research to understand the basic biology and ecology of this organism if we are ever to hope to control it.

I also believe that we need much more information to help us identify potentially invasive species before they are introduced to new ecosystems. We could avoid a great deal of harm and expense if we were able to devise means to evaluate the potential invasiveness of new plants and animals.

I believe that the gentlewoman from California's (Ms. WOOLSEY) proposal is a sound one that will bring us forward in the debate around invasive species and understanding our ecology in general. I urge Members to support this amendment.

Mr. GUTKNECHT. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I yield to the gentleman from Michigan (Mr. SMITH).

Mr. SMITH of Michigan. Mr. Chairman, the gentleman from Minnesota (Mr. GUTKNECHT) might also be relating to this, but in the bioterrorism bill that we passed a couple of weeks ago, we did include over $190 million to USDA, additional funding to the Department of Energy, specifically for this purpose. So that bioterrorism bill included a lot of the goals that I hear some of my colleagues on the other side of the aisle suggest we need.

Mr. GUTKNECHT. Mr. Chairman, reclaiming my time, I rise in opposition to the amendment, and I know that the author and the supporters of this amendment are very sincere. They feel very strongly about the issues, but I want to clarify something here for the rest of the Members.

We are really not talking about zebra mussels in this amendment, and we are not talking about purple loosestrife. What we are really talking about is whether or not we are going to take actions on the floor of the House of Representatives to limit the amount of research that can be done on biology and new plant species and things that are happening in biotechnology.

What that says is we are not spending enough on that area now, and the truth of the matter is there is nothing in this authorization today that would limit the amount that the National Science Foundation could spend on these kinds of programs, but it is, in fact, a way of tinkering. So this is redundant. It is unneeded and, worse than that, it is politicizing what I think has been a very nonpolitical markup and as we have worked through this process.

Historically, we in Congress, I think, have done a very good job of not trying to politicize or get our fingers into these kinds of decisions. We have had an awful lot of research about biology and new biotechnology, and all of it has come to this same conclusion, and that is, that the work that is being done in both the government-funded labs, as well as in private labs, is both safe and has no detrimental impact on the environment.

We have had all kinds of scares. What the authors are trying to do really is they are once again introducing the idea that we can somehow disprove the negative. They know that that cannot happen, and this is a toe in the door for some of these researchers to say, well, the answer, of course, is we have to have more money, but understand that when those particular researchers, attempting to disprove a negative which cannot be disproved, when they take more money, it comes at the expense of other important research.

I believe this research has to go forward. I think the USDA, the National Science Foundation, other groups that are doing this kind of research, they are doing it with very good scientists who understand that there are consequences, but more importantly, if we try to limit the work that is done in biotechnology, what we are working on today is developing plant species that can actually cure diseases.

That is amazing. It is wonderful. We should not try to stymie that kind of research. We are developing new plant species which are much more resistant to pests and other problems they might encounter so we can use less in terms of pesticides on those plants. That again is a wonderful discovery.

And also understand, most of the food that we eat today is a result of biotechnology. The Native Americans did a wonderful job in creating what we now know is corn. They actually developed that from what was formerly known as maize. The potato was something that was actually crossbred and developed by the American Indian. All that we enjoy, much of what we enjoy today in terms of things that we take for granted, were developed with biotechnology.

This is a thinly veiled attempt to politicize what has been a very nonpolitical markup, and the way that the Congress has dealt with it, I think it is a bad idea. It sets a very bad precedent because if this amendment is adopted, I promise my colleagues we will see more and more amendments by Members attempting to advance a political cause they believe in. I think it is a very big mistake, and I hope the Members will join me in opposing this amendment.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I yield to the gentlewoman from California (Ms. WOOLSEY).

Ms. WOOLSEY. Mr. Chairman, I thank the gentlewoman from Texas for yielding to me. I have two responses to the gentleman from Michigan's (Mr. SMITH) objections to my amendment.

First, in talking about the changes that differed from what my amendment was in committee and to what we have brought to the floor, my changes were based on the committee's objections. So I came here prepared to improve upon what we had talked about earlier.

In the amendment in committee, we had the funding come from a small account in the plant genome program, and now my amendment would allow the NSF director to decide where within an $11 billion research account my $35 million program could be funded. That is not a lot of money within a large account, and so I wanted to make sure my colleague knew why that had changed.

It is $15 million in the first year of the bill, $20 million in the second year of the bill, and nothing specified in the third year because we have required a report from the NSF with their recommended levels for future years. So we are not assuming beyond the first 2 years.

The gentleman from Michigan (Mr. SMITH) has said that his bill already covers this, his bill that I voted for, H.R. 2051, to establish plant genome research centers which also authorizes research on basic research and dissemination of information on the ecological and other consequences of genetically engineered plants. His does that. My amendment expands upon the gentleman's bill, and my program covers plants and animals that would not be restricted to research on genetically engineered plants and animals. So it expands his good ideas but makes it larger.

Mr. SMITH of Michigan. Mr. Chairman, will the gentlewoman yield?

Ms. EDDIE BERNICE JOHNSON of Texas. I yield to the gentleman from Michigan.

Mr. SMITH of Michigan. Mr. Chairman, a couple of reactions, one supporting this concept. I am informed that the language of the gentlewoman's amendment limits the amount that can be spent on this effort, and who is to say it should be more, and I just suggest rather than let politicians deciding, let us let the scientific community make that decision, not limit it or pre-guess what is the right amount.

I thank the gentlewoman for yielding.

Ms. WOOLSEY. Mr. Chairman, I would like to respond that I think I am sitting on the wrong side of the aisle when it is this side of the aisle who would limit a budget, and it is the gentleman's side of the aisle challenging that.

So this is the beginning of something that the public wants us to do, and I think we are making a great mistake if we do not vote for this because it is the right thing to do, and it is the environmentally friendly thing to do, and it would help our public know what is safe and what is not safe by having scientific studies, not emotional rhetoric, about what is going on with these programs.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I move to strike the requisite number of words.

I rise to enthusiastically support the distinguished gentlewoman from California's (Ms. WOOLSEY) amendment, and let me say to the proponents, this is a good bill, and I appreciate the leadership of the Committee on Science for the collaborative way in which this bill, the authorization of the National Science Foundation, has been done.

Let me comment that the importance of science in America could not be more important now. When we begin to talk about homeland security and the new challenges that we will face in the 21st century to ensure safety in our community, science is important. Training of girls and boys and the training of minorities in science, preparing them for the 21st century, funding those kinds of institutions, providing such programs is important.

That is why I connect the value of the gentlewoman from California's (Ms. WOOLSEY) amendment because it is a simple, common sense amendment. If we could sort of move away from issues of politicizing and depoliticizing, let me say what this amendment does.

It simply provides a steady stream of funding to study the impact of biotechnology on plants and ecosystems where there is not.

□ 1515

I would say to the gentleman from Michigan (Mr. SMITH) that we all supported his legislation that was recently passed: 2051. In that legislation, the gentleman did in fact earmark, and that is simply what is going on here. What we are responding to, however, is our instructor, our instructor is the National Academy of Sciences, which has called for implicit and significant increased funding for the particular aspect of the Woolsey amendment.

So, in fact, what is occurring is that the Woolsey amendment supports the National Academy of Sciences to provide monies for this kind of research. In fact, it has recommended this kind of research to study the ecological impact of plants bred conventionally and through biotechnology.

I would also simply say to my good friend from Minnesota that depoliticizing the issue is what we are doing. We are not politicizing it. What we are simply trying to do is to give the funding stream to get good science in order to be able to regulate properly. And that means if we get the research, the basic research, we know how to do the job.

I believe the American public is more than prepared now to understand that this is not a question of limiting the funds. The Woolsey amendment does not limit it; it gives it a funding stream. If we need more monies, I am sure that with an intelligent response by the Congress we can add more money. So this is not a limit. This is providing a continuous funding stream in order to be able to do the kind of research.

Might I just restate the utilization of H.R. 2051, the bill of the gentleman from Michigan (Mr. SMITH), was to establish plant genome research centers and which authorize research on basic research and dissemination of information on the ecological and other consequences of genetically engineered plants. This program would cover plants and animals and would not be restricted to research on genetically engineered plants and animals. This, however, has to be expanded; and the Woolsey amendment, I am very glad to say, goes a step further and begins to do the research that is necessary, the impact of biotechnology on plants and the ecosystems.

I close this by simply saying this, Mr. Chairman. It is interesting how as we mature and learn we find out that what we used to ridicule we find is truth. It is interesting that the present administration and others who support their policies ridiculed global warming, but just the other day those representatives of this administration put forward a report that said, you know what, global warming exists. Good science tells us that global warming exists and we have a problem. Interestingly enough, the present administration had to concede. And, of course, we understand that it was refuted and that individuals who put forward the report were called a bunch of bureaucrats. But truth will find a way.

This is what the Woolsey amendment offers to do, gives us the truth and the information that allows us to go forward and make an effective determination on how we can regulate this particular issue. And I would believe that our instructor, the National Academy of Sciences, could not be wrong in insisting that we need a significant increase in funding. I would ask my colleagues to support this amendment.

Mr. EHLERS. Mr. Chairman, I move to strike the requisite number of words.

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

Mr. EHLERS. Mr. Chairman, I rise to oppose this amendment. I do not even rise reluctantly to oppose it, because I think it is ill advised.

It is ill advised for several reasons. The type of research that is being outlined here is already being conducted, not just in the NSF but in various other agencies that are interested in it, the Department of Agriculture, the EPA; and I am sure NIH is looking at some aspects of it as well.

But my main reason for objection has to do with the history of the National Science Foundation. The National

Science Foundation arose out of a report written by Vannevar Bush at the request of Franklin Delano Roosevelt in 1945. That report set out the basic structure of the National Science Foundation, and the basic idea of that report was that this would be an agency that would do scientific research, the priorities would be set by the scientists based on the scientific evidence, and that the research to be conducted would be peer reviewed by other scientists so that we would have good science done in this country.

It has an outstanding record. We have heard already that we have had over 100 Nobel prizes awarded to people who have received National Science Foundation grants. The basic idea is that the Congress would keep its hands off of specific appropriations for specific projects. It is very disappointing that this bill, which received unanimous support in committee and appears to have received unanimous support in debate on the floor, has this introduced where we are trying to earmark money for a specific pet project.

I can tell my colleagues that I can quickly list 20 pet projects that I think the NSF should be conducting research on and that they should be spending more money on. But the idea behind the NSF is that we do not allocate that money here, particularly in authorization bills; that, in fact, the work done there is based on the scientific judgments collectively gathered from the scientific community in this Nation.

It is entirely inappropriate for us to sit here on the House floor in an authorizing bill and try to designate funding for a particular project which a few Members of this body believe are important above and beyond all the other scientific research that we are considering in this Nation.

I object to this amendment. I hope that it is defeated, and I urge my colleagues to vote against it.

Mr. CARDIN. Mr. Chairman, I move to strike the requisite number of words.

Ms. WOOLSEY. Mr. Chairman, will the gentleman yield?

Mr. CARDIN. I yield to the gentlewoman from California.

Ms. WOOLSEY. Mr. Chairman, I thank the gentleman for yielding to me, and I would like to point out, in responding to the statement that we are doing this already, that I have a quote on page 255 of the National Academy of Sciences Report of 2002, and I quote ''Formal research support in the United States for the study of environmental impacts on transgenic plants has been sparse.'' In other words, we are not doing enough.

And in responding to the statement of my good friend, the gentleman from Michigan (Mr. EHLERS), that we do not identify how we spend NSF funds, we just give them a big pot of money, we do have other programs that are identified. We spend money on advanced technological education, on Noyce scholarships, math and science scholarship programs, minority-serving institutions and undergraduate programs, and the Presidential Science Teacher awards, for example. That is just a list of the few things that we do.

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

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

Mr. EHLERS. Mr. Chairman, the items the gentlewoman has mentioned are all, if I heard them correctly, are all in the educational area, and are not directing research within the agency.

Ms. WOOLSEY. Mr. Chairman, will the gentleman continue to yield?

Mr. CARDIN. I yield once again to the gentlewoman from California.

Ms. WOOLSEY. Mr. Chairman, I would respond that they are still in NSF, and that is what we are saying. The gentleman is saying we do not identify programs that we invest money in other than just general funds. We do decide what is important under NSF when we choose to.

Mr. ROHRABACHER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise to oppose the amendment, and let me just say that I have a great deal of fear that the money that is going into science is quite often politicized, and there is evidence of that around. I think the amendment that the gentlewoman is suggesting would lead in that direction and we should be very wary of these types of earmarks.

What I think the gentlewoman would actually do is create a situation where money was earmarked for this particular biotechnology type of research and the word would go out that if anyone wants to create scares about biotechnology they should come and get their grant because this is what this money is for.

We have seen the same sort of thing happen before. We saw it happen with global warming. My fellow colleague and friend, the gentlewoman from Texas (Ms. JACKSON-LEE), suggested there has been a ''change'' in administration policy on global warming. Well, I am not sure what that change in policy is, but it is very clear that that issue has been so politicized by the introduction of tax dollars through the various National Science Foundation, NASA, et cetera, that the public has not been getting pure science, but it has been getting politicized science.

In the early 1980s, there was a consensus, and in fact there were hearings in this Congress, in our committee, reaffirming the great threat that the global climate change posed to humankind. In fact, we had hearings in which the Democratic leaders of the committees at that time, because the Democrats controlled the House, they controlled the committees, made statements about the horrible threat of this global climate change. The only trouble was the climate change they were talking about and the scientists they brought in to verify it were warning us of global cooling.

Some of those scientists, I might add, are now on the payroll advocating that we have to fear global warming. Now, all of that in a 20-year time period. They reversed themselves on this important issue in a 20-year period. Now, supposedly the global warming trend and the global cooling trend, whatever it is, has been going on for thousands and thousands of years, yet they reversed themselves in a 20-year period as to what the government had to emphasize in order to save humankind.

If we had taken their prescriptions, obviously we would have been going in exactly the wrong direction. And I would predict in about 5 years from now there will be some other major revelation to the scientific community, as government grants are given in this way or that way; and we might find that it is neither global warming nor global cooling, but something to do with the Earth on its axis or something going towards the Moon or the sun, or something else we deserve to spend billions of dollars and direct it towards the scientists who will be able to warn us about it.

Let me just note that we have seen the glaciers in our country and other countries receding for about 100,000 years now. There has been climate change in the world, and it has been getting warmer for hundreds of thousands of years. Yet in order to prove that humankind in the last 5,000, or actually the last 500 years is causing this global climate change, we are spending billions and billions of science dollars.

We have got to quit politicizing science. This amendment, I believe, goes in exactly the wrong direction. But let me note this. Politicized science is probably the worst threat that we have right now to understanding the actual perils that might face us in the future.

I still remember the ''Global 2000 Report,'' and I would recommend that my colleagues read the ''Global 2000 Report'' that was put out in 1980, financed of course by tax dollars. The ''Global 2000 Report,'' I believe, warned us against global cooling, but my colleagues can check into that. I do not remember that precisely, but I do remember they said we would be totally out of oil by the year 2000 and that gasoline would cost about $150 a gallon, or something like that, and all of our natural resources would be depleted. In other words, there was this great threat, this great scare that was put out in the ''Global 2000 Report,'' and every one of their conclusions were wrong, now that we have passed the year 2000. Do my colleagues know why it was wrong? It is because it was politicized science.

I think that we have to, and we are dealing with this committee and we are dealing with our expenditures, we have to go out of our way, bend over backwards to ensure that we are not politicizing science; that we are not taking up a trendy issue and asking the scientific community to verify it in order

to get government grants. That is why I would oppose the Woolsey amendment.

Mr. FRANK. Mr. Chairman, I move to strike the requisite number of words.

Ms. WOOLSEY. Mr. Chairman, will the gentleman yield?

Mr. FRANK. I yield to the gentlewoman from California.

Ms. WOOLSEY. Mr. Chairman, I thank the gentleman for yielding to me, and I would like to respond to the gentleman from California when he talks about biotechnology research and global climate reports that our President and his administration put forth a report this weekend to the U.N. acknowledging global climate change, and telling the world to adapt, just get used to it.

□ 1530

Mr. Chairman, what are we going to tell the monarch butterflies when they are having to adapt to genetically modified corn? They cannot adapt. They are dying. We have to look into what we can do about that, and that is what this amendment is about. It is about good science, not about emotions.

Mr. FRANK. Mr. Chairman, reclaiming my time, I generally agree with the gentlewoman from California (Ms. WOOLSEY), but I do have to correct one thing the gentlewoman said, the President and the administration put out a report. Actually, the administration put out a report. The President seemed to be quite surprised by it, not to the point of actually reading it, because I think it would take more than that to get him to read it; but I was struck by the President's bemusement by the report.

So just because the EPA and a group of scientists have said something does not mean that the President chooses to associate himself with it. That does not detract from the validity of the report, but it did seem to me to be a rather interesting precedent being set of a President expressing his surprise that a report issued in his administration's name ought to be noted.

The CHAIRMAN pro tempore (Mr. BONILLA). The question is on the amendment offered by the gentlewoman from California (Ms. WOOLSEY).

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

Ms. WOOLSEY. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN pro tempore. The Chair will count for a quorum.

Does the gentlewoman withdraw the point of order?

PARLIAMENTARY INQUIRY

Mr. FRANK. Mr. Chairman, parliamentary inquiry. Is an insufficient number standing, in your opinion, for a recorded vote?

Ms. WOOLSEY. Mr. Chairman, I withdraw the point of order.

The CHAIRMAN pro tempore. The gentlewoman withdraws her point of order.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 165, noes 259, not voting 10, as follows:

[Roll No. 211]

AYES—165

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldacci
Becerra
Bentsen
Berkley
Berman
Bishop
Blumenauer
Bonior
Borski
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Cardin
Carson (IN)
Carson (OK)
Clay
Clayton
Clement
Clyburn
Conyers
Costello
Coyne
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
Deutsch
Dicks
Dingell
Doggett
Doyle
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Frank
Frost
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (TX)
Harman
Hastings (FL)
Hinchey
Hinojosa
Hoeffel
Holt
Honda
Hooley
Houghton
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kleczka
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Luther
Lynch
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Millender-McDonald
Miller, George
Mink
Mollohan
Moran (VA)
Nadler
Napolitano
Neal
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Schiff
Scott
Serrano
Sherman
Smith (WA)
Solis
Spratt
Stark
Strickland
Stupak
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watson (CA)
Watt (NC)
Waxman
Weiner
Wexler
Woolsey
Wu

NOES—259

Aderholt
Akin
Armey
Baca
Bachus
Baker
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Bereuter
Berry
Biggert
Bilirakis
Blunt
Boehlert
Boehner
Bonilla
Bono
Boozman
Boswell
Boucher
Boyd
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capuano
Castle
Chabot
Chambliss
Coble
Collins
Combest
Condit
Cooksey
Cox
Cramer
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal
DeLauro
DeLay
DeMint
Diaz-Balart
Dooley
Doolittle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Everett
Ferguson
Flake
Fletcher
Foley
Forbes
Ford
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gillmor
Gilman
Goode
Goodlatte
Goss
Graham
Granger
Graves
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (OH)
Hansen
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hobson
Hoekstra
Holden
Horn
Hostettler
Hulshof
Hunter
Hyde
Isakson
Issa
Istook
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kerns
Kind (WI)
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
LaHood
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas (KY)
Lucas (OK)
Manzullo
McCrery
McHugh
McInnis
McIntyre
McKeon
Menendez
Mica
Miller, Dan
Miller, Gary
Miller, Jeff
Moore
Moran (KS)
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Osborne
Ose
Otter
Oxley
Paul
Pence
Peterson (MN)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Reynolds
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Roukema
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Snyder
Souder
Stearns
Stenholm
Stump
Sullivan
Sununu
Sweeney
Tancredo
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Toomey
Turner
Upton
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wynn
Young (AK)
Young (FL)

NOT VOTING—10

Blagojevich
Gilchrest
Hilliard
LaFalce
Meeks (NY)
Morella
Peterson (PA)
Riley
Slaughter
Traficant

□ 1557

Messrs. SAXTON, HALL of Ohio, SIMMONS, SHOWS, CRAMER, Mrs. THURMAN and Messrs. RYUN of Kansas, CRENSHAW and COX changed their vote from ''aye'' to ''no.''

Ms. EDDIE BERNICE JOHNSON of Texas, Mr. DAVIS of Florida and Mr. ORTIZ changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN pro tempore (Mr. BONILLA). The question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN pro tempore. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SIMPSON) having assumed the chair,

Mr. BONILLA, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 4664) to authorize appropriations for fiscal years 2003, 2004, and 2005 for the National Science Foundation, and for other purposes, pursuant to House Resolution 432, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on the amendment to the committee amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the committee amendment in the nature of a substitute.

The committee amendment in the nature of a substitute was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

RECORDED VOTE

Ms. WOOLSEY. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 397, noes 25, not voting 12, as follows:

[Roll No. 212]

AYES—397

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

NOES—25

Collins
Deal
Flake
Herger
Hostettler
Hyde
Jones (NC)
Kerns
Kingston
Miller, Gary
Mollohan
Norwood
Paul
Peterson (MN)
Petri
Rohrabacher
Royce
Sensenbrenner
Shadegg
Stearns
Stump
Tancredo
Taylor (MS)
Terry
Weldon (FL)

NOT VOTING—12

Blagojevich
Callahan
Gilchrest
Hilliard
LaFalce
Meeks (NY)
Morella
Ortiz
Peterson (PA)
Riley
Slaughter
Traficant

□ 1615

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. ORTIZ. Mr. Speaker, on final passage of H.R. 4664, Investing in America's Future Act, I was on the House Floor and cast an "aye" vote for H.R. 4664.

I later learned my vote was not recorded. I wanted to advise the House that had my vote been recorded, I would have voted "aye" on final passage for H.R. 4664.

PERSONAL EXPLANATION

Ms. SLAUGHTER. Mr. Speaker, I was unable to be present for rollcall votes 209, 210, 211, and 212. Had I been present, I would have voted "aye" on each of them. Mr. Speaker, I ask unanimous consent that my statement appear in the permanent RECORD immediately following this vote.

GENERAL LEAVE

Mr. HASTINGS of Washington. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 4664, the bill just passed.

The SPEAKER pro tempore (Mr. SIMPSON). Is there objection to the request of the gentleman from Washington?

There was no objection.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2143, PERMANENT DEATH TAX REPEAL ACT OF 2001

Mr. HASTINGS of Washington, from the Committee on Rules, submitted a privileged report (Rept. No. 107–494) on the resolution (H. Res. 435) providing for consideration of the bill (H.R. 2143) to make the repeal of the estate tax permanent, which was referred to the House Calendar and ordered to be printed.

ANNOUNCEMENT OF INTENTION TO OFFER RESOLUTION RAISING QUESTION OF PRIVILEGES OF THE HOUSE

Mr. KUCINICH. Mr. Speaker, I give notice of my intention to raise a question of the privileges of the House under rule IX of the rules of the House.

The form of the resolution is as follows:

Whereas the President's constitutional duty is to faithfully execute the laws of the United States, and

Whereas, under the Constitution, treaties have the status of ''supreme law of the land,'' equally with other laws, and

Whereas, the President does not have the authority to repeal laws, and

Whereas, the President is not authorized to withdraw unilaterally from treaties in general, and the Anti-Ballistic Missile Treaty in particular, without the consent of Congress, and

Whereas, the President unilaterally withdrew the United States of America from the Anti-Ballistic Missile Treaty of 1972 without seeking or obtaining the consent of either house of Congress;

Therefore be it resolved,

That the President should respect the Constitutional role of Congress and seek the approval of Congress for the withdrawal of the United States of America from the Anti-Ballistic Missile Treaty.

The SPEAKER pro tempore. Under rule IX, a resolution that is offered from the floor by a Member other than the majority leader or minority leader as a question of the privileges of the House has immediate precedence only at a time designated by the Chair within two legislative days after the resolution is properly noticed.

Pending that designation, the form of the resolution noticed by the gentleman from Ohio will appear in the RECORD at this point.

The Chair does not at this point determine whether or not the resolution constitutes a question of privilege. That determination will be made at the time designated for consideration of the resolution.

AUTHORIZING SPEAKER TO DECLARE RECESS ON WEDNESDAY, JUNE 12, 2002, FOR PURPOSE OF RECEIVING IN JOINT MEETING THE HONORABLE JOHN HOWARD, PRIME MINISTER OF AUSTRALIA

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that it may be in order at any time on Wednesday, June 12, 2002, for the Speaker to declare a recess subject to the call of the Chair for the purpose of receiving in joint meeting the Honorable John Howard, Prime Minister of Australia.

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

There was no objection.

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.

RECOGNIZING WOMEN WHO HAVE SERVED IN THE ARMED FORCES THROUGHOUT AMERICA'S HISTORY

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

Mr. GEKAS. Mr. Speaker, recently, back in my district in central Pennsylvania, I had occasion in connection with the armed services holidays and celebrations to appear with a group of women right in the center of the action of Harrisburg, at the capital area, who were celebrating long service on the part of women in the Armed Forces of the United States.

What was brought to bear at that function was the memory of Oveta Culp Hobby, who was from Texas and who was the first Women's Army Corps general; she did not make general, but she was commander of the Women's Army Corps. That is one of the first visions we have had of actual women serving in the service in the modern era.

But women have served in the Armed Forces ever since the Revolution. Many of them served, of course, as nurses throughout all the conflicts, and they were Army and Navy and Air Force nurses, actually, so they were part of the Armed Forces. But we have had many, many different examples in the Revolutionary War, in the Mexican War, in the Civil War, and all the modern wars, so to speak, of women posing as men for the sole privilege on their part of wielding a weapon and engaging in fierce combat. Hundreds and maybe thousands of such cases can be found in the history of armed conflict in the United States.

The remainder of the function in which we participated was to give recognition to modern day women participants in the current ranks of the Armed Forces, so it was a splendid day.

One thing that was evident throughout all of this was that the women exhibited extreme pride in their current status as members of the Armed Forces and in the reverence with which they spoke about their predecessors, and the same women about whom I have made reference in the history of armed conflict in the history of our country.

So we ought to know that when we celebrate the national holidays, like the one now coming up, Independence Day on July 4, that we include in our celebration the thought and memory of the gallant women, as well as our men; the women who, from the Declaration of Independence until the current season of the war on terrorism, when women are flying combat missions, women are participating in practically every form of armed conflict or preparation therefor; and that we should not anymore, throughout the remainder of the history of the Nation, conduct the holiday and celebrate our history without due concern and mention and recordation of the deeds of the women of our society who plunged themselves into armed conflict along with the men that we have honored for so many years.

INNOVATIVE SOLUTION TO PROBLEM OF SCARCITY OF NATIONAL BURIAL SPACE FOR VETERANS

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

Mr. FILNER. Mr. Speaker, I want to speak for a few minutes to a problem that I know faces congressmen all over this Nation. That is the lack of national burial space for our veterans of our Armed Forces.

I live in San Diego County, where we have almost 300,000 veterans. The national cemetery at Fort Rosecrans is out of space. There is no place for an honorable burial of a veteran in his or her hometown. We have to drive 100 miles or so to Riverside County, and that is just not what most families want to do with their loved ones.

We have figured out an innovative solution in San Diego County that I want to share with my colleagues and hope that they help us pass a resolution from this Congress which would instruct the Department of Veterans Affairs to help us with this innovative solution.

I have introduced H.R. 4806, the Honorable Burial for Veterans Act, along with my colleagues and the San Diego County delegation, the gentleman from California (Mr. CUNNINGHAM), the gentlewoman from California (Mrs. Davis), and the gentleman from California (Mr. ISSA).

Each and every veteran in our county is concerned that upon his or her demise, interment may become a source of frustration for family and close friends. Many families are left with an impossible dilemma: cremation, where only a few spaces actually exist in the columbarum, or a ground burial at a cemetery a 2-hour drive away.

We should not force this decision on the families of our Nation's veterans. When we called on them to serve, they did not hesitate. Now, in their last hour, a grateful Nation should not hesitate to assist their families.

My colleagues and I want to build a second National Cemetery in San Diego, and we are on the list to do that. In fact, it may take a decade or more before we get around to doing that cemetery on the VA list. In the meantime, we should not abandon our veterans' families in their time of grief.

My bill would provide San Diego with an interim solution. A local effort among the private sector and local authorities and veterans' organizations has produced what I would consider to be an excellent pilot program. Two parcels of land, about 20 acres each, have been identified in the northern and southern parts of our county in what are now private cemeteries. They have offered this land to the Veterans Administration free of charge to become what we will call satellite cemeteries to the National Cemetery in our county.

We have a generous offer of land from the Service Corporation International which would be donated to a 501(c)(3) organization, the Veterans Memorial Center and Museum in San Diego, who will then turn that over to the Department of Veterans Affairs.

I thank all the folks who have tried to come up with this solution back in

San Diego: the general manager of the Glen Abbey Memorial Park; the regional president, western regional president of Service Corporation International, Richard Sells; and to Colonel Jesse Ugade, Brigadier General Robert Cardenas, Captain Tom Splitgerber, and David Brown, co-publisher and editor of the Veterans Journal of San Diego County, because they have devoted enormous hours in an attempt to find a solution for San Diego's veterans.

My bill would authorize the establishment of this satellite cemetery pilot project. It is not the ideal solution, but we have to wait for two decades to get that ideal solution for families who have served our Nation. With our limited Federal budget, families can in fact be helped by an innovative and creative effort to meet our national needs.

The Veterans Administration had a negative reaction when this first was broached to them. Any bureaucracy, it seems, does not look at innovative ideas with a very encouraging light.

□ 1630

So I hope to get a bill passed by Congress which would direct the VA to do this. Certainly providing a final resting place for our brave veterans must be one of our top priorities. I hope my colleagues will support this bill to see how it works in San Diego because it might be useful in their own communities also.

BEWARE DOLLAR WEAKNESS

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

Mr. PAUL. Mr. Speaker, I have for several years come to the House floor to express my concern for the value of the dollar. It has been, and is, my concern that we in the Congress have not met our responsibility in this regard. The constitutional mandate for Congress should only permit silver and gold to be used as legal tender and has been ignored for decades and has caused much economic pain for many innocent Americans. Instead of maintaining a sound dollar, Congress has by both default and deliberate action promoted a policy that systematically depreciates the dollar. The financial markets are keenly aware of the minute-by-minute fluctuations of all the fiat currencies and look to these swings in value for an investment advantage. This type of anticipation and speculation does not exist in a sound monetary system. But Congress should be interested in the dollar fluctuation not as an investment but because of our responsibility for maintaining a sound and stable currency, a requirement for sustained economic growth.

The consensus now is that the dollar is weakening and the hope is that the drop in its value will be neither too much nor occur too quickly; but no matter what the spin is, a depreciating currency, one that is losing its value against goods, services, other currencies and gold, cannot be beneficial and may well be dangerous. A sharply dropping dollar, especially since it is the reserve currency of the world, can play havoc with the entire world economy.

Gold is history's oldest and most stable currency. Central bankers and politicians hate gold because it restrains spending and denies them the power to create money and credit out of thin air. Those who promote big government, whether to wage war and promote foreign expansionism or to finance the welfare state here at home, cherish this power.

History and economic law are on the side of the gold. Paper money always fails. Unfortunately, though, this occurs only after many innocent people have suffered the consequences of the fraud that paper money represents. Monetary inflation is a hidden tax levied more on the poor and those on fixed incomes than the wealthy, the bankers, or the corporations.

In the past 2 years, gold has been the strongest currency throughout the world in spite of persistent central banks selling designed to suppress the gold price in hopes of hiding the evil caused by the inflationary policies that all central bankers follow. This type of depreciation only works for short periods; economic law always rules over the astounding power and influence of central bankers.

That is what is starting to happen, and trust in the dollar is being lost. The value of the dollar this year is down 18 percent compared to gold. This drop in value should not be ignored by Congress. We should never have permitted this policy that was deliberately designed to undermine the value of the currency.

There are a lot of reasons the market is pushing down the value of the dollar at this time. But only one is foremost. Current world economic and political conditions lead to less trust in the dollar's value. Economic strength here at home is questionable and causes concerns. Our huge foreign debt is more than $2 trillion, and our current account deficit is now 4 percent of GDP and growing. Financing this debt requires borrowing $1.3 billion per day from overseas. But these problems are ancillary to the real reason that the dollar must go down in value. For nearly 7 years the U.S. has had the privilege of creating unlimited amounts of dollars with foreigners only too eager to accept them to satisfy our ravenous appetite for consumer items. The markets have yet to discount most of this monetary inflation. But they are doing so now; and for us to ignore what is happening, we do so at the Nation's peril. Price inflation and much higher interest rates are around the corner.

Misplaced confidence in a currency can lead money managers and investors astray, but eventually the piper must be paid. Last year's record interest rate drop by the Federal Reserve was like pouring gasoline on a fire. Now the policy of the past decade is being recognized as being weak for the dollar; and trust and confidence in it is justifiably being questioned.

Trust in paper is difficult to measure and anticipate, but long-term value in gold is dependable and more reliably assessed. Printing money and creating artificial credit may temporarily lower interest rates, but it also causes the distortions of malinvestment, overcapacity, excessive debt and speculation. These conditions cause instability, and market forces eventually overrule the intentions of the central bankers. That is when the apparent benefits of the easy money disappear, such as we dramatically have seen with the crash of the dot-coms and the Enrons and many other stocks.

It is back to reality. This is serious business, and the correction that must come to adjust for the Federal Reserve's mischief of the past 30 years has only begun. Congress must soon consider significant changes in our monetary system.

Congress must soon consider significant changes in our monetary system if we hope to preserve a system of sound growth and wealth preservation. Paper money managed by the Federal Reserve System cannot accomplish this. In fact, it does the opposite.

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

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

AMERICA SHOULD NOT INSTIGATE WAR AGAINST IRAQ

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

Mr. DUNCAN. Mr. Speaker, ever since the Gulf War ended in 1991, the U.S. has been spending about $4 million a day enforcing a no-flight zone in Iraq, $4 million a day. This has been a tremendous waste of money and manpower.

I believe almost all Americans would have preferred that this 12 or $13 billion that has been spent over these years would have been spent in almost any other good way. Most Americans have not even noticed that we have been dropping bombs and still shooting at missile sites all these years in Iraq. I remember reading a front page lengthy story about a group of Iraqi boys we accidentally killed there.

Now there are some people here in Washington who seem to be clamoring for us to go to war against Iraq. I represent a very patriotic pro-military district in Tennessee. My people will strongly support our troops if we go to

war. But I can assure you that as I go around my district I hear no clamor or even a weak desire to go to war against Iraq.

Saudi Arabia had much more to do with the September 11 tragedies than Iraq did. I heard yesterday that one of the main financial backers of the terrorists is from Kuwait. Yet we are not talking about going to war against Saudi Arabia or Kuwait, nor should we. We have been too quick to get involved in ethnic or religious disputes around the world. We have been too quick to drop bombs on people who want to be our friends. We turned NATO from a defensive organization into an offensive one in Bosnia.

Chris Matthews on ''Hard Ball'' the other night said, ''In the past we always had the world on our side because we did not go to war unless we were attacked.''

He strongly questioned this eagerness to go to war against Iraq. He said in a recent column that the American people are being ''herded into war.'' A war that he says will just lead to more hatred of the U.S.

David Ignatius, the nationally syndicated columnist for the New York Herald Tribune and The Washington Post wrote on March 15: ''How can the United States sell a war against Iraq to skeptical Arabs and Europeans? A good start would be to level with them and admit there is no solid evidence linking Baghdad to Osama bin Laden's terrorists attacks against America.''

The Joint Chiefs of Staff have questioned this eagerness to go to war against Iraq. Yesterday, William Raspberry, the very highly respected columnist for The Washington Post, in a nationally syndicated column repeated words he had written a dozen years ago. He wrote: ''The prospect of a bloody war with no price worth the tens of thousands of American lives it would cost can make you a little nervous. I am getting a little nervous. It is not that I doubt the ability of America's fighting forces to take out a third-rate power like Saddam Hussein's Iraq. My doubts concern the purpose for doing so. Saddam is being described as a ruthless and power-mad tyrant bent on achieving political control of the Arab world. I do not question the description, but it does seem to me that most of the current saber rattling is coming from Washington, not Bagdad.'' And Mr. Raspberry continued: ''I wrote those words a dozen years back when the first President Bush was contemplating the invasion of Iraq. Why are we rattling sabers now? The reason I recall my earlier doubts is that they are so much a carbon copy of my present ones.'' Mr. Raspberry says: ''Maybe it was a mistake not to wipe out the last scrap of Iraq's military power back then, not to mow down the surrendering republican guard like shooting fish in a barrel. But surely the failure to do so then cannot justify a unilateral attack now.''

Mr. Raspberry said: ''We should not become the playground bully of the word.'' In 1990, Saddam Hussein, who I am not praising or defending in any way, had invaded Kuwait and was threatening to go further.

We had to act and I voted for the original Gulf War. However, we later found out the Iraqi military strength had been greatly exaggerated. The so-called ''elite'' Praetorian Guards were surrendering to CNN camera crews or anybody who would take them. Hussein has been greatly weakened since then in almost every way. Let us not exaggerate his strength this time. If he starts to attack us, I will be the first to support a war effort, but please let us not provoke war. Let us not change the name of the Department of Defense into the War Department once again. We should not try to be the policemen of the world. We should try as hard as we can to reestablish our reputation as the most peace-loving Nation on the face of the Earth.

PRESCRIPTION DRUG BENEFIT

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

Ms. WATSON of California. Mr. Speaker, Medicare does not cover the cost of prescription drugs, and as a result, approximately 10 million medical recipients nationwide lack any prescription drug coverage. It is estimated by the Kaiser Foundation that seniors spend on average $1,756 per year for prescription drugs.

Due to the extraordinary cost of prescription drugs, millions of seniors will, A, have to choose between proper medication and rent; B, have to choose between proper medication and groceries; or, C, have to suffer because of improper doses of unaffordable medicines.

Mr. Speaker, I challenge this Congress. How dare we. How dare we affect the quality of life for our seniors by withholding funding for prescription drugs. How dare we dismiss our seniors with a poorly funded mandate that will not cover their needs. How dare we allow our Medicare seniors to be squeezed by an industry lobby when life and death is on the line.

Mr. Speaker, I urge my colleagues to honor our seniors, respect their age and wisdom and their contributions to America. Fully fund medical prescription drug coverage.

PERMANENT ESTATE TAX REPEAL

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

Mr. DEFAZIO. Mr. Speaker, tomorrow the House of Representatives will consider a proposal by the Republican majority to permanently repeal the estate tax.

Now, we had a vigorous debate over the estate tax last year; and I along with many others supported a reform of the estate tax that would lead to the exemption of 99½ percent of the estates in the United States of America. But to take and permanently repeal the tax as will be proposed tomorrow for the largest estates will be an extraordinarily expensive measure and add dramatically to the deficit of the United States and ultimately undermine the Social Security trust fund of the United States.

Permanent repeal would cost $740 billion, B, billion dollars, over the next decade after 2012. But if we were to instead say, well, let us exempt the first $5 million of everybody's estate, now that seems like a pretty reasonable step. We do not want people, for instance, in my district or in Oregon who own forestry, tree farms, to go out and prematurely harvest the trees so they have to pay their estates taxes. We do not want people to have to break up their small businesses so they can pay their estates taxes. Those things are well and good. We could do that. We could easily do that.

The current law will exempt by the year 2009 the first $3.5 million of each estate. So let us just round that up to $5 million. So if we did that, that would reserve $400 billion in taxes or $400 billion of money that would not be drained from the Social Security trust fund to help pay for the retirement of the baby boom.

Now, it is true that there would be some 4 or 500 estates a year worth more than $5 million who would have to pay taxes to support the 53 million people on Social Security.

□ 1645

I believe that they can afford that burden. Some say, well, we know they should not pay taxes twice. Well, guess what, most of them will not pay taxes twice. In fact, the way the current laws are set up, many of these estates have unrealized capital gains, and if those estates are exempt from taxation, not even the lower rate of capital gains will be paid.

The American working people have to pay day in, day out a substantial portion of their income to Social Security, day in, day out a substantial portion of their income in income taxes, but these people with the estates worth more than $5 million would never, ever pay a penny in taxes. The unrealized capital gains would be rolled over into the estates, the estates would be tax-exempt, all at a cost of $400 billion to the rest of the United States of America, the rest of the taxpayers in this country.

This is not fair. It is not fiscally prudent, and the Republican majority should be ashamed of pushing this through at this time of financial crisis. We are looking at a $300 billion deficit this year. The Social Security lock box that they had us vote on seven times, which I voted for seven times, has been busted open and depleted. There is nothing, nothing going into it over the next 10 years, and for the next 10 years

after that; if they permanently repeal the estate tax for estates worth more than $5 million, in fact, the Social Security trust fund will continue to be drained.

So we will threaten the benefit of 53 million Americans' Social Security benefits to benefit a handful of extraordinarily wealthy families. This is not the America that I know and I love.

The estate tax was put in place nearly a century ago by a Republican president because the accumulation of wealth generation to generation was creating extraordinary disparities in our society, and the idea was, well, those people should help carry a little bit more of the burden, but if this becomes law, if they are successful tomorrow, as I suspect they might be, then many of these estates, many of these families will never, ever contribute to the collective burdens of citizenship in the United States, much as many corporations are now setting up phony overseas offices in Bermuda and Luxembourg to avoid paying taxes on overseas or U.S. earnings.

We will ultimately, if they are successful, be a country where only wage-earning Americans pay taxes and those that live off the accumulated wealth of their predecessors and the largest corporations will not contribute a penny. This is not right, and my colleagues should vote against this legislation tomorrow for fiscal prudence and for fairness.

PRESCRIPTION DRUG COSTS

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

Mr. GUTKNECHT. Mr. Speaker, I rise today to talk about outrageously high drug prices and what we pay for drugs in the United States compared to what the rest of the world is paying.

There is a group down in Florida, and they have been doing this research for a number of years, called the Life Extension Foundation or the Life Extension Network, and they have been doing research in terms of what Americans pay for prescription drugs and what the average European price for those same drugs, made in the same FDA-approved facilities, under the same FDA-approved methodology. These are the exact same drugs, and let us look at some of these.

One that we became very familiar with in the last several months is a drug that is made in Germany. It is called Cipro. We bought an awful lot of Cipro when we started having anthrax mailed to places in Washington and New York. Cipro is a very effective antibiotic. The average United States price for a 30-day supply is $87.99. That same drug in Germany sells for $40.75.

The story gets worse when we look at some of the more expensive drugs. Let us take the drug Claritin, for example, which is going off patent here in the United States, but it still sells for about an average of $89 for a 30-day supply in the United States. That exact same drug sells for $18.75 over in Europe.

A drug that is technically off patent in the United States, the FDA has approved what they call a special extension of the patent, Glucophage, one of the most commonly prescribed drugs for diabetes sufferers, which is one of the most common diseases in the United States, but Glucophage, a 30-day supply in the United States sells for $124.65. That same drug in Geneva, Switzerland, sells for $22.

Mr. Speaker, as we look down this list, it becomes almost embarrassing that we allow this situation to exist, and the real culprit is not so much the pharmaceutical industry. They are doing what any industry would do, and that is, taking advantage of market opportunities. No, the real problem is that our own FDA stands between Americans and lower drug prices. It is not so much shame on them. It is shame on us.

Now we passed a very important amendment last year on a vote of 324 to 101 saying that as long as it is an FDA-approved drug made in an FDA-approved facility, that those drugs can be imported and reimported by both consumers and wholesalers and a local pharmacist.

Let me show my colleagues one other drug that is fairly near and dear to my heart. It is a drug that my 85-year-old father takes. It is called Coumadin. When I first started putting these charts up a few years ago, the average price for a 30-day supply of Coumadin was about $38. In just a little over 2 years, that price is now over $64.

Now, we asked the drug companies what has changed. I mean, do we have new doctoring regulations or new lawsuits that they have to settle? Have they had to spend more money getting approval? The answer is no, nothing has changed, except the price. It has gone from about $38 to about $64, almost $65 in the United States, but here is what really frosts me. The price over in Europe averages only $15.80 for the same drug.

We are going to have some pitched debates over the next several weeks about prescription drugs, whether or not we should extend coverage, and I believe that we need to do something to help people who are currently falling through the cracks, but if we fail to deal with the critical issue of price, then it is shame on us.

Let me explain how this gets important. Let me first of all show this chart. This is according to the Bureau of Labor Statistics and the National Institutes of Health Care Management, the last year we have full numbers for. The average Social Security recipient in the United States got a 3½ percent increase in their COLA on their Social Security. At the same time, prescription drug prices in the United States went up by 19 percent. Nineteen percent. That is unsustainable, and ultimately, we in Congress need to do something about it.

My answer is let us open markets, let us allow some competition to exist, and we will see a real change.

I think it is important that we do address the issue of prescription drugs, but according to the Congressional Budget Office, and they are our official scorekeepers, they are the ones who are bean counters, prognosticators, they tell us over the next 10 years their best estimate is that seniors, people over the age of 65, and look at all these numbers, this is how much they estimate seniors will pay for prescription drugs over the next 10 years. That is $1.8 trillion. There is not enough money in the Federal Treasury to come up with that and continue to fund the other legitimate needs of people here in the United States of America.

The reason I put 35 percent under that, to give a point to why it is important that we do something on reimportation this year, is that I estimate we can save at least 35 percent. Here in Washington a billion dollars gets lost once in a while. In fact, the old expression, a billion here, billion there, pretty soon you are talking about real money, but if we multiply the 35 percent minimum savings that I think we can get with reimportation times $1.8 trillion over the next 10 years, we can save American consumers $630 billion. That is real money, and that is real money out of the pockets of either our seniors or the taxpayers here in the United States.

I believe that we as Americans ought to pay our fair share of the research cost for pharmaceuticals. I am not here to beat up on the pharmaceutical industry because they have done a lot of wonderful things. There are millions of American that are alive today and living better lives because of what they have done with their research. I think we should pay our fair share, but shame on us if they continue to force us to subsidize the starving Swiss.

PRESIDENT'S EDUCATION BUDGET IS A BROKEN PROMISE

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

Ms. KAPTUR. Mr. Speaker, I rise this evening to question the fiscal responsibility of the current administration and to question their priorities.

On May 23, I came to this great House floor to vote for positive sweeping changes to our Nation's education programs, along with 384 of our colleagues who passed H.R. 1, the Act to Leave No Child Behind. H.R. 1 passed this House and it also passed the other body and was signed by the President this past January. Members of Congress on both sides of the aisle stood next to the President to sign the legislation we believed would finally make education what it should be, a number one priority.

Mr. Speaker, I come to the floor this evening because the administration's budget, its budget for next year, does not make education a priority. The President's education budget is a broken promise. President Bush has stated that he is the education president. Yet resources in his education budget did not match his rhetoric.

Last month, President Bush visited my home State of Ohio and told a crowd of citizens in Cleveland that we must make sure every child in America gets educated. However, the President's rhetoric does not match the resources in his budget.

President Bush did not mention the education programs that would not receive funding in the State due to his budget cuts. Indeed, the education budget that President Bush sent to Congress falls $7.2 billion, not million, billion short of the funds needed to implement programs that we passed in H.R. 1.

The most troubling aspect of the President's budget to me is that it spends 50 times more on tax cuts for the wealthiest 1 percent of Americans than the total of new education spending, 50 times more for those that already have extremely difficult choices for school districts across this country.

The President's budget cuts 57 education programs authorized in H.R. 1, 57 programs are cut, and his budget will fall short by $4.7 billion needed to support most academically needy students in our country, $4.7 billion short.

So one can rightly ask the question, is President Bush's education budget a broken promise?

Mr. Speaker, education must continue to be a priority. Couple this with the impact of the recession on State budgets which currently have deficits in aggregate of over $40 billion and there is no doubt that our governors are going to be forced to place major cuts on State education and spending at the elementary and secondary levels as well as the post-secondary. We already have seen this in States like Ohio.

State colleges are facing the worst State budget crunch in a decade. Frankly, I cannot understand why the college students across this country are not organizing to impact legislation in their State houses and here at the national level because we are witnessing the largest tuition hikes on our college students in recent history. Why are they so satisfied when, in fact, most of them are graduating with a debt of nearly $17,000 and in medical school over $100,000 debt for a new doctor coming out of med school?

A congressional survey found that 49 States made $1.5 billion in mid-year cuts to higher education funding. Public and private universities share a grim budget outlook indeed as public support dwindles during a faltering economy.

Ohio students will pay prices for higher education because the State of Ohio, as are many other States, is cutting support for higher education. Some State campuses, in fact, are facing increases in tuition of 3 to 15 percent.

□ 1700

In the wake of this news, it did not make any sense then for President Bush to propose ending the fixed-rate consolidations of Federal student loans earlier this spring. The administration stated that the funds, once allocated for the student loan program, would be used to cover the current $1.3 billion shortfall this year in the budget for the Pell grant program, so important for our lower-income students. But then the administration, after substantial criticism, rescinded that proposal.

Members of Congress continue to believe that education should be a number one priority. As a member of the Committee on Appropriations, I very much want to keep it a top priority, but we need the cooperation of the White House in this endeavor. And the barbecue tonight will not solve the problems of students and school districts across this country. Seven hundred thousand borrowers consolidate or refinance their total Federal student loans each year.

It is important to ask what other programs are going to be slashed, what other promises are going to be broken. Education should remain a number one priority.

REPEAL SUNSET PROVISION OF INHERITANCE TAX REPEAL

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

Mr. WELDON of Florida. Mr. Speaker, I rise to address the body regarding the very, very critical issue of repealing the sunset provision of the inheritance tax repeal. As many Americans know, last year we passed a very, very important tax bill. It reduced taxes on working families, it reduced marginal tax rates, it increased the child tax credit, and it had many, many, very, very good provisions.

Indeed, I have been hearing from constituents, particularly parents, in my congressional district about how the tax reductions, even though they are phased in and, for example, the child tax credit only went from $500 to $600 in the first year, are helping. They tell me, particularly parents, where one spouse works, typically the father, and the mother is home with small children, struggling with the burden of trying to raise a family, that these tax reductions are really helping them make ends meet.

Naturally, of course, with the Nation in a recession, these tax reductions have been very helpful in blunting the severity of the recession. Many economists claim that if our tax reductions had not gone into place, this recession would have been much, much worse. We just heard from the gentlewoman from Ohio how State income taxes being down because of the decline in the economy are hurting education expenses. Imagine where we would be as a Nation if this recession was much, much worse. And I think the tax reductions have been very, very helpful in putting more money into the economy and, therefore, helping create jobs and in protecting jobs.

But, Mr. Speaker, I rise tonight specifically to address one particular feature of that bill. In the other body there is a rule that says we cannot make any provisions of the Tax Code permanent unless we have 60 votes. So all of these tax reductions which are phased in over several years essentially sunset in 2011. This is an unfortunate feature, and I was disappointed that we were not able to get the necessary votes to make it permanent. Essentially, it is a tax increase that is hanging out there over the heads of the American people, somewhat like the Sword of Damocles.

For most Americans, I do not think it affects behavior. I do not think people will not have a child because their child tax credit might decline from $1,000 to $500 per child in 2011. I do not think that because marginal rates could potentially go up in 2011 that people will change their behavior in the sense that they will not pursue personal gain or they will not pursue career enhancements. But the one feature I think that is the most pernicious in all of this is the impact on the inheritance tax. The inheritance tax affects behavior now.

People, today, who are affected by the inheritance tax, engage in extensive planning to mitigate the severity of the inheritance tax on their business and on their family. This was driven home loud and clear to me when I called a constituent of mine who is an auto dealer. Bruce Deardorf is his name. Shortly after we passed the tax cuts of last year, I called Bruce and he said to me, I am glad you passed it, it is a great step; but, he said, I do not know what to do about my estate planning.

Bruce is like hundreds of thousands, probably millions, of small businessmen all over the country. He started out really with nothing. He scrimped and saved and managed to save up $60,000 and used that as the downpayment, then took out a big loan to open his first auto dealership many, many years ago. He has been successful and was able to acquire a second, a third, and now a fourth auto dealership. He employs 400 people. He has sent millions and millions of tax dollars to Washington, D.C., both from his personal withholding and all the jobs that he has created. All those 400 people of course pay Social Security tax.

Now, this is not a story that is unique to my congressional district in central Florida; it is common all over the country. Really, the prosperity

that enables us to pay for all the features of our government, from defense to education programs to local taxes that are collected is generated by entrepreneurs and family farmers that are going out working every day and creating jobs and creating prosperity.

And Bruce Deardorf said to me over the phone, I do not know what to do with the estate plan I have established. This feature of the bill, this sunset provision, which basically repeals the inheritance tax by 2010 and then brings it back in 2011, makes it impossible for me to retire all the estate planning that I have generated, and I am going to have to keep it all in place.

This is very, very inefficient. Most of the estate planning, granted, generates work for estate planners, accountants, and lawyers; but it is not in the productive side of our economy. And, indeed, I think this is an inefficiency that we have burdened our economy with. So I believe very, very strongly that we need to make the repeal of the inheritance tax permanent. It is impossible for people to plan, and I think it is the right thing to do.

Now, I supported the bill that we passed last month that made all of the sunset provisions on all the features of the tax bill go away. If we cannot get that enacted into law, I think minimally we need to enact this provision.

Mr. Speaker, I would like to now recognize my colleague, the gentleman from South Carolina (Mr. BROWN). I understand that the gentleman wanted to speak to this issue on the inheritance tax repeal, and so I yield to the gentleman.

Mr. BROWN of South Carolina. Mr. Speaker, I thank the gentleman from Florida for yielding; and I rise in support of making the death tax relief permanent and, quite frankly, with much puzzlement that we really need to debate this on the House floor today.

On the one hand, it is simply a matter of fairness. The taxes being wrenched from the families is money that has already been taxed before. As an issue of morality, it is hard enough for a family to lose a loved one without having to endure the additional grief and burden that the Federal Government delivers to them. Too often business owners are forced to sell their businesses, and family farms are broken up so families can come up with the cash they need to pay the death tax.

Moreover, as a practical matter, when people are planning their estates, it creates tremendous uncertainty when one does not know whether or not the death tax will resurrect itself within 10 years. Surely the Congress would never tell the American people that it is much more economic to die in the year 2010 than in the year 2011. But if nothing is done to make this relief permanent and the death tax is allowed to rise again, that is the sad reality of the policy we have created.

We must be decisive on this issue and continue the good work we did in enacting the President's tax cuts. Not acting to make this relief permanent would be a dereliction of duty to the constituents we represent.

Mr. Speaker, I would hope that the Congress would do the right thing and make this death tax relief permanent.

Mr. WELDON of Florida. Mr. Speaker, I thank the gentleman from South Carolina for his very important input; and I believe the gentleman's colleague, the gentleman from South Carolina (Mr. WILSON), also would like to add to the gentleman's statement on this very important issue; and so I yield to the gentleman.

Mr. WILSON of South Carolina. Mr. Speaker, it is a real honor for me to be here with my colleague, the gentleman from Florida (Mr. WELDON), and an honor to be here with my colleague, the gentleman South Carolina (Mr. BROWN). I was very honored to serve with him in the General Assembly of South Carolina. He served as the chairman of the Committee on Ways and Means in the House of Representatives, which was one of the highest positions of our State, and we are just very fortunate that he was elected 2 years ago to serve here in Congress. Those of us from South Carolina are proud of the gentleman from South Carolina (Mr. BROWN).

I am very happy and honored to have been elected more recently. I ran in the primary last October. I was elected on December 18; and, in fact, I am the second most recent Member of Congress. I am number 434 out of 435. And with that distinction, the point I want to make is that I also have the most recent experience, some of us would call it real-life experience, of being with the public in a private position in my job. And I was very proud of my employment as an attorney. I served as a real estate attorney, and I was a probate attorney until December 18 last year when I was elected to Congress.

My experience in civilian life of being a real estate attorney, probate attorney, is that I heard so much about death taxes and that is why I want to commend my colleague, the gentleman from Florida, for his leadership in working to eliminate death taxes in the United States. This needs to be done. Because I know firsthand how this has chilled the value of real estate, it has chilled development, it has chilled home building, and it has had a negative effect for businesses, particularly small businesses in our country.

Additionally, I know that it has created confusion for those of us who work in preparing wills and assisting people in preparation of wills. But the ultimate confusion has been a law which will provide, as the gentleman correctly indicated, a tax increase. That tax increase will take place on January 1, 2011, when it just kicks in. So what we have is an indeterminate law, in effect, which is the worst kind.

I know from being recently in campaigns, talking with people, meeting with people in their businesses, in their homes, on the street, at meetings, that this is a key issue. And I want to commend the gentleman for bringing this up, and I really look forward to the vote tomorrow.

I also had the experience of looking back at the debate involving a wonderful colleague, the gentleman from Arizona (Mr. HAYWORTH), who spoke on this last year. And I want to commend the membership for passing the tax cuts last year. It was a year ago, on June 6, 2001, when the reforms were put in place to eliminate the death taxes and reduce other taxes.

The way this tax cut would work that was passed provides that there would be a phase-out of the death taxes over the next 9 years, and then it would completely disappear in the 10th year. However, the sunset provision that the gentleman explained provides that after December 31, 2010, on the very next day, the taxes would be fully put back into place, a tax increase, as the gentleman has said correctly. So persons would almost have to plan, which cannot be done, and we do not want it to be done, to pass away on December 31, 2010. It is not only just illogical, it is immoral.

In other words, unless we want to make the tax elimination permanent, we need to vote positively tomorrow, and I look forward to doing so. What we have is a situation where if people did pass away prior to December 31, 2010, they would not pay a death tax. But if they live 1 day more, to January 1, 2011, they would pay a tax, possibly equal to 60 percent of all their assets.

I believe that the death tax is possibly the most ethically disgraceful tax which is levied by the Federal Government; and then, in fact, most States also have adopted this tax through tax conformity.

□ 1715

So this can really be beneficial. Not only what we are doing on the Federal level; the impact will be to eliminate death taxes at the Federal and State level. You have tax on assets already taxed. We need to vote tomorrow to permanently eliminate the death tax.

Another definition of the death tax would be taxes on the property owned at the date of death. When someone dies, the surviving family, not the deceased, and there is some debate, we can call it an inheritance tax, but the general term is death tax. The surviving family pays a tax up to 60 percent on all assets currently over $675,000.

When we hear about $675,000, I know from personal experience working with people who are of average means, they do not realize that their homes have appreciated substantially. They could immediately be put into a taxable situation. Many people do not realize that insurance is included within the estate and provides immediately for taxes to be assessed.

For the past 20 years, as a member of the Army National Guard, I have been

traveling all over South Carolina with legal counseling teams assisting people in preparing wills and powers of attorney in the event that they were mobilized. Person after person has had property that has appreciated. It is real estate which was formerly in rural areas, and is now in resort areas. This could result in people having to cut timber early, which would be negative. Timber has been a phenomenal resource which appreciates in value so quickly that immediately people who are of average means become taxed upon the death of a loved one.

I think that another point that needs to be made is that the Federal death tax was enacted in 1916 to provide for funds to fight World War I. We heard a few minutes ago that it needs to be reformed and not eliminated. I will say that reform is simply a code word for keeping the door open for abuse.

The best way to handle any tax is to eliminate the tax. It may sound good that we would reform it and it would apply to a very tiny percentage, but we all know that that is leaving it alive so that in the future it could be increased and they could come back and have it on the books and simply say this is a technical amendment, we understand what that means, and suddenly we have taxes which are increased in all directions.

The real question on this is in regard to grandparents. They should be encouraged to save for their children and for their grandchildren. To me this is an assault on grandparents who have worked hard all their lives. They want to provide for their families and want to pass it on. Tomorrow I will be looking forward to voting on this for the grandparents of America.

The bottom line, a good question, is that normally government will tax gains. That is assets that are appreciating by gains. But why does the government have a right to tax the ultimate loss, which is someone's life?

Mr. WELDON of Florida. Mr. Speaker, I thank the gentleman for the leadership he is providing on this issue. I want to just underscore that this is also a jobs issue. This poster I have here says it quite clearly. More than 70 percent of family businesses do not survive to the second generation. I was talking earlier about an auto dealer in my district. He has created his dealership and three others, and 70 percent of family businesses passed from the founder to the children do not survive. Eighty-seven percent did not make it to the third generation.

Mr. Speaker, why is that? One of the principal reasons is the inheritance tax. When businesses go under, it means a loss of jobs. Sixty percent of small business owners report that they would create new jobs over the coming year if the estate tax were permanently repealed. Why is that? It is directly related to what I was talking about earlier.

My friend has estate planning in order to mitigate his death tax when he tries to pass his business on to his son. If he did not have to do that, to employ those kinds of vehicles, he would have more money, and most of his money is tied up in his business, what would he probably do? He would probably sow it back into the business and create more jobs, which generates more taxpayers.

The theme of the evening is the permanent repeal of the inheritance tax or death tax. Before we go on with that and before I recognize the gentleman from Arizona (Mr. HAYWORTH), and I deeply respect his leadership on the Committee on Ways and Means. The gentleman has been instrumental in bringing this permanent repeal to the floor of the House, but I know that the gentleman from California (Mr. CUNNINGHAM) wanted to speak to some of the education issues that were brought up earlier this evening.

Mr. Speaker, I yield to the gentleman from California (Mr. CUNNINGHAM) to speak to this issue.

Mr. CUNNINGHAM. Mr. Speaker, I thank the gentleman for letting me go out of order to speak on education. I would tell the gentleman I grew up in Missouri, and many of the folks who pass away, they try to pass down their farms, and they have to sell off the farm that they have had in their family for 200 years because they cannot afford to pay the taxes on it, up to 55 percent.

Mr. Speaker, this is the silly season. It is election time. We hear tax breaks for the rich. We hear the Republicans are cutting education. The White House is cutting education. Do not let the facts get in the way of the truth. The gentlewoman from Ohio (Ms. KAPTUR) just spoke, and I would like to address some of the things that the gentlewoman said.

I was in the committee hearing with the gentlewoman when Secretary Paige came and she made the same accusations. The Secretary, point by point, refuted every single claim that the gentlewoman from Ohio was making that we are cutting education, or that the President's budget cuts education.

We here on the House floor had a very bipartisan H.R. 1 vote. The President's primary concern is that no child is left behind. My wife is a special assistant to the Secretary for Education for Management, a position that the Clinton administration totally did away with and caused a lot of the fraud, waste and abuse. The Secretary told the gentlewoman from Ohio (Ms. KAPTUR) point by point where the gentlewoman is wrong. The Democrats have a number for education, an increased number for education. No matter what it is, the Democrats will add to that number. They claim to be the great fiscal responsibility party; but when we look, every single budget, except for defense, they want to increase it out here beyond the budget and actually take money out of Social Security.

We came up with an increase in education. We increased Pell Grants. We increased money for IDEA. The maximum amount that my colleagues on the other side of the aisle ever funded IDEA for was 6 percent. We quadrupled that.

Pell Grants, all the way down the line, we have increased dollars. And something else that the President did and now that the Department of Education is in Republican hands, what they are doing, they are driving the money to the local school districts so that the parents, the teachers, and the administrators can control those dollars instead of the bureaucrats that the Democrats want to control the money. They want more money in an election cycle so they can pass it down and have bigger bureaucracies. We want to get it down to the classrooms.

The President is also making sure that there is accountability with those dollars. My wife sits on the management team over there in the Department of Education. Do Members realize under the Clinton administration the folks that worked over there had over $400,000 on their credit cards? There were over 40 of them that charged houses and furniture and personal items on their credit cards. There is one lady still working with her job. The department may be afraid to go after her, but I am going to go after her donkey, and she is not going to have that job after I am through with her. It is fraud, waste and abuse.

Mr. WELDON of Florida. Mr. Speaker, did I hear the gentleman correctly to say that there are employees at the Department of Education that have used government credit cards to charge personal items?

Mr. CUNNINGHAM. Personal items, furniture, housing equipment, personal items, movies, all kinds of things. One of them still is working over there, and I am going to make sure that she is not working there in the future.

But the bottom line is the President is not cutting education. Tax breaks for the rich, we will hear over and over. Again, do not let the facts get away with the truth. Alan Greenspan said the Democrats tried to go after the President for the recession and the economy. Guess what, tax relief helped stop that. That is not the Republicans talking, that is OMB, that is Alan Greenspan, our economist.

All Democrats want is an item for the election, and they cannot do it. They tried to get the President on Enron, and it did not work. They said he should have helped with Enron on the other end. That did not work. The majority leader in the Senate went after the President on the war, and that did not work. They are trying everything they can in this election year to have leverage and make an issue.

Mr. Speaker, we are not cutting education. The Secretary pointed out to the gentlewoman from Ohio point by point that her statements were false.

I would like to thank the gentleman. I ran over here because I serve on that committee, and it is upsetting in an

election year to make false claims that the President is doing something when he is not. We may not be adding as much as the gentlewoman wants, but we are staying within the budget.

Mr. WELDON of Florida. Mr. Speaker, that is precisely the issue at hand. Many Democrats want to increase it 10 percent, and we put through an increase of 5 percent or 4 percent, and they call that a cut. Indeed, we saw that for years and years and years in this body. I know the gentleman from Arizona (Mr. HAYWORTH) got elected with me in 1994. That was one of the things in 1994 that I campaigned on. For years politicians in Washington would increase something by 5 percent, but the bureaucrats at the agency would say that they needed a 10 percent funding increase.

Mr. CUNNINGHAM. If the gentleman would yield, not only was the money increased, but the accountability was not there. The Department of Education had $50 million in student loans that they could not account for. Their books were unauditable. The Democrats and their group at the Department of Education, $12 million in direct student loans went to the wrong students, and so they then had to give another $12 million up. We are shoring that up. We are not only increasing the money for education, we are making sure that it gets down to the children, and that the parents have control of it.

Mr. WELDON of Florida. Mr. Speaker, I thank the gentleman for the critical leadership he is providing on education. Educating our children is perhaps one of the most important issues that we perform here in Washington, although I believe that is really a priority for parents and local school districts, although we need to do everything that we can to try to help.

The issue of the evening is the very important debate we will be having tomorrow. Tomorrow the House of Representatives will take up a piece of legislation that I introduced last year. It is to make the repeal of the estate tax permanent. It is H.R. 2143. It would not have been possible to get this piece of legislation moved to the floor if we did not have the support of a lot of people. Obviously the leadership of the Speaker of the House of Representatives, the majority leader, and all of our leadership team. Critical as well was the chairman of the Committee on Ways and Means, and on that committee one of the people actively pushing to bring this bill to the floor was the gentleman from Arizona (Mr. HAYWORTH). I now yield to the gentleman.

Mr. HAYWORTH. Mr. Speaker, I thank the gentleman for allowing us to share this time. I thank the gentleman from California (Mr. CUNNINGHAM) who again talked about education and the importance, yes, of dollars, but also the importance of accountability. It is very interesting the differences we see. My son is now 8 years of age, and I remember when he came home from school at 7, and he was talking about the concept of infinity.

□ 1730

And he said, You know, Dad, you will never reach it because you can always add more to it. And indeed it seems, sadly sometimes, along partisan lines the notion is whatever figure is arrived at, oh, no, we can always spend more. The key of course is not just the right allocation of resources. It also of course is accountability. And, Mr. Speaker, now it is time to become accountable to the American family, to family-owned businesses, to ranches and farms and so many different concerns where the scourge of the death tax has come like a thief in the night, not only death robbing people of their lives but the death tax robbing families of their future.

Our good friend who sadly is departing this Chamber, the gentleman from Colorado (Mr. SCHAFFER), once borrowed Patrick Henry's admonition. Said my good friend, ''No taxation without respiration,'' and I think that is evocative not only of history but something very practical. It was one of our great founders, Ben Franklin, gifted in so many different ways, almost with the incredible prescience to see what would come in this constitutional Republic, but even Dr. Franklin with his incredible foresight never predicted that the constitutional Republic he helped to found would tax people upon their death. Remember his days as a humorist writing in ''Poor Richard's Almanac,'' he said: ''There are only two certainties in life, death and taxes.''

But even Dr. Franklin did not foresee that this Republic would one day tax a person upon the event of his death and of course realty does not affect that person but that person's family. And lest anyone think this is a partisan issue, Mr. Speaker, we would thank those across the aisle who have joined with us to understand how this unfair tax should be eliminated; and we should point out for those, Mr. Speaker, who wonder why we are returning to this, it is because my colleague from Florida very capably pointed out that a rule difference, and again I am not directing this at the other body, but a rule difference did not allow for the implementation on a permanent basis of this particular repeal.

And so we have the curious situation, while we made a profound move to repeal the death tax, to roll it back, as my friend from South Carolina outlined, as my friend from Florida recognizes, we have almost an absurd situation now where if one is going to die, he had better do it in the year 2010 to realize the complete benefit of repeal of the death tax. For if we do nothing, whoom, here it is back again in the year 2011. That is why I salute my friend from Florida bringing forward this notion, serving as a catalyst to make this repeal permanent.

And again lest anyone think this is a partisan concern, I would point out that the one-time standard bearer of the Democratic Party in the State of Arizona for the office of Governor back in 1994 approached me 2 years ago saying ''Congressman, you have got to get rid of this death tax.'' Why? Whatever political disagreements we had in other areas, the gentleman correctly understood his business, his livelihood, of family-owned enterprise, of grocery stores, the capital involved in that business, the fact that so much of the assets are tied up in bricks and mortar and quite literally in the groceries on the shelves, and unless the death tax is repealed, then a business that had been in his family would be in danger of having to be sold off to pay the taxman.

It is even more pronounced in the rural communities I have been honored to represent for the better part of a decade, with farmers and ranchers and so many small businesses owned by families but especially when we come to the whole notion of agriculture and farms and ranches and how quite literally so many families are land rich and cash poor. So much of their assets are tied up in real estate, tied up in farm machinery, tied up in those very tangible assets; and so often we have a situation where, to satisfy this tax bill, people were forced to liquidate their assets, to sell off the family farm, to sell off the family business to satisfy the tax needs of Uncle Sam.

While we are thinking about this, Mr. Speaker, something else we should point out, over the years it has become painfully apparent that the American people do not rely on this death tax. Indeed, as we look back over the last few years, the death tax on an annual basis only accounts for about 1 percent of the revenue that comes in to the Federal Government. Yet three-quarters of that 1 percent is spent pursuing the families of the farmers and ranchers who pass away, the families of the people who created these small businesses, to have them pay a bill that for them is insurmountable, it seems, but in the scheme of things only accounts for about 1 percent of the revenue that comes in to the Federal Government on an annual basis.

No, Mr. Speaker, we can be smarter. This House in a bipartisan way took that important step toward that great day with eventual repeal of the death tax, but we need to make it permanent. Permanency is important, for if we fail to do that, you will have the absurdity of in 2010 seeing it completely repealed but in 2011 the Grim Reaper comes back with a vengeance. I know none of us here advocate state-sponsored euthanasia; yet that is the absurdity we would have if we failed to move to enact permanent death tax relief.

Mr. Speaker, lest you think this is exclusively the domain of family-owned businesses, farmers and ranchers, certainly it is important and perhaps it is more pronounced there, but I would tell you the story of a lady I encountered in Tucson, Arizona. Down on a visit there to that part of our State, a lady came up and spoke of her father's experience. Here was a man who

worked hard, indeed, in a career that very seldom do we see anymore with the modern marketing techniques, but he was a milkman. He worked for a dairy. He came back from World War II and worked hard delivering milk every day, not exactly a highbrow occupation. Certainly there is dignity in every form of work, but very few people would think about that gentleman as being a captain of industry or someone with vast financial resources, but what that gentleman did was incredibly exemplary and so symptomatic of the American experience. The money he made, he was able to save judiciously. He made some wise investments coming home from World War II, getting involved, working as a milkman. His hard work and wise investments paid off in an estate that was worth millions of dollars.

But there is just one catch here. As wise as he was with investments, he did not understand that, oh, gee, you have got to work on estate planning. He did not seek out a team of lawyers to sit down and make all the proper machinations to change the situation to save the funds. And so when he contracted a terminal illness, only then in the twilight of his days did he realize, despite such an exemplary life, hard work, thrift, industry, doing the right thing for his family, only then did he come to the shocking realization that somehow, despite that hard work and industry, his planning had been incomplete.

His daughter told me the story how her father called her in and her sibling in and not only the challenge and the pain of a terminal illness but the realization that he was leaving them in essence with a gigantic tax bill to pay because of this death tax.

Mr. Speaker, if you work hard and play by the rules, must we all be captains of high finance? I understand a modicum of estate planning. I understand the importance of insurance. Certainly having moved from broadcasting, into that profession before coming into public life, I understand the importance of life insurance and financial planning, but must we ask everyone to deal with the machinations and brain power and inner workings of complicated financial measures? No, it should be simple and this should be repealed permanently because it is wrong.

Mr. WELDON of Florida. Mr. Speaker, the story the gentleman told was very, very moving. Before I yield to my good friend from the great State of Nebraska, I want to tell another real-life story. I think it is so important when we make things like this understandable from real-life experiences.

I want to talk about a florist in Kissimmee, Florida. His name is Danny Sexton. A lot of people on the east coast have passed through Kissimmee because it is right outside Disney World. Danny started out with a floral shop. His uncle had been established in the floral business in Kissimmee for many years, had a much bigger shop; he had about 20 employees and his uncle died, and Danny was the sole heir. Danny inherited his uncle's floral shop.

Danny, like so many small businessmen, employed just a small number of people, five or six people. He had been involved in his community for years, giving to the United Way and other charitable programs. He really knew nothing about the death tax. Suddenly he found himself in charge of not only his floral shop, but his uncle's floral shop, which had been established many years earlier, was much bigger, had a lot of commercial accounts and he inherited all these employees. Lo and behold, he discovered that he was going to have to pay a tax bill, and the death tax was $160,000. But what was the real shocker, what was the real corker in all this is that you do not just take the floral shop and just give it to Danny, you have got to do a lot of other things. Lawyers got involved. There were $60,000 in lawyers' fees, there was $14,000 of accountants fees, there was a $15,000 bill for just miscellaneous expenses. And then this one here I thought was really kind of interesting, an IRS fee. I think that was to appraise the value of this floral business.

If anybody knows, if you run something like a floral shop, the margins are kind of tight and he had to go out and borrow $253,000 to be able to pay for all of this. It was a real burden on him. He ended up having to lay off, I think, two or three of the employees in the shop. He additionally had to ask a number of the employees that he retained to take a cut in salary. Indeed, it was so bad for him initially that they went the whole summer in the office without the air conditioner. The air conditioner broke. If any of you have ever spent a summer in Florida, you know it is very humid. It is not only hot, it is very humid. And they had to totally cut off charitable contributions and helping out the Boy Scouts and the United Way when they would come around and they would have a special banquet or an event.

Danny is pulling out of this. I know he is going to be okay. But this is really what it is all about. Danny's uncle had employed 20 people for years. Danny's uncle had paid a lot of money to the Federal Government in personal, Federal withholding, in the FICA tax. What is even more so is that all the employees who worked for him were also paying their taxes, their Social Security, their Medicare tax year after year after year. The Federal Government had actually gotten probably millions of dollars of revenue off of the enterprise that had been created by his uncle. And then for him to die and then for the Federal Government to come along and say, No, you've got to give us some more, I think, is taxing that is immoral. It is immoral to tax after you have taxed.

Mr. Speaker, I yield to my good friend from Nebraska, another Member whom I believe has played a critical role in helping us bring this issue to the floor of the House making the repeal of the inheritance tax permanent law, because until you do that, you are not going to affect really all the estate planning that has to go on to prevent people from being burdened with this tax on their death.

□ 1745

Mr. TERRY. I thank the gentleman from Florida for yielding.

Mr. Speaker, our good friend from Arizona here, he has been a great leader, like the gentleman from Florida has, on this important issue. It is important to a lot of people in Nebraska now.

Before I talk about some of the stories that I have heard as I have gone around and talked to businesses in Omaha, small businesses, family-owned businesses, and share our similar experiences, the gentleman from Arizona mentioned that in the totality of our budget, the revenue that is received from the death tax is less than 1 percent, but yet there are a lot of our colleagues here that just fight to keep that money in.

I think it exemplifies why all three of us ran for this office and why we fight to come back every year, is to stop that type of mentality, which is ''we need more money, more money, more money.'' So when we try and reduce spending here by reducing taxation, because it is the only principle here, that budgets fill the money that we have, that if we tax more, we will spend more, but if we tax less, we will spend less, it is a simple proposition.

So of the greater taxing policies of the Nation, I think it is important that we realize the simple premise that the more money we take in from people, the more we are going to spend. So I appreciate the gentleman bringing up that important point.

Now, why? We have all said in our own words why it is bad policy. Why is the death tax bad policy? Well, think about the very principles that this country was founded on, the principles of independence and freedom and entrepreneurship, where people worked hard to build their little businesses, and some worked day and night, day and night, seven days a week, and they were able to build it up and build it up, and maybe even the next generation of family members were able to help build it up as well. I mean, that is the American spirit, is working hard and realizing, you realizing, the rewards of your work.

So, what is the policy? The U.S. Government comes, and many States, by the way, have followed suit, and said, you know, because of our spending habits and our need for more revenues, upon the death and the transfer we are going to confiscate, and I use that word, confiscate a portion of what you have worked hard to build up in your lifetime.

I would say to the gentlemen, I believe that people should keep the rewards. Yes, we have to pay our taxes,

but, my gosh, just taking up to 55 percent of somebody's wealth that they have built up through hard work, through the American dream, and just taking it for our spending needs, is absolutely wrong.

Mr. HAYWORTH. If the gentleman from Florida will yield, I just wanted to point out again that observation that our friend from Florida made. There is a situation at work here that is so myopic, it is almost to be penny wise and pound foolish. Because, as was pointed out in the case of Mr. Sexton and the flower shop, 20 employees, payroll taxes, people paying their income taxes, though this was a considerable hardship, the money devoted to handle all the details and red tape and the death tax itself in the long term, did it not cost the government more revenue?

You see, here is the difference. And I appreciate the concept that my friend from Nebraska brings forward about taxing more, spending more; taxing less, spending less. But there is something else at work here that we have to understand about the reduction of the tax bill. When the American people have more money to put to work, when the death tax is repealed and more people are at work, guess what? Revenues to the Federal Government will actually increase, because more money is being put to work. It is called the principle of growth.

So we have to be very careful here, and that is the myopia; in addition to the unfairness and injustice, lack of justice, injustice of the death tax, is that really in the long term it actually costs revenue. It is inefficient, as well as immoral.

Mr. TERRY. Mr. Speaker, I appreciate that. I have just become so focused. As the gentleman from Florida (Mr. WELDON) said, the morality of just confiscating one's work product for the sake of having revenues, we leave out the economic component of in essence taking away a business.

We hear speakers, and we are going to hear them tomorrow when the bill comes up, that say that this is not real; that people do not really have to sell their businesses to meet the death tax; that it is a phony argument.

Well, I want to read an article from the Omaha World-Herald from December 11, 2001. So it is not like we have to go back to the archives of years past to come up with an article that is relevant to our discussion today. But it is about a ranch in western Nebraska, of which kind of the theme of it was Ted Turner buying another ranch in Nebraska.

Let me just read some highlights from this article in the Omaha World-Herald, and I will give them their copyright credits here. It is talking about media mogul Ted Turner added another 12,300 acres of Cherry County grazing land to his bison ranching empire. The purchase was to be finalized on Monday. It gives Turner about 234,000 acres in three counties in Nebraska, making him the largest private landowner in Nebraska, as he is in the United States, owning about 1.75 million acres in New Mexico, Montana, South Dakota and Nebraska.

The Coble family, I am going to get to and read this verbatim from the Omaha World-Herald article, Bill Coble of Leewood, Kansas, a grandson of the Cobles, said that the death in August of Doris Coble precipitated the sale. It was necessary to pay off the inheritance taxes, Bill Coble said. The only way you can make it work is with an added amount of life insurance and to work the ranch yourself, Coble said. The purchase ends a 100-year Sand Hills operation of the Coble family. A 100-year tradition of the Coble family gone, because when the operator, Doris Coble, the last of the parents, died, the grandson could not take over the property. He had to sell it to pay off the inheritance taxes. This is a family that did not purchase the millions of dollars of life insurance policy to protect itself. My family buys life insurance to protect our family. Here you buy life insurance to pay your taxes. That is wrong.

Mr. WELDON of Florida. Mr. Speaker, reclaiming my time, I am glad the gentleman brought this up, because I wanted to get at some of the arguments we are going to hear on the floor tomorrow from the opposition. What the gentleman was just talking about, I think, segues very nicely into that.

They are going to put forward an alternative proposal. The inheritance tax repeal we passed last year phases in over 8 or 9 years, and then the reason why we have got this bill on the floor tomorrow is in the 10th year it just comes back in its full force.

What the minority will put forward is the notion we should just have a $3 million exemption and we could enact that immediately. They may point to the farmers and the ranchers and say if we just had this $3 million exemption, the Coble family that the gentleman cited is a good example, they would be covered, and they could pass the ranch on. Danny Sexton would not have encountered the problem he had. He could have inherited the floral shop from his uncle.

The problem with that is that if your asset is worth more than $3 million, then everything over $3 million gets taxed at something like a 50 percent tax rate. We have inflation, and these farms and ranches that they say now are valued at less than $3 million, what are they going to be worth 10 years from now, what are they going to be worth 15 years from now?

It obviously picks winners and losers, and that is the main gripe that I have. It is basically saying, well, if you have created a small business and it is only worth $3 million or less, then we will not tax you. But if you have been really successful, or if you have farmland in, say, Napa, California, where it is valued at incredible prices, no, we are going to tax you. I just think that is totally wrong.

Let me also point out, 60 percent of the top black-owned businesses today in America are valued at over $2 million. That means in another 5 or 7 years, those assets are going to be worth probably over $3 million, and, boom, they are going to get hit by the inheritance tax.

Another point is a point that I think the gentleman from Arizona (Mr. HAYWORTH) was alluding to earlier, that they look at making the inheritance tax repeal permanent and they say we are going to lose $99 billion. That does not take into consideration at all the fact that if you leave that money in the economy, you are going to put more money in the economy and it is going to create jobs and it is going to create wealth and that we would be able to then tax that.

Indeed, it is estimated by economic analysts that the inheritance tax actually costs, and this is what the gentleman said earlier, I believe, it actually costs us, because it takes money out of the economy, money that would be flowing around the economy; it forces people to sell small businesses; it forces small business owners to take out a loan to pay the inheritance tax; and then their small business does not operate sufficiently.

I yield to the gentleman from Arizona. I think we have about 5 minutes left.

Mr. HAYWORTH. Mindful of that as a broadcaster, the old time clock on the wall, it is important for us to pass permanent repeal, no matter the siren song of seduction saying ''let us set a temporary level that will accommodate some folks.'' Maybe this is a fundamental philosophical difference.

When you get in the realm of targeted tax cuts, you are asking this Federal Government to pick winners and losers, and you do nothing for the business owners, the grocery store owners, the farm machinery dealership owners, the automobile dealership owners, who have significant capital sunk into that business, who literally are asset-rich and cash-poor. You exacerbate the problem. Our purpose is not to set American against American, not to get wrapped up in the I believe ultimately misguided notion of class warfare, but to allow everyone to succeed.

There is one other note undergirding all of this. It is especially pronounced in Arizona, where one of our local newspapers is concerned about the price of sprawl at an acre an hour. Why do you think farms are being sold off? To satisfy the death tax. Gone is a lot of our agricultural land. That is a real problem in States like Arizona and Florida and across the country. That is another reason to make this repeal permanent.

Mr. WELDON of Florida. I thank the gentleman for his input on this special order. I yield to the gentleman from Nebraska for the last word.

Mr. TERRY. Well, I will let the gentleman have the last word, and thank him for bringing this to the floor. One

of the other points, though, I want to make with that is the cost of the machinery. When we talk about our farms and ranches, we have a plant that manufactures farm equipment. The price of some of that equipment coming out is several hundred thousand dollars.

Mr. WELDON of Florida. Like a combine.

Mr. TERRY. $200,000 to $300,000, and even more if you go to some of the other equipment. A small family-owned printing company that I toured last summer when I was home, one printer runs hundreds of thousands of dollars, half a million dollars for a printer. So when you talk about what level do you set this, if you do not eliminate it, and picking the winners and losers, you fail to recognize that they are eking out a small living with very expensive equipment, but yet we tax on the value of that equipment, not the living that a father and mother and maybe a son and a daughter can make off of that. That is why it remains fundamentally unfair.

Mr. WELDON of Florida. Mr. Speaker, reclaiming my time, I thank both of my colleagues for their input on this very important issue.

Let me just close with one very important point. We will also hear that making the inheritance tax repeal permanent will hurt donations to charity.

□ 1800

The assumption there in that argument is that people are only giving to charity so they do not have to give it to the Federal Government.

I just think that is not true. If we look at what happened after the Reagan tax cuts in the 1980s, giving to charity skyrocketed. I think wealthy people are motivated by the best intentions when they give. If they do not have to give as much money at death, I think they will give even more money to charity, and that America's charities will benefit from the permanent repeal of the inheritance tax.

EDUCATION DETERMINES THE FUTURE OF AMERICA

The SPEAKER pro tempore (Mr. OTTER). Under the Speaker's announced policy of January 3, 2001, the gentleman from North Carolina (Mr. ETHERIDGE) is recognized for 60 minutes as the designee of the minority leader.

Mr. ETHERIDGE. Mr. Speaker, I want to take this time, and I will be joined by some of my colleagues a little later, I hope, to talk on this special order on the floor this evening about a very important issue facing this country today, maybe one of the key issues.

Everyone talks about my issue is more important, or that issue is more important. But the truth is, when we are talking about the future of America, that issue is education, because that is the one issue that not only helps us this week, this year, next year, but really secures our future when we are headed into the 21st century and the challenges we face. This group of young people in our schools today will determine the kind of future we are going to have.

So many times I get perplexed when I have my colleagues come to this floor, and I really sense, number one, that they have not visited a school recently; or if they have been to a school, that they did not go into the classrooms; and if they went into a classroom, they probably did not pay attention to what they were seeing or listening to from the teacher, or they were not looking into the eyes of some of the very bright children who were in those classrooms struggling to learn in conditions, in many cases, that Members of this body would not want to be in every day.

They are overcrowded, and in the summertime they are hot, and in the wintertime they may be cold. Or they are in a trailer outside, and if it is raining, they walk through the rain to get to the classroom, or walk through any kind of inclement weather.

First, this evening, let me talk about some very positive things, some good things that are happening in our public schools. As this hour goes on, I will talk about more of them.

Let me first talk about some schools in my district, something I know about, and in North Carolina. I had the occasion over the last couple of weeks, and I make an effort to visit schools about every week, but I went to a school down in part of my district, Anderson Creek Elementary, and visited with the principal, Ms. Cobb, and an awful lot of the teachers and students.

They have a program where they encourage children to read. It is really a kindergarten through about fourth grade reading program. Some of the schools I am going to mention actually do it in the higher grades.

She got those young people so excited about reading by giving them certificates and tee shirts, and getting the parents involved through kindergarten, that those youngsters in that school, and there are about roughly 700 elementary school students, over 545 of them read at least 100 books. They had read a total of over 155,000 books this year; probably more than that by now.

When we talk about good things, those are the kinds of things that make a difference. Because if a youngster learns to read and they learn to do math and they learn to communicate, that will make a difference. They will be successful students.

I went to North Harnett Elementary the same day, where the leading reader in that school had read 410 books. It is amazing to me that a youngster would read 410 books and still do his or her homework.

At Anderson Creek, they had one student who read 545 books. The children in that school had read a substantial number. It is sort of contagious. These are good things happening in Harnett County.

Lafayette Elementary, the same thing. They went in, had an assembly, and they honored the students. Their program was titled Reading Around the World, where they actually put flags of nations around the world about which the youngsters had read. They got involved. They had tee shirts and they got certificates, and they honored top readers.

These are the things we do not hear a lot about, but we always hear people critical of those people who are giving so much time in the classroom who really are creative, innovative, and thinking about how do we make things better for children.

Then I went to Cleveland Elementary School, a school in the community I grew up in. The same kind of thing: a very caring principal and assistant principal, with an awful lot of hard-working, focused teachers. They were doing the program not only in reading, but in a number of other areas, and they were giving out certificates. Children were really and truly getting ready to build a strong foundation for the future, things we were not doing 10 or 20 years ago.

I went over to East Clayton Elementary School over near Clayton, and the same kind of thing: a very focused principal providing great leadership, and teachers who were caring, creative, and making a difference.

I only mention these schools because they are representative not only of just schools in my congressional district or in my State of North Carolina, but I happen to think they are representative of teachers and students and principals and administrators all across this country.

Do we have problems? Sure. Do we need to improve? Absolutely. But they are about making a difference. This is the way we improve it. I have learned a long time ago that if we want to improve education, we lay out a plan, we work with the people, and we give them encouragement. It is awful easy to be critical.

It is a lot like a little poem I use many times, and I think my colleagues would benefit from that, because it reminds me of being an architect. It takes a long time to go to school to be an architect. It takes a number of years. But the last time I checked, if we want to hire somebody to tear a building down, we can put them in a machine and put a ball at the end of a chain and we can knock it down pretty quick.

"I watched them tear a building down,
A gang of men in a busy town.
With a ho heave ho and a lusty yell,
They swung a beam and a side wall fell.
I asked the foreman, are these men skilled,
The kind you would hire if you had to build?
He smiled and said, 'No, indeed,
Common labor is all I need,
For I can wreck in a day or two
What people have taken years to do.'
And I thought to myself as I went my way,
Which of these roles have I tried to play?
Have I been a builder who builds with care,
Carefully measuring the world by the rule or a square,

Or have I been content to roam the town,
Content with the business of tearing down?''

Too many times we have people who unfortunately are willing to tear down, but are not willing to help be architects. We not only need architects to build buildings, we need architects in our classrooms. We have them in teachers; we need more. Yes, we need resources to help train them better, because the needs for our teachers are changing every day.

I think that is the key issue in education, is that we give encouragement where it is needed. Certainly, we give counsel when it is not working out. If we have people who are not doing the job, then we need to take appropriate action, like we would do in any other area. But we ought to acknowledge when our teachers and our administrators and people who work with our children every day are doing a good job.

Let me just share with Members, if I may, before I get to some prepared remarks, I read an article recently that I want to just read some pieces out of. It is by Gerald Bracey, and it was in The Washington Post. I think it is right on target when we are talking about education.

It says, ''Why do we scapegoat the schools?'' I could not help but think, there is a lot of truth in this. I think I know a little bit about this. I said to my colleagues when they came here, I served as State superintendent of schools of North Carolina for 8 years. That is an elective office in North Carolina, like the governor and some others.

There is one thing I learned. We may not know all the answers of what to do, but I know some of the things that do not work. Sometimes that is worth an awful lot.

Gerald Bracey made this point: ''There is no pleasing some people, even when they get what they want. So why do we keep listening to them? For more than 20 years now, people have been bashing our schools.''

He goes all the way back to the time when the Russians put up the Sputnik, and we got all carried away in this country and said our math and science programs are in shambles, our schools are failing us, our schools need to be fixed, so we put together a program. Lo and behold, with President Kennedy's focus and commitment, and yes, this Congress, the House and Senate put in resources behind it, and I emphasize, resources, and translated, that is money behind it, we put a man on the moon before the end of the decade.

But Bracey goes on to say, we didn't say to the public schools, you are no longer in crisis, you have done a good job. You make this happen. Then all of a sudden, we walked along, and they did not get credit for what they had done. We stayed quiet. All of a sudden, after that happened, he said that there was no declaration that the crisis in education was over, and the question was raised, do pigs fly? Translated, that is that we did not give them the credit; it was assumed they had to do it.

He goes on to talk about, again, he says, ''I don't mean to suggest, of course, that America's public schools are perfect. The dreary state of some urban and poor rural school systems is well documented.'' I would agree with that. He said, ''But I have been following the anguish over our competitive capabilities since the '83 report, and I've noticed the same pattern. In the early nineties, as the economy tanked and the recession set in, many variations of 'Lousy schools are producing a lousy work force and it is killing us in the global market' could be heard, but those slackards somehow managed to turn things around. By early 1994, many publications featured banner headlines about the recovery that later became the longest sustained period of economic growth in the Nation's history. And then, 'The American economy, back on top,' was the way that The New York Times summed up the turnaround in February of 1994.''

Well, did the public schools have anything to do with that? Were the people that were employed in those businesses all of a sudden better 2 years later than they were 2 years before? Did we give them any credit for that happening? No. They continued to be hammered.

He goes on to say, ''Looking at a number of the different rankings of schools and school reports, the United States looked particularly bad in one DEF category: the difference in quality between rich and poor schools. We finished 42nd lower than any other developed nation, which is shameful for a rich nation.''

So if 26 nations had better schools, how did we wind up being number 2 in competitive ranking of all the nations in the world? The DEF used dozens of variables in many sectors, and the United States ranks well across the board.

One important consideration is the brain drain factor. Our scientists and engineers stay here, earning us a top ranking in that category. Other nations of the world who send young people to the United States to be educated, and certainly we have received or we have been the beneficiary of that for a number of years, they come here and many of them stay in the United States, and they make their contributions here. We as a society and as a people have been beneficiaries of their coming to America and getting their educations here. It has made a difference.

I only share this because I think this article is a good article for me to segue into the comments I want to make this evening, because I think there are some good things. There are a lot of good things about our public schools. I think the American public cares very deeply about our public schools.

We have roughly 53 million young people in this country in the public schools of America. Depending on what State one is in, that may range from roughly 93 or 94 percent in North Carolina to where some States, maybe a little lower, we probably have 95 instead of 94, and some States less because they have more parochial schools. The bottom line is, the bulk of the students in this country are in the public school sector, and historically they have gotten a good education.

The challenge we face today in the 21st century is a much different challenge than we faced 50 or even 100 years ago, or even 25 years ago, for that matter. The world is a different place. We are technology-driven, by and large. We want every child to be able to make it. We do not have the luxury that we had 30 or 40 years ago where we could educate the top 20 percent, the rest of them could get a job on the production line.

Those jobs in industry, wherever it may be, or even on the farm, for that matter, wherever they work, are really tied to technology.

□ 1815

Many of the jobs around this country and increasingly around the globe are tied to technology; and that is why we need our young people better educated today than ever in the history. And that is why we look to the public schools and we are challenging them. Parents are, rightly so, looking at their community. That is why when you see survey after survey, if you look at the rankings, and I have had occasion to follow them for a number of years now, by and large parents tend to rate the schools that their children attend fairly high. They usually get a B or higher for the schools their children attend. And if you look at schools, in general, they tend to get a much lower ranking.

Why is that so? I think the reason is that parents and the people in that community are familiar with those schools where their children go. They know the teachers. They know what happens in that school, so they get a much higher ranking. They do not know about all these other schools. What they hear about these schools is general information that is shared, be it accurate or inaccurate, so they tend to process it. If they tell them schools are bad and they hear public officials continue to say it, they will say, My school is good.

I think it has a lot to do with the same kind of ranking with Members in this body. They say Congress in general, we really do not have that high of numbers; but if you ask about a Member that represents in a district, he is a pretty good guy or lady. I know him. They represent us well. I think that is reflected in that as well.

Let me move now to some of the issues I want to talk about, and I am joined now by some of my colleagues, and I will call on them in just a minute, the gentleman from Chicago, Illinois (Mr. DAVIS), who really has

been a tremendous leader in education in this body. But I would like to begin tonight by talking about why education is such an urgent national issue, and it really is.

Since September 11 we have all been heavily focused on the issues regarding our national security, and I think that is appropriate, and on homeland security specifically. And that focus is completely appropriate as we have become aware of threats to our security in this new era of terrorist attacks. I mean, if we pick up a newspaper, we read a magazine, we turn on the TV, it is in front of us. So it is appropriate we deal with it. But we make a huge mistake, I think, if we fail to recognize and act on the reality that increasing the investment in education is imperative but it is absolutely critical to our Nation's security. It is as important, maybe more important, but it is equally as important as protecting our borders, both in the immediate sense and in the long term.

You know, it is a lot like a child developing. It is awful hard for a child to develop healthy if we do not feed them the proper food. And if you give them food to develop the bodies, we have to give them the right education and opportunities to develop their minds, to be a well-rounded person. In the 21st century, America's economic growth and prosperity depend more and more on a knowledge-based economy and on the skills of our people. And we have seen that over the last many years.

Working Americans are beginning to understand that their level of earning is tied directly to their level of learning. Let me repeat that again. Their level of earning is directly tied to their level of learning. And it will be more so in the 21st century. And we really do not think about it; a lot of us as adults think of learning as academic being in the classroom. Let me remind my colleagues that all of us learn every day in the people we come in contact with, the interactions, the bulletins we read, whatever we do. It is things that we pick up. And it really perplexes me when I hear people talk about, and sometimes they do not think before they speak sometimes, they talk about how a student made little of this and a little of that.

I used to go to civic clubs. I specifically remember one Rotary Club, and I will not call the name of where it was because somebody might be watching from that town. We had an eighth grade exit math exam for our students in North Carolina. I thought, I will have some fun. So I carried that math exam with me to the civic club. I will not even call the name of it. I handed it out.

I said, I have read in this local paper how this exit exam is not even an eighth grade level. So I passed it out to the people who had come to lunch. Now, I was not so dumb as to not carry the answer sheet with me. I carried it with me. So I watched their faces as they were working on it. Finally as we got near the end of the meeting I said, if anybody wants to raise their hand and give me the answer, and I would read the question. And I could tell by looking at their face some of them had not done too good on getting their answers right.

The point is we have some of the brightest young people in our public schools today we have ever had. But our challenge today in this body as we develop policy and across this country is to make sure that every child gets that opportunity, and we are trying. I want to talk about it as the evening goes on about the bill of No Child Left Behind and why it is important that, if we are going to do legislation, we have to put the resources behind it.

An educated populace is also critical to the survival of a free people and the sustaining of our democracy. Our Nation's experiment with self-governance can only endure if our people know and understand their stake in its success. And I will talk more later about the long-term challenges we face in education, but I want to now talk about the immediate challenges we face in America's schools. And I think before I do that, though, I want to talk about some infrastructure needs; but before I do, let me turn to my colleague from Chicago, Illinois (Mr. DAVIS), who has been a champion for education in this body. But he has really been a fighter for young people since he has been here.

Mr. Speaker, I yield to the gentleman.

Mr. DAVIS of Illinois. Mr. Speaker, let me thank the gentleman from North Carolina (Mr. ETHERIDGE). I was sitting there thinking and recalling that North Carolina is recognized as having one of the best public education systems in the country; and as I have observed the gentleman over the last several years, I kind of smiled to myself and said, yes, I know why. And one of the reasons is because they have had great advocates like the gentleman over the years, even before he came to the Congress, who seriously promoted and functioned as an advocate, who kept pushing and kept recognizing how valuable and how important education is. And so I simply want to commend the gentleman for the kind of leadership that he has displayed in the State of North Carolina and in the United States Congress, pushing the concept that we really cannot afford to leave any child, that we cannot leave any of our children behind, especially as we continue to try and make America become the Nation that it has the potential of being.

So I thank the gentleman for giving me the opportunity to share a bit of the time with him this evening to talk about how important education is because it has always been a priority for me. And I, too, believe that the best way to preserve the safety of our country is to educate our Nation's youth so that they can continue to grow and develop and help be in a position to confront the issues and solve the problems that we continue to face.

I was thinking of the fact that we spend and we are going to spend, because we have no choice except to, billions of dollars to protect our Nation from future terrorist attacks and to rebuild what has already been torn down. And I support this kind of spending and know that it is vital to the success of our country. But I also think that we cannot afford to lose sight of the fact that, as we increase military spending, we also need to protect the future by continuing to invest in the education of our children.

I am fortunate to come from a congressional district that has some of the very best public schools as well as private schools. I mean, I have got schools like Whitney Young High School, which has won the academic decathlon every year for the last 10 years. It is known as the best college prep school in the Nation. This is a public high school. Yes, it is a magnet school; but it is also a public high school. Then I have got other schools like the Oak Park and River Forest High School, like Trinity Lutheran. All of these schools have super records.

Then I have got a little school like Providence St. Mel, which is a little private black school in the heart of the inner city where 99 percent of all the young people who graduate from there go to college. And this school has a tremendous program of discipline where every young person has to comply with whatever the rules and regulations are. If not, you just cannot go there. Paul Adams does not allow it. Then I have got St. Ignatius Prep, one of the top prep schools in the country.

And then I also have schools that turn out great athletes, people like Mark Maguire, Kevin Garnett. All of these individuals came out of my schools, schools in my community. Westinghouse just won the boys' championship this year. And Marshall High School has the best woman basketball coach in the Nation. I mean, Dorothy Gaters has won more championships and has had more offers to go to universities and go to the pros, but she will stay right there at Marshall; and that is where she is going to probably end her career.

But we also have to recognize that there is still a tremendous amount of unmet need. And that is to say, far too many of our young people do not have the resources made available to them so that they too can actualize all of the potential that they have, and so we have to keep putting in the resources. I mean, it is not good enough to talk about leaving no child behind. We also have to put the money in where it is necessary. We have to have standards that are high. There must be accountability, and there must be adherence to standards that have been set. And so I agree with everything that I have heard you talking about here earlier this evening. And I certainly want to

keep commending you for keeping education on the front burner, out in the forefront.

Let me just tell you as I end and go back and do some other work, I went to a one-room school when I first started school. As a matter of fact, there was one woman, Ms. Beadie King was the teacher, and she taught eight grades plus what we called then the little primer and the big primer. And much of whatever it is that I know today and much of what I can recall, I am a person who likes to use poetry when I am talking and use vignettes, and most of those I learned from Ms. Beadie King, and I can still remember them. Today I could not remember anything, but I remember them.

So there is nothing greater than good teachers, and we need to make sure that our teachers are well compensated, that they are paid for the work that they do so that the quality of their lives can also be what it should be.

So I commend the gentleman and thank him for the leadership that he has displayed, and it has just been a pleasure to be here these few moments and join with the gentleman.

□ 1830

Mr. ETHERIDGE. I thank my colleague, the gentleman from Illinois (Mr. DAVIS), and I would say to him that his comments here on the floor and the comments as Members speak and acknowledge great teachers that made a difference in their lives, honors those teachers in a very special way, and all of us could stand up and acknowledge those people who have made a difference.

As the gentleman from Illinois (Mr. DAVIS) mentioned about compensating teachers, it is important that we do a better job of it because they want their children to go to college. They want to own a home. They would like to have a nice car. And in some places in this country, they who are some of the more educated people in the communities cannot even send their children to the schools where the people who educate their children do. And that is not right in America and we have got to change that and we can do better.

The number one security threat, though, to our schools is a lack of adequate infrastructure. Let me talk about that just for a minute. My colleague from Illinois (Mr. DAVIS) alluded to it a few moments ago talking about the communities that really have some of the resources and others who do not because in many of America's communities, school buildings are old and unfortunately because of the resources of those communities, they are neglected and falling apart and they do not have the kind of quality infrastructure that would make a difference. We send in children into buildings, and I have often said in my communities as I have moved around, and I think it is still true, that we have prisons in this country that we as members of this United States Congress helped build and pay for that are a whole lot nicer than the buildings we send our children to. That is wrong. It is not wrong that we have the prisons. It is wrong that we have better facilities for them than we do for our children. We have it within our power to do something about that, and I am going to talk about that more in a minute because we come on this floor and argue about issues and policies, and many of them are short term, built to get to the next election, but I am here to tell everyone this issue is far beyond the next election. This is about the next generation and the future of this country, and I think the American people are going to hold some folks accountable for not living up to this part of the bargain because the average school in this country is over 40 years old. If the average is 40, then one can imagine how old some of those buildings are. Some of them were built shortly after the turn of the century and some are approaching 100 years of age. The age is not the issue. The condition is what is the problem. Fifteen million American children currently attend what has been classified as substandard facilities. If these were prisons in the country or if they were jails, because of the codes we have in America, we close prisons and we close jails and we are forced to build them, but there is nothing that says we cannot send a child to a substandard facility, and children, in my opinion, are not as safe as they can be in substandard schools. And they certainly are inviting targets for would-be terrorists, either foreign or domestic, in some of these cases, and let me tell why, and I am going to use my congressional district, which I think is a very progressive district and I am sure other members would probably say the same thing, but certainly they are. Our State passed a $6.2 billion State bond issue in 1996 and the counties that I am getting ready to cite have raised revenue and built buildings every year, I know, for the last 10 or 12 years, and part of their challenge is they are growing so rapidly, they cannot keep up. The biggest challenge is school overcrowding, certainly in my congressional district, and I am sure it is true in a number of the others, and use of temporary trailers or substitutes for quality classrooms.

Why is that an issue? There are several reasons. One is they are isolated from the rest of the building. In many cases they do not have shelters. They go out to the classrooms in the morning or the afternoon and it is raining or it is cold in the wintertime, they are losing instruction time. The teachers have children put a coat on to go to the bathroom or to go to the cafeteria or to the library. Members get the idea. It is just a challenge, and there are not many businesses in this country that allow their business to operate under those conditions, and yet we send our children to them and we say to the teachers we want them to send them back to us all A students, and if they do not, we are going to hold them accountable. I do not have any problem holding people accountable for the job they do. I think we ought to hold them accountable and we ought to have high standards, but we ought to have the gumption, as some of my friends would say, to put the quality facilities there to get the job done and put the resources there so they will have the tools to teach with.

Mr. Speaker, in and around the Triangle region of the Raleigh area where I represent, our schools are literally bursting at the seams. Despite the best effort of local, as I have already said, and State officials, our school systems are finding themselves swamped by rapidly increasing enrollment forced on by growth. Many people have moved to the area to find good jobs because we have seen a lot of growth over the last several years, and they have had to put children in trailers.

In my home county, as an example, Western Harnett High School now packs students and teachers into 22 trailers, 22. Multiply that by 25 to 28 students, and my colleagues get an idea of how many young people are outside the main building. They have to go somewhere else to go to bathroom. They have to go to the cafeteria, anywhere else they want to go, and in high school, remember, they change classes every hour if they are on a regular schedule. If they are on a block schedule, it may be every hour and a half or two hours. So there is a lot of movement and a lot of people outside the building.

Think of the security challenges that a high school principal faces in those conditions. They just are not big enough to handle the load. These young people are really young adults, and they are in facilities that are not what they ought to be.

Next year, school leaders on this campus, now it already has 22, are going to have to add six more because the community is growing so rapidly. Someone said, well, are they doing anything? They are getting ready to build a new high school, but the point is that is happening all across our States and many places in America.

Among all the schools in Harnett County, we have 122 trailers. Next door in Johnston County, a county that I grew up in, the school leaders have been forced to employ 169 trailers. That is how fast they are growing, and they are building new schools every year. Four Oaks Elementary alone has 16 trailers. Three-fourths of the schools in Johnston County have at least one trailer, and the story is the same all across the district because it is growing so rapidly.

Local and State leaders have stepped up to the plate and they have built new schools, but the enrollment growth is so rapid that many of these new schools are overcrowded the day they open. Across the State of North Carolina, we have more than 1,500 trailers

today in use, and that number is growing, despite the best efforts of local governments and State government to put money in at a time when they are really feeling the pinch with the economic downturn.

Overcrowded schools and trailers, they are not as safe as brick and mortar, we know that. I do not want to send anyone into a panic because their children attend school in a trailer, but any principal, if he is being honest, will tell someone that security is severely diminished by the use of trailers because they are outside the main building, they do not have the kind of control, and certainly they raise the risk of security around the building.

As Congress thoroughly examines our Nation's security needs in the wake of September 11, we must not fail now because we did and we have spent money and we continue to do as we should have. We must not fail to provide assistance to get students out of trailers and into more safe and secure permanent buildings, and we can do it.

Some of my colleagues say, well, Congress ought not to do it. Let me remind them. We spend money on a lot of stuff. We build schools overseas. We build prisons here at home. I just want somebody to tell me why we cannot build school buildings because there is a bill to do it. In our State and in our local areas, we have issued a record number of bonds to finance school construction in recent years. We did it when I was superintendent.

Congress and the administration now can help provide the kind of leadership to deal with this pressing issue if they will only decide to do it across this country. At a similar time in our Nation's history where we were seeing tremendous growth and the challenge to our public schools, America faced unprecedented school age population growth with the onset of the baby boomers, and when did this happen? It really happened in the 1950s, after World War II, and at that time there was a Republican president who had been an American general that led us through World War II. He responded to the challenge with a proposal worth of $9 billion in current dollars for the Federal Government to assist with school construction.

So I do not want my colleagues on either side of the aisle saying this Congress is unprecedented, and we spend money. This was a Republican president. It was not a Democratic president. He understood there was a need. It was not about party. It was about ideology. It was about building a future for America, and there are a lot of young men and women in this country who are today adults who went to school in these buildings that were paid for by the Federal Government.

President Dwight David Eisenhower really was an American hero. That is why both parties tried to recruit him. The Republicans got him. He ran for president, but he was not afraid to provide the needed leadership on the domestic front. He understood it. Let me repeat it again. He understood that if we are going to be a strong Nation and we are going to be prepared for the future, we had to have a strong domestic economy, and on school construction, President Eisenhower said, ''Without impairing in any way the responsibilities of our States, localities, communities or families, the Federal Government can and should serve as an effective catalyst in dealing with this problem.'' The president was right then, and we now need that same kind of leadership once again.

Here in the U.S. House, my colleagues and I are working to provide that same kind of leadership. We have endorsed H.R. 1076, the America's Better Classroom Act. This legislation will provide Federal tax credits to the holders of school construction bonds to help leverage precious resources at the local level. H.R. 1076 will help provide more than $22 billion in school construction bonds across this country, and this is a bipartisan piece of legislation. It is not partisan. It will work to build new school buildings, alleviate overcrowding, strengthen security and improve education in the United States of America.

Mr. Speaker, my colleagues and I have worked for several years to pass a similar piece of legislation. We now have 226 cosponsors on this piece of legislation, and I implore the Republican leadership of this House tonight to allow this bill to come out of the committee and come to the House floor. It is an urgent national problem, and it needs to be addressed.

President Bush, who is doing a fine job on the war against terrorism and has shown leadership on other education issues, has unfortunately ignored the school construction crisis facing this country. Mr. Speaker, the American people deserve better. The American people deserve quality schools for their children. Their children are the most precious resource they have.

Talk is cheap. It takes action and it takes responsibility, and the American people deserve the peace of mind that quality, secure schools will provide. I am proud to work with my Democratic colleagues, and yes, Republican colleagues who will join us, to support innovative solutions to this important issue. School construction is an important part of this agenda.

In addition to school construction, there are a great many other educational issues that this Congress needs to address. Over the last several weeks, we have challenged several proposals, one that floated out of the administration, to change college students' loan rates. To their credit, they pulled it back after we raised the issue, that it would cost those students and their parents considerably more.

□ 1845

I have had the great privilege to serve at the local level, the State level, and now at the national level. And it never fails that whenever budgets get tight, some people insist on putting education on the chopping block. That is distressful because that truly is our future. But I know too well that you cannot strengthen education on the cheap.

Also, it would be less than honest if I did not acknowledge that there are areas that we need to pay attention to. Where there are areas that need to have trimming and cutting back, we should do that. Everyone should acknowledge that; and we should not allow anyone, I do not care who they are, what position they hold, or where they are, to misspend public education money for our children and misrepresent the funding sources that they would be using. Because I happen to believe that when you cut education, you pay a heavy price.

I grew up in a rural farm community; and I always say that when you cut education, it is as dumb as eating your seed corn. Because you always save the best corn to plant the next year. Some people in this town may not understand that reference, but back home, folks understand that eating your seed corn is not a smart idea if you hope to have a crop next year. And the same is true with our children. It is sort of an old cliche, but it is so true when we talk about our children, that they are our future.

I expect if you ask most parents, they would, if they were open and honest, and most of them are, they would say to us that they could get along with a whole lot less than they do, if they had to. Because we all really, I think it is true of me and my wife, most of us want things better for our children. And that is why we work hard, because we want to make sure they are successful and they have the opportunity for a bright future.

That is why the budget resolution that the majority pushed through this body a couple of months ago now contained many, I think, very misguided proposals and misplaced priorities that I think were wrong for this country. And education was caught in that crossfire. The Republican leadership's budget resolution cut $90 million in education funds from President Bush's own proposal that was just recently enacted, the No Child Left Behind Act. If you are going to have a program and you are going to ask people to live by high standards, and I think we need to have that, if we are going to ask them to do the kind of assessment to know where children are and help them get better, we have to give them the tools to get the job done, especially at a time when we are seeing almost 40 States, I think over 40 States in this country, facing budget crisis. If we do not live up to our part of the bargain, they are probably going to figure out right quick that we did not really mean it. Because they are not going to do it, and then we will be worse off than we were when we started. And I think that budget was misguided.

The budget resolution also cut Pell grants for colleges, cut safe and drug-free schools by $200 million, improving teacher quality by $105 million, education technology by $134 million, and also eliminated 28 important educational efforts, such as dropout prevention, rural education, an area that is really hurting because of the disparate resources there, civics education, and numerous technology and training programs.

It is important that we live up to our commitment at this level. Because if we do not, even though the Federal Government only puts in, depending on the local jurisdiction, 6 to 7 percent, and in North Carolina it is probably no more than about 7 percent of the total budget because the bulk of it is State and local, that is an important piece of money because it sends a powerful signal. It says that this is a priority at the national level; we really do believe in what you are doing, and here is how we want to help those who have fallen behind.

Historically, Federal monies have been to help those who had needs in specific areas, by and large children with special needs, which we really are not meeting that obligation. We originally said we were going to pay a substantial amount more than we are now paying. We are paying 20 percent, and we should be paying more like 60 that we committed to. But these kinds of shortsighted cuts are wrong for our children, and they really are wrong for my home State and I think for the other States who are struggling to meet the needs and who really want to make a difference in children's lives.

I just hope that as this session moves on, and we are now getting into moving into the appropriations process of the budget, which will be coming up in the next several weeks, that we will correct some of these problems; that we will put the resources in that are needed so that teachers can teach and they will have the resources to meet their needs. Because if we do not put in the resources that we need and we put the mandates in for the things we want them to do, and then we threaten to hold back other monies if they do not live up to that obligation, what we do, the people we hurt the most are not the wealthy school systems in this country. They may be getting few of the resources on a percentage basis to the budget than a lot of others, but the ones who are really getting hurt are the children, in most cases, who are the most vulnerable, those in the poorest school systems, the children with special needs who get some of the money.

All those areas that are on the edge are the very youngsters that we are going to need to help. So I think sometimes we do not really understand when we pull the cord and not put the resources in place. Mr. Speaker, it has been my experience in the few years I have been here that we put together a lot of words, and talk is awful cheap. But at a time when we spend a lot of time back and forth about appropriations and budgets and so on, a lot of stuff gets lost in the sound and fury of the debate. But at the end of the day it really is about budget and spending choices that we have to make that really defines the kinds of priorities that we ought to have, and they really express our values as a Congress and as a people.

I trust that in the next several weeks that we will show that we really do value education, because we know that lifetime learning is the key to the American dream for every family, middle class, wealthy, and those who are struggling to get into the middle class. As I said earlier, in today's global economy, America's international competitiveness is absolutely dependent on our people's ability to perform knowledge-based jobs that produce the best products and services in the world. And if we are going to continue to compete, we had better be about making sure the next generation of Americans in this new economy of this Information Age can be able to earn based on what they have learned.

And it is so true. It is as true today as it was last year; but it will be more so over the next 10, 20, 30, 40, 50 years. And so we have been trying to get Congress to give higher priority to strengthening our public schools, really our neighborhood schools; and by doing that they will demonstrate how much we value the education of our children and how much we care about the communities we live in. It is irresponsible, in my opinion, to talk about how much we value education and how much we care about the future and about our children when we come to this floor and squander the opportunity to make a difference and not put the resources in place to help our children be successful.

In conclusion, Mr. Speaker, let me say that both our immediate and our long-term security needs depend on our investment in education. It is as critical today as it has ever been in the history of this country. You have heard others talk earlier about a number of things, but it is about looking at the future and how do we, as Members today, help those teachers in the classroom and the administrators teach our children to make decisions for tomorrow. We cannot allow children to be continually placed at risk by being condemned to less than quality facilities, and that same thing would be true for curriculum and instruction. That means we have to put the resources in where we can.

We cannot put them all in. We will never have enough, I realize that. But it has to be a partnership, and a true partnership with State, locals, and, yes, with the private sector to make sure that teachers get the skilled training they need and the ongoing training. Too many times we say to these professionals, you are professionals, we believe in you; and yet, when they walk out of the classroom and they need to get their certificates renewed or upgraded, they have to take it out of their own meager salaries to pay for it. We do not do that in any other profession I am aware of that pays that kind of wage in this country, but we do it to teachers. And that is wrong. We can do better, and we ought to be doing better.

I think America is looking to Congress to provide leadership on these urgent national priorities, and I trust that not only my Democratic colleagues but my Republican colleagues will also join me. I certainly can say to you that I stand ready to help deliver on that because I think it is critical to the future of this country. We will not get many more opportunities. Even though these are challenging times and resources are tight, if we spend them wisely, we can have a very bright tomorrow. Our children will inherit a better country, and our democracy will be safe and secure. I really believe that an educated citizenry is important to maintaining a democracy. We have seen it around the world. When we do not have quality education, we are in trouble.

I will close with this, Mr. Speaker. If we want to look at Afghanistan as a place, the first thing they did was shut down the schools. Of course, the first thing they did was oppress the women and then they shut down the schools. But the truth is if you poison the minds of young people and do not give them an opportunity, your future is pretty grim. We are not going to let that happen in America. We are going to work together to make it better. We have the chance, we have limited resources, but we can target them, we can build better schools, we can help those teachers in the classrooms who are telling children about the better world they will have. Someone has said if you want a better world, tell a child, they will build it.

RECENT BIPARTISAN TRIP TO RUSSIA, CHINA, UZBEKISTAN AND NORTH KOREA

The SPEAKER pro tempore (Mr. OTTER). Under the Speaker's announced policy of January 3, 2001, the gentleman from Pennsylvania (Mr. WELDON) is recognized for 60 minutes.

Mr. WELDON of Pennsylvania. Mr. Speaker, I will perhaps not take the entire hour, but I want to take this opportunity to review a recent congressional delegation trip that I led over the Memorial Day recess.

Mr. Speaker, this was a historic trip, and one that has laid the groundwork for, I think, some future historic activities for this Nation in a number of areas. The trip was to basically countries involving Russia, a visit to Moscow and then on to Tashkent, Uzbekistan; on to Beijing, China; Seoul, Korea; visiting military sites along the way. And the only disappointment of our trip was that we

had planned to be the first large bipartisan delegation into Pyongyang, North Korea, to begin a dialogue with the leadership of that nation to lower the tension and the rhetoric and to see if we could not find some common ground in comparison to the recent negative feelings between the U.S. and the North Korean leadership.

□ 1900

Unfortunately, despite our best efforts to try throughout the entire trip, we were not successful, and I will talk about that effort over the next several minutes.

The bipartisan delegation consisted of 13 Members of the House. We had 7 Democrats and 6 Republicans. The delegation represented almost every one of our major committees in the Congress, but had a heavy emphasis of the Committee on Armed Services. The delegation was interested in a number of issues, but in particular cooperative threat reduction, ways that we could decrease the threat posed by nuclear weapons and stockpiles, ways that we could retrain, help retrain those individuals, especially in Russia, that were involved in nuclear and weapons activities, issues involving counterproliferation of weapons of mass destruction, and ways that we could work with former Soviet states and other nations to continue our counterproliferation efforts, dealing with the issue of nuclear waste and contamination and other environmental issues, energy production and distribution, cooperative efforts in the war on terrorism, Sino-American relations, and North and South Korean relations.

In addition to meetings that we had formally, we met with a number of our military troops and I will talk about some of the findings that we came away with as we visited troops throughout the region.

Mr. Speaker, we left Washington a week ago this past Friday on May 24, and traveled initially to Moscow. In Moscow, we were met by both our embassy officials and other Russia leaders that had been advised of our visit. On the first day, despite a very long trip, we spent some time with our embassy officials and got a briefing on an American company that is based in the district of the gentlewoman from Florida (Ms. BROWN). The gentlewoman of suggested that we visited with officials of the Atari Corporation, which we did, and got an overview of the kinds of activities that they are involved with, including the presence of that company here in America.

We continued our visit over the weekend with a trip to the American University in Moscow, an institution that was started over 10 years ago. Their director assembled a group of academics and leaders in the educational area, and briefed us on a whole new series of initiatives relative to the training and education of young Russian leaders with American institutions, and in this case the American University in Moscow.

We have a continuing dialogue with the American University, and in fact the exchange process has already started in terms of cooperation on academic programs with the American University.

Also on Sunday we met with the leadership of the Kurchatov Institute. Dr. Evgheny Velikhov is the head of Kurchatov. Kurchatov is the largest and most prestigious nuclear institute in Russia, named after its founder, who was the developer of the atomic weapon for the Soviet Union. Today Kurchatov, which is smaller than it was in the Soviet era, has a number of nuclear scientists that are in need of work. Part of the efforts of our government through the Department of Energy and the Cooperative Threat Reduction Program has been to find ways to have those nuclear scientists and weapons scientists work in a productive way for both Russian and American corporations, and take them away from the former work that they did, which was all military-related.

Our discussions with Kurchatov centered around a number of very specific projects and programs, programs that involve American corporations, American NGOs, and American governmental entities. They were very positive meetings, and we discussed everything from fusion energy, disposition of fissile materials, nuclear sites, clean fuel cycles, magnetic fusion, low-yield nuclear warheads, ballistic missile defense interceptors, and a number of other issues. We came away with a number of ideas of how we can further engage the folks at Kurchatov in a cooperative way to benefit both the United States and Russian people peacefully.

In addition to that meeting, we met with leaders of the petroleum industry and the oil and gas industry in Russia, and talked about the efforts of many of us to steer America away from our reliance on Middle Eastern crude, and to work with the Russians, who have huge deposits of energy, to allow us to help them develop that energy, thereby giving us a new source of fossil fuels and gas, reducing our dependency on Middle Eastern crude, and at the same time helping Russia grow its economy. Those meetings were very positive, and I think will be fruitful in the future.

In addition, at that meeting, I invited the North Korean commercial attache in Moscow, Mr. Ku Song Bok, to attend an evening event with us. I did that as a gesture of good faith toward the North Korean government, the DPRK government, to show them that this delegation was interested in starting a positive initiative to work to establish a framework for discussion between the leaders in DPRK and those of us in the Congress that want to pursue this new avenue of dialogue with North Korea's leaders, both their president or chairman, as well as the members of their high parliament.

Mr. Speaker, we also had meetings with the Moscow and the Russian Duma. The Duma is the lower body of the Russian parliament, the Federation Council the other body. In our meetings, we had probably some 40 Duma deputies and Federation Council members interact with us. We had a number of discussions relating to a variety of issues. But the key issue was a document that many of us in this body produced last fall, a document that I have addressed on this floor in the past.

This document, 45 pages long with 108 specific recommendations, was prepared to provide President Bush and President Putin a new format for relations between our two nations, with 11 key areas involving energy, the environment, health care, local government, culture and education, science and technology, agriculture, and defense and security, among others; recommendations that we could undertake to bring the Russian people and the American people, Russian institutions and American institutions, closer together.

This document, as I have explained to my colleagues in the past, was given to both President Bush and President Putin over the signatures of over one-third of the House and the Senate, members of both political parties equally divided, signed on to say to our President before the most recent summit that we want to change the nature of our relationship with Russia.

Perhaps one of the highlights of our trip, Mr. Speaker, was during a lunch that we had on Monday afternoon, two of the top leaders of the Russian Duma both said publicly that the Russian approach to the most recent Bush-Putin summit was largely based on this document.

This was significant because this was the first time that Russia publicly acknowledged that the work of our Congress and our Senate in producing this document actually was the basis for the Russian lead-up to the summit between President Bush and President Putin. We knew that they had taken this document seriously because they had produced a document in Russian in response to what we had produced. This document is the Russian Academy of Sciences' response to our proposal for these new initiatives.

My understanding is that the Academy of Sciences is setting up 11 task forces to work on the specific areas that we identified as key areas for America and Russia to work together. So our meetings in Moscow were extremely fruitful. They were positive. They were building on the success of President Bush and President Putin for a new relationship that in fact is much broader and much more engaging than our past relationship, which was largely based on agreements of strategic weapons.

The contention here by many in this body is for us to have even greater success in strategic and defense issues, we have to work aggressively to build more confidence.

One other interesting offer made by the Russians at our final luncheon meeting in Moscow, Mr. Speaker, I bring forward to this body and ask for our consideration and help, and it shows the state and the change of our relationship. Ten years ago a meeting between Russian officials and American officials would probably have had some screaming and shouting and accusations against each other. Our meetings today are totally changed. Over the past 10 years we have established a major new positive dialogue so that the last discussion we had before we left Moscow and in the spirit of the goodwill games currently being held in Japan and South Korea was a challenge by our Russian Duma colleagues to have a series of athletic events between members of the Duma and Members of the House.

So, Mr. Speaker, I challenge our colleagues to work with me, having played in a number of congressional baseball games where our Democrat teams play our Republican teams and we raise money for charity, and being aware of our congressional basketball games and our golf matches where Republicans play Democrats and other events, we now have a new challenge. Members of the Russian Duma have challenged this body to a series of athletic contests in the spirit of goodwill both in Moscow and Washington, where we can get together and have some friendly fun and also agree to a series of what hopefully will become annual events between the leaders of two parliaments.

Mr. Speaker, I look forward to establishing a task force on the American side, hopefully comprised equally of Democrats and Republicans. We will look at what types of competition we want to have because some that we would do would be favorable to America, some the Russians might want to do would be favorable to them. We want to find the middle ground. We will start a whole new era of cooperation in the same spirit that we have in this city in basketball and baseball and other competitions between our two parties. In the spirit of friendship and goodwill, we will now take the same atmosphere to our colleagues in the Russian Duma.

Mr. Speaker, we left Moscow on Monday afternoon and flew again on military transport to Tashkent, Uzbekistan. We wanted to visit Uzbekistan because it is a prominent former Soviet state, a Central Asian nation that has stepped up and played a critical role in our battle against terrorism. In that country, after having met with the officials of the Uzbeki embassy here in Washington, we were greeted with a meeting with President Karimov. It was an extremely positive, 2-hour meeting as we discussed a new level of cooperation with Uzbekistan, efforts to bring more focus on the Central Asian nations, and to thank the people of Uzbekistan for allowing America to use a base in their country with the cooperation of their military to fight the war on terrorism.

In fact, when we met with President Karimov, as we did in our meeting with the foreign minister, Mr. Kamilov, our U.S. embassy country team, we also extended an invitation through members of their parliament to establish a bilateral parliamentary exchange, much like we started with the Russian Duma. We now challenged the Uzbekistan parliament to establish a formal relationship between the House and the parliament, the lower body, actually the only body in Uzbekistan. They accepted overwhelmingly, and very eagerly anticipate the first meetings of the delegation that will start an annual series of meetings both in Tashkent and Moscow to find ways to work closer together with the people of Uzbekistan.

Our ultimate goal is to produce a document similar to this document, outlining ways that we can bring the people and the institutions of Uzbekistan closer to the people and institutions of America.

In addition to our visit with the President and the foreign minister, which were separate meetings, we traveled to one of our primary military bases in Uzbekistan at Karshi-Khanabad, more commonly known as K–2. This military base is down fairly close to the Afghan border. We have right now approximately 3,000 troops at that site. They are doing a variety of work, and represented most of the services.

The purpose of our visit was to assess the spirit and morale of our troops, and to let them know how proud we are of their work. In fact, we carried with us almost 7,000 cards and letters from school children across America who are writing to individual members of our military to thank them for the services that they are providing to our country. We also took from my home State of Pennsylvania cases of TastyKakes and Hershey bars, and boxes of homemade cookies made by individuals and families and the spouses of Members of Congress to give to the troops to thank them from the people back home for the job that they are doing.

□ 1915

I can tell you, Mr. Speaker, the morale of our troops at the K–2 base was unbelievably positive. The morale was so evident in everyone that we met with. Their needs are being met. They obviously would like to be home with their families, but they are there to do a mission, they understand that mission, and they are committed to follow through and complete the task assigned to them by our President and by our military command officers.

We did have a problem with one of the engines on our cargo plane that took us into the K–2 base. While I bring up this not to embarrass our military, I bring it up to show that we are having success because the starter would not work on one of our engines as we prepared to leave. But because we have taken great efforts in this body to provide additional funds for spare parts and training, and that has been supported by both Democrats and Republicans, within 2 hours a spare part was made available and the men and women of the unit in K–2 were able to replace that so that we could take off in time to make our meeting with President Karimov back in Tashkent.

So our military, in fact, is doing a fantastic job. We are proud of them, and we were there to say thank you on behalf of not only Congress and the House but all America. Following our 1-day trip to Tashkent, having achieved our objectives to work with the President and a commitment to follow on with the parliament of that nation, we traveled and arrived late at night in Beijing, China, starting on May 29.

In the People's Republic of China, in Beijing, we met with President Jiang Zemin, a very historic opportunity for us to meet with the top leader of the People's Republic. The meeting was extremely interesting because President Jiang spoke to us not just in Chinese but also in English, which showed the level of comfort that he had with our delegation. He was very much interested in hearing our views. He put forth his commitment to work with America in trying to provide some stability in the current conflict between India and Pakistan, and he reiterated his commitment to work with us to provide peace for the world.

We discussed the issue of Taiwan. We heard his strong feelings toward that independent entity, and we again reaffirmed to President Jiang that we are committed to a one-China policy, and we are committed to the peaceful process of bringing China and Taiwan together. We also reiterated the fact that the Congress would not tolerate any armed hostilities in an attempt to bring Taiwan back in, and he assured us that that was not China's intent, that they were certainly totally committed to a peaceful resolution of the independent status of the two nations so they in fact could become one China again.

In addition to those meetings, the gentleman from Texas (Mr. TURNER) and the gentleman from Alabama (Mr. BACHUS) had been in China for approximately 4 days. They were a part of the delegation but did not formally join us until we arrived and they had been there in advance. They were there for a very historic purpose and opportunity. Mr. Speaker, they went to a suburban city outside of Beijing. The purpose of their visit with a group of UPS officials was to help build a new school for a small Chinese community to bring the Internet and computers to that village and to that institution. As we all know, China's income level for their average person in that country is about $300 per year. So when you get outside of Beijing and Shanghai, there is not much in the way of modern technology.

UPS, United Parcel Service, with 40 of their employees and two Members of Congress, set up a process to build a new school, which they did, and to equip that school with computers for the children that live in this community. It was an outstanding success and, in fact, the gentleman from Texas (Mr. TURNER) and the gentleman from Alabama (Mr. BACHUS) on the day after that we met with President Jiang Zemin, along with the gentleman from Texas (Mr. SESSIONS), the three of them were given an audience with Premier Zhu Rongji. President Zhu expressed his thanks to the people of America, to UPS and to our three Members of Congress for their outstanding work in helping to provide this new resource for the children of the community in China known as Zunhua.

Mr. Speaker, also in China we met with the Deputy Foreign Minister Zhou. It was a very positive meeting regarding economic reforms in China. He gave us an overview of the economic program that is in place. We talked about how America and China must work together to open new markets for American companies to allow that balance of trade to become more equal. He talked to us specifically about Taiwan, and we discussed again as we did with President Jiang Zemin the need for us to have a peaceful dialogue and a peaceful resolution of the Taiwan-China situation.

We were hosted on our visit to China by the Chinese People's Institute for Foreign Affairs. President Mei was our host. He had a luncheon arranged for us. In fact, the discussion there was broad ranging and discussed everything from economic cooperation to advancements in science and technology. It was very positive, and again they were the host that allowed us to arrange the meetings that took place in China.

Mr. Speaker, one of the highlights for me of our trip to China was the opportunity for me to speak for the second time at the National Defense University of the People's Liberation Army. It was a real eye opener. I had spoken at this university back 5 years ago. I believe I was the first elected official invited to speak at what is the premier military training institution for their mid- and senior-level officers. This invitation came before I went to Beijing to again address senior military officers in the PLA.

What was interesting about this trip was that it was not just me going to the National Defense University. In fact, eight of our colleagues who were with the delegation went with me. We drove for about 1 hour out of downtown Beijing until we arrived at the compound that is the major training site for China's mid- and senior-level officers. On the way, we talked to our defense attache who briefed us on what to expect. He told us to expect the Chinese officers to have canned questions, not to have any ability to go off the party line, and to be very stern and strict in terms of the way that they asked questions of me once I had finished my presentation.

Mr. Speaker, I told our defense attache on the way in that I was going to do something different this time, that I was going to break this large group of officers into subgroups and have Members of Congress directly interact with them. Our defense attache said, ''That will never happen. The Chinese will never go for that. They are not used to doing things in an ad hoc way.''

Mr. Speaker, what a great surprise we had in store for us. When our bus arrived at the front door of the main building of the National Defense University, after having driven through the entranceway, there was a full Chinese PLA military band and orchestra. In fact, it was all female, all dressed up in their military uniforms, which were white in color; and there they were playing for us a series of military musical selections, welcoming us to the premier training center for the Chinese military. As we departed the bus and walked up the stairway, a number of generals and top leaders greeted us to welcome us to the National Defense University. It certainly was a good start to our meeting.

Inside, I was taken aside and allowed to meet with the general in charge of the National Defense University, where I explained to him that following my presentation, which would last about 40 minutes, instead of me answering questions, I wanted to divide the group up and allow Members of Congress to directly interact with the soldiers and leaders of the Chinese military. He looked at me in some bewilderment, but did not object.

So we went into the room, and there in the auditorium were some 300 senior military leaders of the Chinese People's Liberation Army. As they sat in the room and were extremely attentive, I was introduced, and I made my presentation which I did not have in writing but basically gave from my own feelings about the need to improve our relations with China, and I went through the entire context of why we were there. I discussed the meeting we had had with President Jiang Zemin, and I challenged them to help us find new areas of common concern where we could bring our military together with the Chinese military to reduce the potential for conflict and misunderstanding.

Mr. Speaker, following my presentation, I told the assembled group that I wanted to divide them up into four groups and have two Members of Congress each set aside with those individual groups and have a dialogue. Within 5 minutes, the group divided itself into four, the Members of Congress broke up into groups of two, we had interpreters at each group, and for the next 45 minutes, something happened that I would never have thought could occur. American Members of Congress were interacting not in a formal way but informally in answering questions and asking questions of the next generation of Chinese military leaders.

Mr. Speaker, I must tell you, the comments were all positive. The tone was positive. And there were no canned questions or canned responses. It was an absolutely unbelievable opportunity to see American Members of Congress, our colleagues, interacting in an informal, sit-down way with Chinese military leaders around them in kind of a small-group setting asking questions and responding about American-China relations.

Mr. Speaker, this gave me a great deal of encouragement and leads me to believe that we must do more of this. We must continue to reach out, to tear down the barriers of misunderstanding and find ways to engage and be candid in the process where we have disagreements but also let these people know that we want to be friendly with them. We are not looking to have animosity or tension, but rather find ways that we can address common concerns together.

Mr. Speaker, leaving China, we had planned to go into North Korea. Unfortunately, all along the way, despite numerous attempts, we were getting nowhere with the DPRK leadership. In fact, I even at one point in time, one morning in Beijing had a call from Kofi Annan at the U.N., whom I had asked to assist us. Kofi Annan from the U.N., the Secretary-General, and five other groups were working aggressively with us to convince the DPRK leadership that it was in their best interest that this delegation be allowed in, not to criticize the North Korean leaders but to begin a dialogue, to talk, to try to break down the barriers and discuss common areas of concern and opportunity. Unfortunately, that was not to be.

But throughout our trip in Moscow, again in Uzbekistan and throughout our stay in China, we sent faxes, e-mails, telephone calls, had meetings with representatives of groups that were working in North Korea but were not having success, so finally we decided to leave Beijing and travel directly to South Korea. In Seoul, South Korea, our first stop was at the Yongsan U.S. Army air base. There we spent time with the troops. They were having a picnic on Saturday afternoon. We visited with the family members. We thanked them for the work they are doing, and we spent time letting them know that we wanted to hear about the concerns that they had being stationed in that country.

Mr. Speaker, this is something that we heard throughout our stop in South Korea with all of our military: this body and the other body and the Pentagon has got to do more to increase the pay level, to provide more incentives and decrease the amount of time that our troops have to spend when they are assigned to South Korea. We learned from our military leaders, from our top generals, and from our CINC in

that region that South Korea is the least desirable stay that any member of the military has when they are given an assignment. In fact, in many cases, a young soldier would rather go to a theater where there is active hostility than they would to South Korea because the tour of duty is longer, usually a year, and the pay rates are significantly lower because of added incentives in going to Japan or other theaters. They are significantly lower when our military is assigned to South Korea.

Mr. Speaker, as you well know, we have 37,000 troops in South Korea. It is a major location for our troops overseas. This Congress has got to respond by changing the way that we are currently operating so that young people who are serving in Korea can bring their families with them, because today the bulk of them cannot get the pay level they should get when they serve in other parts of the world, and find ways to reduce the level of commitment in terms of the time they have to serve there. The commanding officers in that theater understand what steps they have to take.

And so our delegation came back to America convinced that we are going to work to commit to that military to change those requirements, to change those support mechanisms, so that our military when it is assigned to South Korea does so with pride, wants to go there, and does not feel that being assigned to South Korea is the least possible priority that they would have as a part of their military career and tenure.

Mr. Speaker, we spent time with Ambassador Hubbard. He gave us an overview of Korea. We had an in-team briefing with our leaders, both on South Korea, and they also gave us a briefing on the North.

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We talked about the upcoming elections. We were scheduled to meet with the candidates for the presidency, but because they were off campaigning with elections coming up next week, we were not able to have those meetings. We did meet with Foreign Minister Choi. We met him at his home. We talked for over 1 hour about our relations between the South and America, and we talked about our interests in going to the DPRK, or North Korea.

He, along with the Japanese, along with the Chinese, along with the Russians and the Uzbekistanis, all said that our intent to go to North Korea is extremely important. President Jiang Zemin encouraged us to pursue entrance to North Korea, the leadership in Moscow encouraged us to pursue our entry into North Korea, and so did the South Koreans. That was articulated by the foreign minister of South Korea. We talked about programs that we have together between our two nations, and we talked about ways that we could work even closer together, assuming we can break down the barrier by gaining entrance into North Korea.

Mr. Speaker, we met with Members of the National Assembly of the Republic of Korea. We talked about the importance of our forces there. They are unequivocal in saying that they want America to maintain a presence. It is extremely important to deter conflict on the peninsula.

We talked about cooperation in the war on terrorism, political and military stability in the Korean peninsula, the strong desire for unification of the two Koreas, and we talked about e-government and the need to bring our government and their governments into the new digital divide and the way we can in fact bring information technology to all the people in South Korea.

We also met with the Senior Combatant Commander for United Nations Command Forces, General Leon LaPorte, to get a detailed assessment of the current operations of the United Nations' efforts in South Korea.

We had meetings with the American Chamber of Commerce in Seoul. They also told us that they had tried to take a delegation into North Korea. Mr. Speaker, they had had a group of American companies that are prepared to go to Pyong Yang and announced they were going to invest significant new dollars in North Korea. Despite being assured by the North Korean leadership that they would be given entrance, as they went to get their visas, they were told they were denied and they should come back later.

It is extremely frustrating, Mr. Speaker, to try to open doors in a positive way with a regime so closeted and isolated from the rest of the world. So I appeal today, Mr. Speaker, that those leaders in the Democratic Republic of Korea, the DPRK, that they understand that we want to go to their country not to cause problems, not to blame, not to cast negative statements against them, but, rather, to simply open a dialogue, because having a dialogue is a way to eventually ease tensions and find ways to deal with common concerns and common opportunities.

While also in South Korea, Mr. Speaker, the delegation was given an opportunity to travel to the DMZ, or Demilitarized Zone. Traveling up to Panmunjom, members were able to meet with our military once again, engage with the various military officials, and the gentleman from Ohio (Mr. CHABOT) took on a personal crusade to engage our military on the issue of the remains of Corporal Edward Gibson who has been missing in action since November 26, 1950.

The gentleman from Ohio (Mr. CHABOT) raised the issue that so many Americans continue to be concerned about, the lack of a full accounting of those who are missing in action from the Korean conflict, the Korean War.

As an indication of the support of the gentleman from Ohio (Mr. CHABOT) and the honor that Corporal Gibson gave to his Nation by paying the ultimate price, he had an American flag flown over the DMZ in honor of Corporal Gibson. In fact, every member of Congress had the same flown. Corporal Gibson's family will be given that flag by the gentleman from Ohio (Mr. CHABOT) back in Ohio.

We discussed the issue with the leadership along the DMZ about that very hostile environment, perhaps the most tense environment today in the world, where American and North Korean forces and allied and North Korean forces stare each other down across this boundary line of barbed wire and concrete, that differentiates the North from the South. It really gives one a full perspective of the need, the absolute need, for us to find a way to begin a dialogue with the leadership of North Korea.

Mr. Speaker, the delegation's trip was exciting. It was almost without flaw. Unfortunately, the final part of our mission, the trip into North Korea and Pyong Yang, did not occur. But, Mr. Speaker, we are not giving up. We are renewing our efforts.

We have already started work on another visit. This visit will go into Pyong Yang, we will meet with their leaders and we will begin a positive dialogue, so we reduce the tensions and find ways that we can find common ground.

Hopefully President Bush's envoy, Ambassador Pritchart, will travel to Pyong Yang very shortly to open the door that the administration has in fact offered, and following that visit, I am extremely optimistic that a congressional delegation that I will be a part of will travel to Pyong Yang in an historic way so we can begin a process, much like we began 15 years ago in the Soviet Union. Look at where we are today with Russia's leaders. Today, we have just completed a major thrust of new initiatives. We are challenging each other to athletic contests and we are now considered good friends.

Hopefully that same process can occur and grow in China as we saw in our meetings at the National Defense University, and will also begin to grow in North Korea as we reach out to the people, as we reach out to show them that America wishes no harm, America only wants to find ways to understand, to have a dialogue, and to reduce the threats that come from the kind of actions that the North Korean leadership have taken over the past 20 years in building up a vast military complex, while denying many of their citizens the most basic human needs.

Mr. Speaker, I will insert the entire CODEL report in the CONGRESSIONAL RECORD at this point, to make it available for the public to see all of the various actions I have described, the delegation members, the various contacts, the people that we interacted with, because I think it is important that we take these kinds of trips, and that we have total transparency in terms of our purpose, our actions, and the results that we achieved.

I want to thank all of my colleagues who went with me. It was an outstanding trip. We truly have an unbelievable institution. Thirteen members of Congress, seven Democrats and six Republicans, working together with a common agenda, working together to achieve peace and harmony, in those nations that in the past have been our adversaries, or in the future might become our adversaries.

So I thank my colleagues for their cooperation, I thank you, Mr. Speaker, and the staff for sticking around long enough for me to make this report to our colleagues and the American people on the congressional delegation trip that took place from May 24 to June 3, 2002.

U.S. CONGRESSIONAL DELEGATION (CODEL WELDON) TO RUSSIA, UZBEKISTAN, PEOPLES REPUBLIC OF CHINA AND REPUBLIC OF KOREA, MAY 24–JUNE 3, 2002

OVERVIEW

A bipartisan congressional delegation of 13 Members of the House of Representatives, led by Representative Curt Weldon, ''CODEL WELDON,'' visited Moscow, Russia; Tashkent and Karshi-Khanabad, Uzbekistan; Beijing, China; Seoul, Yongsan (U.S. Army) Base, and the Demilitarized Zone, Republic of Korea, May 24 through June 3, 2002. The delegation also made considerable efforts prior to departure from Washington, D.C., to arrange meetings with the leadership of the Democratic Peoples Republic of Korea (DPRK). These efforts continued throughout the delegation's travel, to no avail. Given the major issues of mutual concern, the delegation was disappointed that the DPRK leadership did not accept the opportunity to open a dialogue and engage such a large delegation of the Congress.

Delegation members included Representatives Curt Weldon (R–PA), Solomon Ortiz (D–TX), Roscoe Bartlett (R–MD), Jim Turner (D–TX), Silvestre Reyes (D–TX), Joe Wilson (R–SC), Steve Horn (R–CA), Eni Faleomavaega (Del–American Samoa), Corrine Brown (D–FL), Alcee Hastings (D–FL), Carrie Meek (D–FL), Steve Chabot (R–OH), and Brian Kerns (R–IN).

In each of the countries visited, the delegation met with the senior executive branch and legislative branch officials; political leaders and organizations, educational groups and technical institute officials; U.S. and foreign military officers; and U.S. and foreign business leaders for the purpose of furthering greater communication; expanding inter-parliamentary exchanges and information sharing; and addressing common concerns on issues vital to international economic growth, human rights, peace and stability. Issues addressed included:

- Cooperative Threat Reduction (CTR):
  —Securing nuclear stockpiles and materials in Russia.
  —Retraining human resources.
- Counterproliferation of Weapons of Mass Destruction:
  —Protecting, reducing and/or Eliminating Weapons of Mass Destruction.
- Nuclear Waste and other environmental issues.
- Energy Production and Distribution.
- Cooperative Efforts in the War On Terrorism:
  —Furtherance of trade through better inspection methods at ports of debarkation and embarkation.
- Sino-American Relations.
- North and South Korean Relations.

The Members also took the opportunity to visit with U.S. military personnel based in Karshi-Khanabad (''K–2''), Uzbekistan serving in the war on terrorism in Afghanistan; military personnel in Seoul and the DMZ; and their families in the Republic of Korea supporting peace and stability in Southeast Asia. Representatives Bartlett, Ortiz, Turner, Reyes, and Wilson visited Morale, Welfare, and Recreations sites and facilities in the Seoul area.

The delegation visits coincided with a number of international events and crises that reinforced the critical nature and timeliness of the purpose of its meetings and discussions. The delegation arrived in Moscow the day following the historic signing of the strategic arms reduction treaty and declaration of strategic partnership by Presidents George W. Bush and Vladimir V. Putin. Shortly thereafter the NATO nations met in Rome and agreed to Russian limited membership in NATO. India and Pakistan experienced increased tension and cross-border firings resulting in casualties on both sides. Pakistan completed several medium range ballistic missile tests. The war on terrorism continued in Afghanistan. And suicide bombings and reprisals continued the cycle of violence between the Israelis and Palestinians.

Moscow, Russia (May 25–27)

State Duma

In Moscow, the delegation had several opportunities to meet with their legislative counterparts, Members of the State Duma, in furtherance of the objectives of the Duma-Congress Study Group—the official interparliamentary exchange that engages U.S. and Russian lawmakers in meetings and discussions. The delegation also met with Russian business leaders, many of whom are involved in gas and oil exploration and energy production; Kurchatov Institute officials, to discuss energy and counterproliferation issues; and American University in Moscow officials.

Discussions with Members of the State Duma were in furtherance of the issues address in ''U.S.-Russia Partnership,'' (see attachment 1), coauthored by Representative Weldon, supported by a bipartisan group of one-third of the U.S. Congress, and presented to the Duma in September of 2001, that provides over 100 recommendations in 11 subject areas for U.S.-Russian engagement. The delegation was advised by State Duma representatives that the recommendations made in this document had been used as the foundation for the Russian initiatives to President Bush during his visit. The State Duma Members indicated that the Speaker of the Duma had prepared a response to ''U.S.-Russia Partnership.'' Representative Weldon stated his desire to establish U.S.-Russia co-chairs at the earliest opportunity in each of 11 subject areas addressed in the study.

International Republican & National Democratic Institutes

A meeting sponsored by the International Republican Institute, with National Democratic Institute participation, allowed Member-to-Member/House-Duma dialogue on a number of subjects, including the status of the repeal of Jackson-Vanik (Cold War legislation that conditions U.S. trade relations on Russian Jewish emigration); combating international terrorism; using academic research and science to address political problems; joint environmental efforts; WTO; steel and poultry imports/exports; the Bush-Putin statement on the U.S.-Russian strategic partnership; and engaging the youth of both countries in issues of mutual interest, including cultural and sports events. Members on both sides demonstrated their belief that there is a new basis for working together on issues of common interest and concern because for the first time there is mutual agreement on goals and values and a sharing of vision on the security threats of the 21st Century.

Kurchatov Institute

The delegation also visited the Russian Research Center, the Kurchatov Institute. The Institute was established to design the Soviet Union's first nuclear weapons. Its current mission is research on safe and environmentally friendly nuclear fission and fusion power generation and fundamental physical research and development. The staff of the Institute is down to approximately 5,000 people from a Cold War high of 11,000. A goal of the Institute's Cooperative Threat Reduction (CTR) and counterproliferation programs has been to provide productive training and employment training and employment for many of the Institute's personnel. The Institute's President, Evgheny Velikhov, and his staff engaged the Members in briefings and discussions of counterproliferation; CTR; nuclear site physical security; disposition of fissile materials, fusion energy, nuclear medicine; safe, clean fuel cycles; magnetic fusion; electromagnetic pulse effects; low yield nuclear warhead, Russian-like, ballistic missile defense interceptors; a thorium-based nuclear fuel cycle (the Institute claims that the Department of Energy won't agree to consider programs that provide an alternative to Yucca Mountain); joint NAS-Institute programs for nuclear energy based space programs; software technologies for counter-terrorism; information technology training programs for former nuclear weapons scientists and engineers; and a visit to a nuclear power reactor being used for testing of thorium-based fuel.

American University in Moscow

The delegation also met with the staff and supporters of the American University in Moscow to demonstrate support for their program. Representative Weldon and the delegation were presented a copy of the ''Russian response'' to ''U.S.-Russia Partnership.'' Other discussion topics included the transportation of nuclear waste and initiation of U.S.-Russia Exchange Centers (information exchange using the internet) between cities in the U.S. and Russia.

Moscow Petroleum Club

The delegation met with senior Russian government officials, Members of the Federation Assembly, and business leaders from the oil and gas industry. Victor Chernomerdrin, the former Prime Minister, led the Russian delegation. Also included, at the request of the U.S. delegation, were KU Song Bok, commercial attaché of the Democratic Peoples Republic of Korea, and his assistant, KIM Jong-Do.

Tashkent & Karshi-Khanabad, Uzbekistan (May 27–28)

In Tashkent, the delegation met with President Karimov; Foreign Minister Kamilov; the U.S. Embassy country team; and visited U.S. military personnel at Karshi-Khanabad. The delegation expressed to the President, U.S. appreciation for Uzbekistan's support for the war on terrorism. For his part, the President acknowledged his nation's shortcomings in human rights and economic reforms, but indicated he is taking actions in these areas in making reforms. The President provided an assessment of the regional geo-political environment and his views on the campaign in Afghanistan. He emphasized a desire for a long-term U.S. presence in Central Asia and Afghanistan and expressed a concern over the long-term intentions of Russia, Iran and particularly China. He was supportive of Representative Weldon's proposal to establish a joint U.S. Congress-Uzbek parliamentary working group. President Karimov sees the

U.S. as a political, legal, and economic model he would like to replicate.

American Embassy officials noted their concerns about the long term economic health of the country, citing the 50 percent inflation rate over the past year and the unwillingness of most foreign companies to invest in Uzbekistan because of the lack of convertability of the currency.

The delegation was transported via an Air Force C–130 cargo aircraft to Karshi-Khanabad in southeastern Uzbekistan, near the Afghanistan border, to visit with U.S. forces personnel deployed in support of Operation Enduring Freedom. All Members had an opportunity to meet with constituents and took the opportunity to make the military members fully aware of the total support of the American people for the job that they are all doing.

The President, acknowledging fully ''what wars can cause on the main continent, briefly digressed, citing China's experience with a number of wars—''Japan against China''—and mentioned his personal participation in Japan's war against China. ''China and the U.S. were on the same side against Japan in Japan's War of Aggression.'' He further mentioned his visit to Hawaii and the Arizona War Memorial—''I shared the same feeling as your Commander of the Pacific Fleet. If you look at history and major events, you see history evolves in cycles. People unify then fall apart. Now Japan and the U.S. get along well . . . Maintenance of the imperial system in Japan had a lot to do with General MacArthur.''

''My advice to the U.S. is that not every place in the world can follow the U.S. model. In the world, each place has its own model, but that should not stop contacts and communication . . . The first principle should be to seek common ground while putting aside differences . . . Do not let differences interfere with communication . . . We have more in common than divergences.''

Premier Zhu Rongii

Representative Turner, accompanied by Representative Spencer Bachus (R–AL) and Arnie Welman, Vice President of Commercial Affairs for the UPS Corporation, met with Premier Zhu at the Purple Light Pavilion for over an hour.

Representatives Turner and Bachus, along with Representative Pete Sessions (R–TX) had participated in the construction of a computer laboratory with 40 UPS government affairs employees in the City of Zunhua, located northeast of Beijing in Hebei Provice.

Premier Zhu expressed his appreciation to the representatives' and the UPS employees' for their tangible contribution to the children of Zunhua and was pleased that the group had experienced rural China.

Premier Zhu stated the importance of the ''one China'' policy and stated that the PRC does not desire to use force against Taiwan to achieve reunification. He cited Hong Kong as a successful example of reunification and said reunification with Taiwan would not require a change in Taiwan's economic system. Representative Turner expressed his support for the ''one China'' policy and indicated that his support for permanent normal trade relations and the PRC's admission to the WTO was based on his belief that the ability of the U.S. and the PRC to build a strong bond of friendship and cooperation is critical to world peace and prosperity over the next 25 years.

Assistant Foreign minister Zhou

In a later meeting, Assistant Foreign minister Zhou outlined China's plan to ''intensify'' its economic reform program. ''With 25 million people entering the work force each year, if we are to avoid problems, we need to speed up reform.'' He stated

Beijing, China (May 29–June 1)

In the Peoples Republic of China (PRC), the delegation met with President Jiang and senior foreign ministry officials; met officials of the Chinese Peoples Institute of Foreign Affairs; engaged the U.S. Country team in discussions; and visited the National Defense University, where Representative Weldon addressed the student body and delegation members met in breakout sessions with the PLA students attending the University. There was also a side-group meeting by Representatives Turner and Bachus with Premier Ju.

President Jiang

In the delegation meeting with President Jiang, Representative Weldon expressed the desire of the majority of the American people for a productive long-term relationship with the PRC.

President Jiang indicated that China and the U.S. have more interests in common than differences and encouraged mutual respect and moderation. He urged that the U.S. should accept that there are other acceptable models than that of the U.S. for political and economic development. President Jiang stated that the most important and sensitive issue in Sino-American relations is Taiwan. He cited the importance of continuing the ''one China'' policy. ''The Chinese relationship boils down to one question: Taiwan . . . The question is a very simple one . . . We have already agreed (citing normalization, the three joint communiqués, and ''three no's'') . . . we don't understand why the U.S. is sending weapons to Taiwan . . . We place much hope in you as representatives that we can get much done.''

Representative Weldon indicated he supported the ''one China'' policy. ''Arms sales take place when there is a perception, right or wrong, that a threat exists to the people of Taiwan . . . I am the Chairman responsible for authorizing the procurement of all our military systems. But I am a teacher by profession. I would like to spend money on education, not weapons . . . We do not want conflict with China in any form.''

Representative Hastings, citing the importance to both China and the U.S. of engaging the DPRK, asked President Jiang if he would consider having his officials contact the DPRK on the delegation's behalf to arrange a visit. He also asked the President what China is doing to ease tensions between India and Pakistan. The President encouraged the delegation visit to the DPRK, but ''whether they allow the visit must be totally up to them . . . We cannot take decisions in their place. North Korea will have to decide. China is China. North Korea is North Korea.'' On India and Pakistan, the President indicated that both countries are ''China's neighbors'' and said he hoped the Kashmir problem can be solved peacefully. ''Although people are of a view that we are closer to Pakistan, we are trying to get each side to work together. Our relationship with India has fluctuated, but more recently we have had a constantly improving relationship with India.'' He also said that because of the U.S. need to fight terrorism, he believed that ''the U.S. attitude toward Pakistan has changed.'' the purpose of their foreign policy is world peace and common development. ''China is not a threat to anyone and should not be perceived as a threat . . . perception is important . . . China is an important force in the region for peace . . . In our relationship, we have accomplished a lot . . . the only problem is Taiwan . . . The issue of Taiwan should be left to the Chinese to work out. The U.S. should not become involved . . . Our policy goal of peaceful reunification remains. If they (Taiwanese) accept one China, we can be very patient. I hope you will not send signals that can be misinterpreted.''

Representatives Bartlett suggested that Taiwan is a ''tiny island'' with relatively small population and that China and the U.S. should focus on the 90 percent of what we have in common. Representative Horn indicated that ''it would be the biggest mistake ever made for China to invade Taiwan.'' Mr. Horn also expressed his concern over a quote attributed to a Chinese admiral citing ''missiles over LA'' as a Chinese option. Minister Zhou indicated that such a quote was incorrect.

In response to Representative Brown, Minister Zhou agreed there are both obligations and benefits to entry into the World Trade Organization (WTO). ''We will honor our words.'' He indicated there would be challenges for China as a WTO member, but also opportunities. In acknowledging the $100 billion annual trade imbalance between the U.S. and China, Minister Zhou said that ''China wishes to buy more, but that there are too many restrictions.'' Also in response to Representative Brown, he cited the need for the Three Gorges Dam project as primarily for flood control, acknowledged the importance of environmental protection, and said that electricity production is secondary.

In response to a question from Representative Hastings on India and Pakistan, Minister Zhou indicated that the Foreign Ministers involved had talked and cited the need ''to be cautious and avoid escalation . . . The President of Pakistan said he would not use force. We have encouraged them to talk together.''

Minister Zhou concluded that ''China will not commit to not use force in the case of Taiwan because we don't want to use force . . . If we make such a commitment (Taiwan) separatists will push for a proclamation of independence, which would be a disaster for everyone.'' Representative Hastings indicated that the issue of Taiwan would likely take care of itself over time because of the large and increasing investment by Taiwan interests in mainland China.

Chinese Peoples Institute for Foreign Affairs (CPIFA)

President Mei indicated that the CPIFA had worked for 50 years doing exchanges, sponsoring research on international affairs, and hosting high level delegations to promote mutual understanding and bilateral relationships. He cited the importance of economic development and discussed the wide variance within China of economic well-being, with per capita GDP in cities like Shanghai being $4,000, while in many regions it is $300/person. He stated that last year began a policy of developing China's west (12 provinces, two-thirds of China's land area) and cited the need for a stable international environment for economic development. He also discussed the Taiwan issue, citing all of the same factors mentioned by President Jiang and Assistant Foreign Minister Zhou.

In response to a question from Representative Horn, President Mei said China had three domestic goals: develop the west economically, achieve sustained growth throughout the country, and advance education in science and technology. ''The quality of human resources is key to China's development.''

National Defense University

Representative Weldon addressed the military students at the National Defense University for the Peoples Liberation Army on Sino-American relations; America's policy toward Taiwan; the need for increased dialogue and cooperative programs between the PLA and U.S. military; the common threat to China and the U.S. posed by the proliferation of weapons of mass destruction and drug trafficking; and the role the Congress plays in the U.S. system of government. After Representative Weldon's address, Members of

the delegation had the opportunity to participate in small group discussions with the military students. Taiwan was again a topic of discussion. Also of interest to the students, was the Members' views on international terrorism and the Falun Gong.

Seoul, Yongsan U.A. Army Base, and the DMZ, Korea (June 1–3)

In Korea the delegation met with the foreign minister; the U.S. Ambassador, Thomas C. Hubbard; Members of the National Assembly; senior U.S. and Korean military officials; Korean business leaders; and family members of U.S. military personnel.

Ambassador Hubbard

Ambassador Hubbard provided the delegation an overview of the Republic of Korea (ROK) political and economic situation, indicating that the South Korean economy continues its recovery from the 1997 economic crisis, currently growing at five-to-six percent a year, making its growth second only in the region, to China. He also advised the delegation of the significant and prompt support provided by the ROK to the events of 9/11. The ROK ''stepped up quickly to our war against the Taliban and al-Queda in Afghanistan, and provided shipping, aircraft, and a field hospital to support U.S. operations . . . In addition they have provided $40 million in aid to Afghanistan.'' The Ambassador further highlighted the critical importance of local and provincial elections taking place in June and the national election in December 2002. He indicated that the South Koreans continue to make major strides in political and democratic reforms.

Foreign Minister Choi

In the delegation meeting with Foreign Minister Choi, Representative Weldon expressed his appreciation for all that the ROK had done and continues to do in support of the international war on terrorism. He also reaffirmed our total commitment to the defense of the ROK. Foreign Minister Choi indicated that his country's prompt support for the U.S. led war on terrorism was an expression of the importance of the effort as well as its appreciation for all the U.S. has done on the Korean Peninsula.

Foreign Minister Choi highlighted the rather significant contribution to ROK–Japanese relations made by the joint sponsorship of the on-going World Cup. He commented that the opening ceremonies were the first time that the Japanese national anthem had been played at an official event in the ROK. He also noted that at the opening ceremonies, in a spontaneous sign of friendship, the two Presidents stood and raised clasped hands, signaling the friendship between their two countries. Foreign Minister Choi described the event as a ''spectacular moment'' for the two countries—the ''first time this has happened in a thousand years.''

Representative Weldon also expressed to the Foreign Minister, the delegation's consternation with the North Korean, DPRK, failure to approve the delegation's visit request. The delegation had hoped to visit the DPRK to open a dialogue with the North, to express the interest of the legislative branch of the U.S. Government in addressing food aid, agriculture, health, education and other humanitarian assistance. The delegation had hoped to deliver a ''totally positive'' message to the North—that as a coequal branch of the U.S. government, Congress could work with the DPRK to further peace and stability on the Peninsula and help the people of North Korea.

Foreign Minister Choi indicated that the ROK continues its efforts to maintain the dialogue with the North, but the pace of discussions is much slower than what had been hoped for. He expressed considerable concern over the state of the DPRK economy and the well-being of its people. ''Our interest is to try and engage, help them improve their situation, to try and increase cooperation.'' The foreign minister indicated the North is in desperate need of food, health care, and electrical power. He also indicated that the next year will be a critical period because of ROK elections, potential instability in the North due to its dysfunctional economic system, the issue of the DPRK nuclear power reactor and related required inspections by the international community.

National Assembly

The delegation later met with Members of the ROK National Assembly. Discussions related to trade; the importance to the ROK of U.S. Forces in Korea for deterrence purposes; the war on terrorism; political and military stability on the Korean Peninsula; the strong desire for eventual reunification of the DPRK and ROK; internet voting in the ROK; ''e'' government; and the ''digital divide.''

United Nations/Combined Forces Command

The Members of the delegation also met with the senior combatant commander, General Leon LaPorte, and his staff to get a detailed assessment of the military balance, force readiness, personnel morale, and classified issues.

American Chamber of Commerce

Regarding the difficulty and frustration the Delegation experienced in attempting to arrange a visit with DPRK leadership, American Chamber of Commerce officials the delegation met with indicated a similar frustration with the ''on again, off again'' nature of visits they had attempted to arrange.

Demilitarized Zone (DMZ)

Delegation Members were provided the opportunity to visit the DMZ. Representative Chabot was able to engage military officials on behalf of the relatives of Corporal Edward Gibson, who has been missing in action since November 26, 1950. Representative Chabot acquired an American flag which had been flown at the DMZ in honor of Corporal Gibson and will present the flag to the Gibson family. During the course of the CODEL, Representative Chabot also stressed to Foreign Minister Choi, Ambassador Hubbard, and other U.S. Embassy personnel the importance of making every effort to recover the remains of Corporal Gibson and other U.S. servicemen missing in action.

U.S.-RUSSIA PARTNERSHIP—A NEW TIME, A NEW BEGINNING

SUMMARY OF RECOMMENDATIONS

Agricultural development

Assist in agricultural production.

Expand private-sector investment.

Enhance capacity to purchase essential agricultural inputs, commodities and equipment.

Cultural/educational development

Expand cultural ties outside the major cities.

Assist regional museums in generating tourism.

Provide for more Russian language and cultural studies in U.S. schools.

Defense and security

Initiate new bilateral talks similar to the Ross-Mamedov talks on a Global Protection System.

Move forward with joint talks on a new nonproliferation regime.

Encourage progress on the RAMOS program and restructure the Nuclear Cities Initiative.

Economic development

Help facilitate Russia's accession to the WTO and its acceptance of all WTO agreements.

Increase funding for OPIC and EX–IM Bank projects in Russia.

Work with Russia to improve intellectual property rights.

Energy/natural resources

Foster cooperative pilot projects, starting with oil and gas exploration in Timan Pechora.

Convene bilateral task force to discuss the energy ramifications of the war on terrorism.

Eliminate bureaucratic obstacles to joint cooperation on energy.

Environmental cooperation

Develop a revolving fund to assure development of promising Russian technologies.

Expand debt for nature swaps.

Dramatically expand cooperation on marine science research.

Health care

Increase emphasis on chronic diseases like cardiovascular disease and diabetes.

Develop more extensive physician exchange programs.

Augment existing cooperation between NIH and appropriate Russian research institutes.

Judicial/legal systems

Support expansion of jury trials into all Russian regions.

Expand Environmental Public Advocacy Centers into Russia.

Encourage a doubling of the number of legal clinics.

Local governments

Propose ways to expand the tax base available to local governments.

Encourage political participation by increasing local partisan affiliations.

Encourage the gradual devolution of services to the local level.

Science and technology

Increase cooperation in the area of nuclear fuel cycles.

Expand cooperative fusion research on nonpolluting energy solutions.

Involve Russian industry in embryonic U.S. nanotechnology efforts.

Space and aeronautics

Utilize commercial joint ventures to enable Russia to meet its Space Station obligations.

Increase joint projects on space solar power, propulsion technology, and weather satellites.

Cooperate on mutually-beneficial planetary defense tracking technologies.

DELEGATION

MEMBERS OF CONGRESS

Rep. Curt Weldon (R–PA), Rep. Solomon Ortiz (D–TX), Rep. Roscoe Bartlett (R–MD), Rep. Jim Turner (D–TX), Rep. Silvestre Reyes (D–TX), Rep. Joe Wilson (R–SC), Rep. Steve Horn (R–CA), Delegate Eni Faleomavaega (D–American Samoa), Rep. Corrine Brown (D–FL), Rep. Alcee Hastings (D–FL), Rep. Carrie Meek (D–FL), Rep. Steve Chabot (R–OH), and Rep. Brian Kerns (R–IN).

COMMITTEE STAFF

Mr. Pete Steffes, Mr. Carl Commenator, Mr. Ryan Vaart, and Mr. Doug Roach.

DEPARTMENT OF STATE

Mr. John Merrill and Mr. Mark Cameron.

DREXEL UNIVERSITY

Dr. Roy Kim.

MEDICAL STAFF

Dr. Michael Keith.

U.S. AIR FORCE ESCORTS

Colonel Pete Bunce, Lt. Colonel Laura Shoaf, Senior Master Sergeant JJ Cook, and Staff Sergeant Dave Scieszka.

KEY CONTACTS

MOSCOW, RUSSIA

Victor Chernomerdrin, Former Prime Minister.

Andrey Kokoshin, Member, Chairman of the Committee on Industry, Construction Industries, and High Tecnologies, State Duma, and former National Security Advisor to President Yeltsin.

Vladimir Lukhin, Member, State Federation Council.

Grigory Vavlinsky, Vice Speaker, State Duma.

Andrey V. Skoch, Member, State Duma, Metallurgy and Mining Caucus.

Valdimir Rushkov, State Duma.

Svetlana Gvozdeva, Member, State Duma.

Boris Nadezhdin, Member, State Duma, Union of Right Forces.

Alexander Burataeva, Member, State Duma.

Evgheny Velikhov, President, Kurchatov Institute.

Nikolai Ponomarev-Stepnoi, Vice President, Kurchatov Institute.

Ku Song Bok, Commercial Attache, DPRK.

Seth Grae, Thorium Corporation (USA).

Dr. Edward Lozansky, President, American University, Moscow.

Karen Aguilar, U.S. Embassy.

U.S.-Russia Business Council.

International Republican Institute.

National Democracy Institute.

American Chamber of Commerce.

Moscow Petroleum Club.

TASHKENT, UZBEKISTAN

Islam Karimov, President.

Abdulaziz Kamilov, Minister of Foreign Affairs.

John E. Herbst, U.S. Ambassador, Uzbekistan.

Larry Memmott, Chief Political-Military Section, U.S. Embassy.

KARSHI-KHANABAD, UZBEKISTAN (''K–2'')

Colonel Lovelad.

BEIJING, CHINA

Jiang Zemin, President, PRC.

Ju Ryang Zi, Premier, PRC.

Zhou Wenzhong, Assistant Foreign Minister.

Mei, Zhaorong, President, Chinese People's Institute of Foreign Affairs.

Clark T. Randt, U.S. Ambassador, PRC.

Brigadier General Gratton Sealock, Defense Attache, U.S. Embassy.

James Wayman, U.S. Embassy.

National Defense University.

SEOUL, KOREA

Sung Hong, Choi, Foreign Minister.

Jay Kun Yoo, Member of National Assembly, ROK, Chairman of U.S.-Korea Interparliamentary Exchange Council.

Dai-Chul Chyung, Member of the National Assembly, PhD.

Unna Huh, Member of National Assembly, ROK, Information Technology Committee.

Joo Hong Nam, Professor of Unification and National Security, Kyounggi University.

Un Yong Kim, Executive Board, International Olympic Committee.

Kyung Soon Chang, Chairman, Senior Council, The Parliamentarians Society.

Thomas C. Hubbard, U.S. Ambassador, South Korea.

General Leon LaPorte, Commander In Chief, United National Command (UNC), Combined Forces Command (CFC), and U.S. Forces Command (USFC).

Lt General Dan Zanini, Chief of Staff, USFC.

Brigadier General John Defreintas, J–2 (Intelligence), USFC.

Colonel Bud Redmond, J–5 (Plans), USFC.

H. CON. RES. 36

Whereas over one million Americans suffer from juvenile (Type 1) diabetes, a chronic, genetically determined, debilitating disease affecting every organ system;

Whereas 13,000 children a year 35 each day are diagnosed with juvenile diabetes;

Whereas 17,000 adults a year 46 each day are diagnosed with juvenile diabetes;

Whereas juvenile diabetes is one of the most costly chronic diseases of childhood;

Whereas insulin treats but does not cure this potentially deadly disease and does not prevent the complications of diabetes, which include blindness, heart attack, kidney failure, stroke, nerve damage, and amputations;

Whereas the Diabetes Research Working Group, a non-partisan advisory board established to advise Congress, has called for an accelerated and expanded diabetes research program at the National Institutes of Health and has recommended a $4.1 billion increase in Federal funding for diabetes research at the National Institutes of Health over the next five years; and

Whereas a strong public private partnership to fund juvenile diabetes exists between the Federal Government and the Juvenile Diabetes Foundation, a foundation which has awarded more than $326 million for diabetes research since 1970 and will give $100 million in fiscal year 2001: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Federal funding for diabetes research should be increased in accordance with the recommendations of the Diabetes Research Working Group so that a cure for juvenile diabetes can be found.

CORRECTION TO THE CONGRESSIONAL RECORD OF JUNE 4, 2002, AT PAGE H3102.

The following version of H. Con. Res. 36 and the amendment in the nature of a substitute was inadvertently printed in the RECORD incorrectly. The correct versions are as follows:

The Clerk read the concurrent resolution, as follows:

AMENDMENT IN THE NATURE OFFERED BY MR. TAUZIN

Mr. TAUZIN. Madam Speaker, I offer an amendment to the text.

The Clerk read as follows:

Amendment in the nature of a substitute offered by Mr. TAUZIN: strike out all after the resolving clause and insert:

That Federal funding for diabetes research should be increased annually as recommended by the Diabetes Research Working Group so that a cure for juvenile diabetes can be found.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. MCNULTY) to revise and extend their remarks and include extraneous material:)

Ms. KAPTUR, for 5 minutes, today.

Mr. FILNER, for 5 minutes, today.

Ms. NORTON, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

(The following Members (at the request of Mr. DUNCAN) to revise and extend their remarks and include extraneous material:)

Mr. PAUL, for 5 minutes, today.

Mr. DUNCAN, for 5 minutes, today.

Mr. GUTKNECHT, for 5 minutes, today.

Mr. WILSON of South Carolina, for 5 minutes, June 6.

ENROLLED BILLS SIGNED

Mr. Trandahl, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 1366. An act to designate the United States Post Office building located at 3101 West Sunflower Avenue in Santa Ana, California, as the ''Hector G. Godinez Post Office Building''.

H.R. 1374. An act to designate the facility of the United States Postal Service located at 600 Calumet Street in Lake Linden, Michigan, as the ''Philip E. Ruppe Post Office Building''.

H.R. 3448. An act to improve the ability of the United States to prevent, prepare for, and respond to bioterrorism and other public health emergencies.

H.R. 3789. An act to designate the facility of the United States Postal Service located at 2829 Commercial Way in Rock Springs, Wyoming, as the ''Teno Roncalio Post Office Building''.

H.R. 3960. An act to designate the facility of the United States Postal Service located at 3719 Highway 4 in Jay, Florida, as the ''Joseph W. Westmoreland Post Office Building''.

H.R. 4486. An act to designate the facility of the United States Postal Service located at 1590 East Joyce Boulevard in Fayetteville, Arkansas, as the ''Clarence B. Craft Post Office Building''.

ADJOURNMENT

Mr. WELDON of Pennsylvania. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 38 minutes p.m.), the House adjourned until tomorrow, Thursday, June 6, 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:

7188. A communication from the President of the United States, transmitting notification of the intention to reallocate funds previously transferred from the Emergency Response Fund; (H. Doc. No. 107–225); to the Committee on Appropriations and ordered to be printed.

7189. A letter from the Directors of Congressional Budget Office and Office of Management and Budget, transmitting a joint report on the National Defense Function (050) outlays for Fiscal Year 2003, pursuant to 10 U.S.C. 226(a); to the Committee on Armed Services.

7190. A letter from the Deputy Commissioner for Education Statistics, Department of Education, transmitting the annual statistical report of the National Center for Education Statistics entitled, ''The Condition of Education 2002,'' pursuant to 30 U.S.C. 9005; to the Committee on Education and the Workforce.

7191. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Land Disposal Restrictions: Granting of Two Site-Specific Treatment

Variances to U.S. Ecology Idaho, Incorporated in Grandview, Idaho and CWM Chemical Services, LLC in Model City, New York [FRL–7214–4] received May 16, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7192. 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; Maine; New CTGs [ME–066–7015a; A–1–FRL–7171–7] received May 16, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7193. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Revisions to the California State Implementation Plan, Bay Area Air Quality Management District [CA 245–0311a; FRL–7202–1] received May 14, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7194. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Clean Air Act Final Approval of Operating Permit Program Revisions; Indiana [IN004a; FRL–7212–6] received May 14, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7195. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Clean Air Act Approval and Promulgation of State Implementation Plan; Utah; Revisions to Air Pollution Regulations [UT–001–0034a, UT–001–0035a; FRL–7201–3] received May 14, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7196. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Russia [Transmittal No. DTC 124–02], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

7197. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Russia, Ukraine, Norway and Cayman Islands [Transmittal No. DTC 123–02], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

7198. A letter from the Secretary, Department of Education, transmitting the semiannual report of the activities of the Office of Inspector General during the six month period ending March 31, 2002, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

7199. A letter from the Secretary, Department of Labor, transmitting the semiannual report of the Department of Labor's Inspector General covering the period October 1, 2001 through March 31, 2002, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

7200. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–377, ''Government Attorney Certificate of Good Standing Filing Requirement Amendment Act of 2002'' received June 5, 2002, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

7201. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–380, ''Omnibus Anti-Terrorism Act of 2002'' received June 5, 2002, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

7202. A letter from the Director, White House Liaison, Department of Commerce, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

7203. A letter from the Director, White House Liaison, Department of Commerce, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

7204. A letter from the Director, White House Liaison, Department of Commerce, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

7205. A letter from the Assistant Director for Executive and PoliticalPersonnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

7206. A letter from the Director, Executives Resources and Special Programs Division, Environmental Protection Agency, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

7207. A letter from the Secretary/CAO, Postal Rate Commission, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

7208. A letter from the Chairman, Securities and Exchange Commission, transmitting the semiannual report on activities of the Inspector General for the period October 1, 2001 through March 31, 2002 and the Management Response for the same period, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

7209. A letter from the Chief Justice, Supreme Court of the United States, transmitting a copy of the Report of the Proceedings of the Judicial Conference of the United States, held in Washington D.C., on September/October 2001, pursuant to 28 U.S.C. 331; to the Committee on the Judiciary.

7210. A letter from the Chair, United States Sentencing Commission, transmitting the Commission's amendments to the sentencing guidelines, policy statements, and official commentary, pursuant to 28 U.S.C. 994(p); to the Committee on the Judiciary.

7211. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Award of Infrastructure Grants to Implement the Long Island Sound Comprehensive Conservation and Management Plan—received May 20, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7212. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Award of Grants for Counter-Terrorism Coordination Activities by States and Territories—received May 14, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7213. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Allocation of Fiscal Year 2002 Operator Training Grants—received May 14, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7214. A letter from the Commissioner, Social Security Administration, transmitting the 2002 Annual Report of the Supplemental Security Income Program, pursuant to Public Law 104–193, section 231 (110 Stat. 2197); to the Committee on Ways and Means.

7215. A letter from the Comptroller General of the United States, Commercial Activities Panel, transmitting the final report of the Commercial Activities Panel prepared in accordance with Section 832 of the Floyd D. Spence National Defense Authorization Act of 2001; jointly to the Committees on Armed Services and Government Reform.

7216. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a copy of Presidential Determination No. 2002–14 concerning waiver and certification of statutory provisions regarding the Palestine Liberation Organization; jointly to the Committees on International Relations and Appropriations.

7217. A letter from the Chairman, Federal Election Commission, transmitting 23 recommendations for legislative action, pursuant to 2 U.S.C. 438(a)(9); jointly to the Committees on House Administration, the Judiciary, and 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. HANSEN: Committee on Resources. H.R. 3380. A bill to authorize the Secretary of the Interior to issue right-of-way permits for natural gas pipelines within the boundary of Great Smoky Mountains National Park (Rept. 107–491). Referred to the Committee of the Whole House on the State of the Union.

Mr. HANSEN: Committee on Resources. H.R. 4609. A bill to direct the Secretary of the Interior to conduct a comprehensive study of the Rathdrum Prairie/Spokane Valley Aquifer, located in Idaho and Washington (Rept. 107–492). Referred to the Committee of the Whole House on the State of the Union.

Mr. HYDE: Committee on International Relations. H.R. 3969. A bill to enhance United States policy diplomacy, to reorganize United States international broadcasting, and for other purposes; with an amendment (Rept. 107–493). Referred to the Committee of the Whole House on the State of the Union.

Mr. HASTINGS of Washington: Committee on Rules. House Resolution 435. Resolution providing for the consideration of the bill (H.R. 2143) to make the repeal of the estate tax permanent (Rept. 107–494). Referred to the House Calendar.

Mr. BOEHLERT: Committee on Science H.R. 2486. A bill to authorize the National Weather Service to conduct research and development, training, and outreach activities relating to tropical cyclone inland forecasting improvement, and for other purposes; with amendments (Rept. 107–495). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. SENSENBRENNER (for himself, Mr. CONYERS, and Mr. SMITH of Texas):

H.R. 4864. A bill to combat terrorism and defend the Nation against terrorist acts, and for other purposes; to the Committee on the Judiciary.

By Mr. INSLEE (for himself, Mr. BOEHLERT, Mr. RAHALL, Mr. GREENWOOD, Mrs. CLAYTON, Mrs. MORELLA, Mr. GEORGE MILLER of California, Mr. LEACH, Mr. WU, Mrs. JOHNSON of Connecticut, Mr. HINCHEY, Mr. HORN, Mr. MCGOVERN, Mr. PALLONE, Mr. MCDERMOTT, Mr. FILNER, Ms. DELAURO, Mr. HOLT, Mr. LYNCH, Mr.

FRANK, Mr. OLVER, Ms. MCKINNEY, Mr. ACEVEDO-VILA, Ms. BALDWIN, Mr. MORAN of Virginia, Ms. LEE, Mr. HOEFFEL, Mr. SERRANO, Mr. BLUMENAUER, Mr. SHAYS, Mr. BORSKI, Ms. RIVERS, Mr. GILCHREST, Mr. SCHIFF, Ms. DEGETTE, Mr. KLECZKA, Ms. ESHOO, Mr. UDALL of Colorado, Mr. KENNEDY of Rhode Island, Mr. LANGEVIN, Mr. BROWN of Ohio, Mr. BONIOR, Mrs. MALONEY of New York, Mr. SHERMAN, Mrs. DAVIS of California, Mr. CAPUANO, Ms. SCHAKOWSKY, Mrs. MINK of Hawaii, Mrs. NAPOLITANO, Mr. HONDA, Ms. KILPATRICK, Mr. TOWNS, Ms. MCCOLLUM, Ms. VELAZQUEZ, Mr. PAYNE, Mr. WAXMAN, Mr. KIRK, Mr. CLAY, Mr. KILDEE, Mr. FORD, Ms. SOLIS, Mr. CLEMENT, Mr. WEXLER, Mr. HASTINGS of Florida, Mr. LANTOS, Ms. WOOLSEY, Mr. WEINER, Mr. BOUCHER, Mr. NEAL of Massachusetts, Mrs. MEEK of Florida, Mr. LEVIN, Ms. MILLENDER-MCDONALD, Mrs. CAPPS, Mr. ROTHMAN, Mr. CONYERS, Mr. BLAGOJEVICH, Mr. ALLEN, Mr. BERMAN, Mr. SIMMONS, Mr. DEFAZIO, Mr. RANGEL, Mr. BALDACCI, Mr. LARSEN of Washington, Mr. GUTIERREZ, Mr. HALL of Ohio, Ms. NORTON, Mr. LOBIONDO, Ms. LOFGREN, Mr. KUCINICH, Mr. DELAHUNT, Ms. KAPTUR, Mr. DEUTSCH, Ms. CARSON of Indiana, Ms. BROWN of Florida, Mrs. TAUSCHER, Mr. SMITH of Washington, Mr. PRICE of North Carolina, Mr. HILL, Mr. RUSH, Mr. MOORE, Mr. STARK, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. MARKEY, Ms. MCCARTHY of Missouri, Mr. MATSUI, Mr. GORDON, Ms. HARMAN, Mrs. ROUKEMA, Mr. PASCRELL, Ms. SLAUGHTER, Mr. FERGUSON, Mr. MENENDEZ, Mr. LEWIS of Georgia, Mr. CARDIN, Mr. MEEHAN, Mr. MALONEY of Connecticut, Mr. GREEN of Texas, Mr. CROWLEY, Mrs. KELLY, Mr. ENGEL, Mr. NADLER, Mr. FATTAH, Mr. JEFFERSON, Mr. ACKERMAN, Mr. ISRAEL, Mr. WATT of North Carolina, Ms. SANCHEZ, Mr. WYNN, Mr. BENTSEN, Mr. DAVIS of Florida, Mr. EVANS, Mr. PASTOR, Mr. PLATTS, Mr. SCOTT, Mr. ANDREWS, Mr. JACKSON of Illinois, Mr. CUMMINGS, Mr. TIERNEY, Mr. LUTHER, Mr. BECERRA, Mr. LAFALCE, Mr. SMITH of New Jersey, Mr. REYES, Mr. FARR of California, Ms. WATSON, Mr. MCNULTY, Ms. PELOSI, Mr. CONDIT, Mr. DAVIS of Illinois, Mr. KIND, Ms. ROYBAL-ALLARD, Mr. QUINN, Mr. GONZALEZ, Mrs. LOWEY, Ms. WATERS, Mr. DOGGETT, Ms. BERKLEY, Mr. THOMPSON of Mississippi, Mr. RAMSTAD, Mr. BACA, Mr. OWENS, Mr. MEEKS of New York, Mr. SABO, Mr. SANDERS, Mr. HILLIARD, Mr. LARSON of Connecticut, Ms. HOOLEY of Oregon, Mrs. MCCARTHY of New York, Mr. CLYBURN, Mr. SAWYER, Ms. JACKSON-LEE of Texas, Mr. LAMPSON, Mrs. JONES of Ohio, and Mr. HOYER):

H.R. 4865. A bill to protect inventoried roadless areas in the National Forest System, and for other purposes; to the Committee on Agriculture, and in addition to the Committee on Resources, 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. MCKEON (for himself, Mr. BOEHNER, Mr. GEORGE MILLER of California, Mrs. MINK of Hawaii, Mr. PETRI, Mrs. ROUKEMA, Mr. KILDEE, Mr. SAM JOHNSON of Texas, Mr. ANDREWS, Mr. GRAHAM, Ms. WOOLSEY, Mr. TANCREDO, Mr. HINOJOSA, Mr. ISAKSON, Mr. TIERNEY, Mr. GOODLATTE, Mr. KIND, Mr. KELLER, Mr. OSBORNE, Mr. SHAYS, Mr. HAYWORTH, Mr. CALVERT, Ms. MILLENDER-MCDONALD, and Mr. ROGERS of Michigan):

H.R. 4866. A bill to make technical amendments to the Higher Education Act of 1965 incorporating the results of the Fed Up Initiative; to the Committee on Education and the Workforce.

By Mr. HUNTER:

H.R. 4867. A bill to prohibit the exportation of natural gas from the United States to Mexico for use in electric energy generation units near the United States border that do not comply with air quality control requirements that provide air quality protection that is at least equivalent to the protection provided by requirements applicable in the United States; to the Committee on International Relations.

By Mr. CROWLEY:

H.R. 4868. A bill to make the diversity of the American people a resource to promote national security; to the Committee on Education and the Workforce.

By Mr. TOM DAVIS of Virginia:

H.R. 4869. A bill to preempt of local taxation with respect to satellite digital audio radio services and to provide for determining State authority for taxation of satellite digital audio radio service; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HANSEN:

H.R. 4870. A bill to make certain adjustments to the boundaries of the Mount Naomi Wilderness Area, and for other purposes; to the Committee on Resources.

By Ms. HART:

H.R. 4871. A bill to designate Pennsylvania State Route 60 and United States Routes 22 and 30 as part of the Dwight D. Eisenhower National System of Interstate and Defense Highways; to the Committee on Transportation and Infrastructure.

By Mr. JONES of North Carolina:

H.R. 4872. A bill to amend section 124(a) of the Department of Justice Appropriations Act, 1999 to permit criminal background checks for nursing facility and home health agency personnel involved in indirect patient care; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, 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. LEACH:

H.R. 4873. A bill to amend the Higher Education Act of 1965 to establish a scholarship program to recognize scholar athletes, and for other purposes; to the Committee on Education and the Workforce.

By Mr. OTTER:

H.R. 4874. A bill to direct the Secretary of the Interior to disclaim any Federal interest in lands adjacent to Spirit Lake and Twin Lakes in the State of Idaho resulting from possible omission of lands from an 1880 survey; to the Committee on Resources.

By Mr. PAUL:

H.R. 4875. A bill to amend the Internal Revenue Code of 1986 to waive the employee portion of Social Security taxes imposed on individuals who have been diagnosed as having cancer or a terminal disease; to the Committee on Ways and Means.

By Mr. WELDON of Florida:

H.R. 4876. A bill to modify the project for shoreline protection, Brevard County, Florida, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. WALSH:

H. Con. Res. 413. Concurrent resolution honoring the invention of modern air-conditioning by Dr. Willis H. Carrier on the occasion of its 100th anniversary; to the Committee on Government Reform.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 13: Mr. SCHIFF, Mr. DAVIS of Illinois, and Ms. WOOLSEY.

H.R. 40: Ms. RIVERS.

H.R. 218: Mrs. JOHNSON of Connecticut and Ms. HOOLEY of Oregon.

H.R. 250: Mr. BOYD.

H.R. 287: Mr. LANTOS.

H.R. 360: Ms. LEE.

H.R. 425: Mr. GREEN of Texas.

H.R. 481: Mr. KENNEDY of Rhode Island.

H.R. 563: Mr. POMBO.

H.R. 633: Mr. OWENS, Mr. HOLDEN, Mr. JACKSON of Illinois, Mr. COYNE, Ms. WOOLSEY, and Mr. WYNN.

H.R. 638: Ms. LOFGREN.

H.R. 699: Mr. PLATTS.

H.R. 902: Mr. KIND, Mr. RAHALL, and Mr. TRAFICANT.

H.R. 952: Mr. MOORE and Mr. BALDACCI.

H.R. 975: Mr. CANNON, Mr. SCHROCK, Mr. RUSH, and Mr. HOEFFEL.

H.R. 984: Mr. BARR of Georgia.

H.R. 1109: Mr. RAMSTAD and Mr. CRENSHAW.

H.R. 1184: Mr. SOUDER and Mr. JACKSON of Illinois.

H.R. 1274: Mr. NETHERCUTT, Mr. CUNNINGHAM, Mr. STUMP, Mr. OWENS, and Mr. SCHAFFER.

H.R. 1307: Mr. KANJORSKI.

H.R. 1322: Mr. MALONEY of Connecticut.

H.R. 1433: Mr. LEVIN.

H.R. 1452: Mr. LANTOS.

H.R. 1487: Mr. SWEENEY.

H.R. 1671: Mr. GEORGE MILLER of California.

H.R. 1683: Mr. PAYNE.

H.R. 1808: Mr. BALDACCI.

H.R. 1810: Mr. NUSSLE.

H.R. 1812: Mrs. NAPOLITANO.

H.R. 1859: Mr. DAVIS of Illinois.

H.R. 1904: Mr. ALLEN.

H.R. 1911: Mrs. MCCARTHY of New York.

H.R. 1990: Mr. WEXLER.

H.R. 2012: Mr. WILSON of South Carolina.

H.R. 2014: Mr. ROGERS of Michigan.

H.R. 2055: Mr. CRANE.

H.R. 2074: Mr. BERMAN.

H.R. 2118: Mr. KILDEE.

H.R. 2125: Mr. BALLENGER, Mr. HOBSON, Mr. JACKSON of Illinois, and Mr. THUNE.

H.R. 2143: Mr. HANSEN.

H.R. 2173: Mr. KING, Ms. DELAURO, and Mr. CAPUANO.

H.R. 2219: Mr. JACKSON of Illinois.

H.R. 2284: Mr. ROSS, Mr. TOWNS, Mr. KINGSTON, and Mr. FROST.

H.R. 2337: Mr. PETERSON of Pennsylvania.

H.R. 2588: Mr. WAXMAN.

H.R. 2592: Ms. KILPATRICK.

H.R. 2641: Ms. MCKINNEY.

H.R. 2788: Mr. FATTAH.

H.R. 2800: Mr. HOSTETTLER.

H.R. 2820: Mr. BALDACCI and Mr. DOYLE.

H.R. 2874: Mr. EVANS and Mr. BORSKI.

H.R. 2953: Mr. MCKEON and Ms. WOOLSEY.

H.R. 2966: Mrs. DAVIS of California.

H.R. 3027: Ms. SCHAKOWSKY, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. TOWNS, and Mr. GIBBONS.

H.R. 3132: Mr. DAVIS of Florida, Ms. LOFGREN, Mrs. CLAYTON, Mr. BROWN of Ohio, Mr. PASCRELL, Mr. MANZULLO, and Mr. FARR of California.

H.R. 3185: Mr. UDALL of Colorado and Mr. LARSEN of Washington.

H.R. 3278: Mr. HOEFFEL, Mr. MURTHA, and Mr. LANGEVIN.

H.R. 3340: Mr. MICA.

H.R. 3360: Mr. KILDEE and Mr. SIMMONS.

H.R. 3430: Mrs. LOWEY and Mr. SWEENEY.

H.R. 3496: Mr. HOUGHTON, Mr. LUCAS of Oklahoma, Mr. GILMAN, Mr. CROWLEY, Mr. SERRANO, and Mr. LAFALCE.

H.R. 3533: Ms. HART and Mr. LUCAS of Kentucky.

H.R. 3545: Mrs. CAPITO, Mr. BROWN of Ohio, Mr. SANDERS, and Mr. FILNER.

H.R. 3569: Mr. HALL of Ohio.

H.R. 3606: Mr. SIMPSON.

H.R. 3618: Mr. WILSON of South Carolina.

H.R. 3659: Mrs. CHRISTENSEN, Mr. LINDER, Mr. SERRANO, Mrs. CAPITO, Mr. CAMP, and Mr. ROGERS of Michigan.

H.R. 3661: Mr. MCINTYRE, Mr. LIPINSKI, Mr. KELLER, and Mr. WELDON of Florida.

H.R. 3686: Mr. WELDON of Florida.

H.R. 3741: Mr. SCHROCK.

H.R. 3794: Ms. HARMAN, Mr. HONDA, and Mrs. JO ANN DAVIS of Virginia.

H.R. 3814: Mr. LUTHER.

H.R. 3831: Mr. LANGEVIN, Mr. BALDACCI, Mr. WEXLER, Mr. MICA, Mr. ROSS, and Mrs. MORELLA.

H.R. 3884: Mr. OBEY.

H.R. 3912: Ms. DELAURO.

H.R. 3974: Mr. PASTOR.

H.R. 4012: Mr. TIBERI.

H.R. 4013: Mr. OLVER, Ms. SCHAKOWSKY, and Mr. KENNEDY of Rhode Island.

H.R. 4019: Mr. SESSIONS, Mr. AKIN, Mr. BEREUTER, Mr. KOLBE, and Mr. ENGLISH.

H.R. 4043: Mr. GALLEGLY and Mr. DUNCAN.

H.R. 4446: Ms. MILLENDER-MCDONALD.

H.R. 4481: Mrs. JO ANN DAVIS of Virginia.

H.R. 4483: Mr. BRYANT, Ms. HART, Mr. SHAW, Mr. HOLT, and Mr. LEVIN.

H.R. 4515: Mr. TIAHRT.

H.R. 4524: Mr. SHAYS.

H.R. 4575: Mr. UNDERWOOD, Mr. BACA, Mr. SCHIFF, Mr. MARKEY, Mrs. CHRISTENSEN, and Mrs. MEEK of Florida.

H.R. 4600: Mr. HAYWORTH, Mr. SHAYS, Mr. STUMP, Mr. OTTER, Mr. PLATTS, Mr. CRENSHAW, Mr. LOBIONDO, Mr. SIMMONS, Mr. HAYES, Mr. CANNON, Mr. BARR of Georgia, Mr. EVERETT, Mr. CUNNINGHAM, Mr. NEY, Mr. PENCE, Mr. BARTLETT of Maryland, Mr. SHUSTER, Mr. LATHAM, Mr. TIBERI, Mr. BROWN of South Carolina, Mr. WELLER, Mr. TANCREDO, and Mr. KINGSTON.

H.R. 4635: Mrs. JO ANN DAVIS of Virginia, Mr. SESSIONS, and Mrs. CUBIN.

H.R. 4642: Mr. CUNNINGHAM, Mr. SCHAFFER, and Mr. HANSEN.

H.R. 4646: Mr. ORTIZ, Mr. LOBIONDO, and Mr. RANGEL.

H.R. 4653: Mr. UNDERWOOD, Ms. DELAURO, Mr. SCHROCK, and Mr. FORBES.

H.R. 4654: Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 4668: Mr. KILDEE, Mr. WAMP, and Mr. MATSUI.

H.R. 4669: Mr. FATTAH.

H.R. 4676: Mr. GOODE, Mr. CARSON of Oklahoma, Mr. EHRLICH, and Mr. BAKER.

H.R. 4683: Mr. HOLT, Mr. BLUMENAUER, Mr. GILCHREST, Mr. BROWN of Ohio, Mr. SANDERS, Mrs. JOHNSON of Connecticut, Mr. MORAN of Virginia, Mrs. MORELLA, Mr. HASTINGS of Florida, Mr. BARRETT of Wisconsin, Mr. KILDEE, Mrs. DAVIS of California, and Mr. PAYNE.

H.R. 4754: Mr. DAVIS of Florida and Ms. KILPATRICK.

H.R. 4757: Mr. CROWLEY and Mr. LANTOS.

H.R. 4763: Mr. OWENS.

H.R. 4784: Mr. BARR of Georgia and Mr. SULLIVAN.

H.R. 4792: Mr. ORTIZ.

H.R. 4795: Mrs. CUBIN.

H.R. 4796: Mrs. JO ANN DAVIS of Virginia, Mr. MCGOVERN, and Ms. HART.

H.R. 4839: Mr. PAUL, Mrs. JONES of Ohio, Mr. MCGOVERN, and Mr. GILMAN.

H. Con. Res. 17: Ms. MCKINNEY.

H. Con. Res. 42: Mr. STRICKLAND.

H. Con. Res. 164: Mr. MALONEY of Connecticut.

H. Con. Res. 197: Ms. MCKINNEY.

H. Con. Res. 253: Mr. VISCLOSKY.

H. Con. Res. 346: Ms. SCHAKOWSKY and Mr. WAXMAN.

H. Con. Res. 385: Mr. SERRANO.

H. Con. Res. 401: Mr. LUTHER, Mr. PASTOR, and Mr. SHUSTER.

H. Con. Res. 408: Mr. ISAKSON, Ms. MCCARTHY of Missouri, Mr. KLECZKA, and Mr. WAMP.

H. Res. 410: Mr. GREEN of Wisconsin.

H. Res. 416: Mr. CANTOR and Mr. CRANE.

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PROCEEDINGS AND DEBATES OF THE 107th CONGRESS, SECOND SESSION

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Senate

The Senate met at 9:15 a.m. and was called to order by the Honorable HILLARY RODHAM CLINTON, a Senator from the State of New York.

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Almighty God, we behold Your majesty and we praise You. You are the Creator, Sustainer, and Lord of all; You are omnipotent, omniscient, and omnipresent. Especially today, we are filled with awe and wonder over Your prevenience, Your beforehand presence and provision. You are always ahead of us; You have answers to our questions before we ask; You have solutions to our problems waiting for us to grasp. There is nowhere we can go where You have not preceded us and no person You have not prepared for us to communicate affirmation, encouragement, and hope.

Therefore, we press on with the work of the day, alert to feel Your hand upon our shoulder, Your Spirit flowing into our minds, and Your guidance to help us know and do Your will. You are our Lord and Saviour. Amen.

PLEDGE OF ALLEGIANCE

The Honorable HILLARY RODHAM CLINTON, a Senator from the State of New York, led the Pledge of Allegiance as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, June 5, 2002.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable HILLARY RODHAM CLINTON, a Senator from the State of New York, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mrs. CLINTON thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE ACTING MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The Senator from Nevada is recognized.

SCHEDULE

Mr. REID. Madam President, this morning the Chair will announce we will be in a period for morning business for the next hour, with the first half under the control of the Republican leader or his designee, and I see the Senator from Ohio is ready to go. The second half of the time is under the control of the Democratic leader or his designee. It is my understanding Senator KENNEDY will be present at that time.

At approximately 10:15, the Senate will again resume consideration of the Supplemental Appropriations Act. Cloture was filed on the supplemental. Therefore, all first-degree amendments must be filed prior to 1 p.m. today.

MEASURE PLACED ON THE CALENDAR—S. 2578

Mr. REID. Madam President, I understand that S. 2578 is at the desk and is due for its second reading.

The ACTING PRESIDENT pro tempore. The Senator is correct.

Mr. REID. I ask that S. 2578 be read a second time, and then I would object to any further proceeding.

The ACTING PRESIDENT pro tempore. The clerk will read the bill for the second time.

The legislative clerk read as follows:

A bill (S. 2578) to amend title 31 of the United States Code to increase the public debt limit.

The ACTING PRESIDENT pro tempore. Objection having been heard, under the rule the bill will be placed on the calendar.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business, not to extend beyond the hour of 10:15 a.m., with Senators permitted to speak therein for up to 10 minutes each.

The Senator from Ohio.

TRIBUTE TO LORNA PALAGYI

Mr. DEWINE. Madam President, this is the time of year when our children across the country are getting out of school. It is also the time of year when many of our great teachers are leaving the classroom for the last time and retiring. I rise today to honor a very special educator from my home State of Ohio, Lorna Palagyi. Lorna is retiring this month after 25 years of dedication to Ohio students.

When I think about her commitment to education, I am reminded of something Oliver Wendell Holmes once said:

The main part of intellectual education is not the acquisition of facts but rather learning how to make facts live.

For a quarter of a century now, Lorna Palagyi has been doing just that—making facts come alive for the

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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elementary school children in Madison, OH. She is a graduate of Kent State University. She has taught grades 3 through 7 and tutored students after-school, served as a mentor for teachers just starting, and helped secure funds for several school projects; one in particular that allowed her students to make a large colored map of the United States on their playground.

Not only has she been very dedicated to her children at school, but she has also been a terrific mother to her children at home. The mother of three children—one of whom happens to be my legislative director, Paul Palagyi—Lorna once said the main reason she taught was to help her kids through college. But I also suspect the reason she taught was because she loved to teach and she loved the students.

She is certainly dedicated to her family and maintains that she simply could not have done it, could not have taught as long as she has, without the love and support of her husband, Jim. We should all be truly proud of Lorna for her commitment, her dedication to quality education. As my own high school principal, Mr. John Malone, said many years ago when I was in high school: There really are only two things that matter in education: One is a student who wants to learn; the other is a good teacher. Lorna is certainly more than just a good teacher.

Over the next decade we will need, it is estimated, at least 2.5 million new teachers. That is an unbelievable figure. That represents a real challenge but also an opportunity for this great Nation of ours to get more teachers like Lorna into our school systems, into the classrooms, teaching our young people. That is certainly how we will prepare our children for their great future.

Today, we thank Lorna and we also thank teachers throughout our country for the great work they do every day for our children. We say to Lorna, you are a shining example of exactly the kind of teachers we need educating our children. Enjoy your retirement. You certainly earned it.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. REID. Madam President, yesterday we spent a great deal of time doing nothing. We spent most all the day in a quorum call.

The ACTING PRESIDENT pro tempore. Under the previous order, this time is under the control of the Republican leader or his designee. Is the Senator seeking unanimous consent at this time?

Mr. REID. Madam President, we were in a quorum call. This is the time for Republicans. There is no Republican here, so when they show up I will be happy to sit down. Until they get here, I will use their time.

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

SENATE BUSINESS

Mr. REID. Madam President, we spent most all of yesterday doing nothing. Senator DASCHLE came on the floor late in the day and filed a petition for cloture because he recognized they were going to slow-walk this legislation on the supplemental appropriations bill, and then referred specifically to what one of the Republican Senators said yesterday, that they were going to slow down the train.

Today's publication of the Congressional Quarterly Monitor suggests they are doing what the majority leader said: Senate Republicans say they will not hesitate to slow-walk legislation important to Democrats, while aggressively pushing their own agenda.

The problem is, at this stage I don't know what ''their'' agenda is. We have tried to move forward on legislation that is important to their President; namely, this legislation dealing with the supplemental. The supplemental appropriations bill is very important, as we discussed on a number of occasions yesterday. This legislation is entitled: ''Supplemental Appropriation Act for Further Recovery From and Response to Terrorist Acts in the United States.'' If that is not important, I don't know what is. They are slow-walking that. They are slowing down the train.

We read further in the article that a GOP leadership aide said the amendments to this hate crimes bill and this legislation now before us, that Senator Daschle has not seen fit to bring up, include defense authorization, a terrorism insurance proposal, and cloning.

Madam President, as we all know, there was an arrangement to bring up cloning. The majority leader agreed to do that. Of course, Republicans would not let us because they were slow-walking the legislation we had before the break.

I spoke to the Senator from Kansas yesterday about cloning. Senator BROWNBACK feels very strongly about it. He has indicated he would show us his proposal. That is something we want to do. We have offered a number of unanimous consent requests that we can move forward on, terrorism insurance. We, the majority, have tried every way possible to bring terrorism insurance before this body. The people who say they want it cannot take yes for an answer. The Republicans simply do not want this brought up. Some do not believe there is a need for it.

Anyplace in New York, go to people in Illinois, or people in Nevada, all over this country, business communities certainly believe there is a need for terrorism insurance. We want to do that.

I am very disappointed we are now in a predicament that we cannot move forward on the supplemental appropriations bill the President believes is important; we can't move forward on prescription drug benefits, which he says is important, although looking at the proposals we have had from the White House, they are a prescription drug benefit in name only. There doesn't seem to be much interest in that.

The things we need to do are very important to the people of this country. It is something as simple sounding as minimum wage. But for years we have not been able to increase the minimum wage for the people who need it. This is important, not to young people who are flipping hamburgers at McDonald's but to people raising families. Madam President, 60 percent of those drawing the minimum wage are women, and for 40 percent, that is the only money they get for themselves and their families. We need to do this.

Instead of going to these issues, we are having everything slow-walked. I do not understand the reason for that. It seems to me for the good of the country we should move forward.

This is a closely divided Senate. There is plenty of blame to go around if things do not go forward, if we do not make progress. But there is lots of credit to go around if we are able to accomplish things. I hope my friends will decide to move forward with legislation, allow us to legislate rather than hesitate, which we have been doing for the last several weeks.

The legislation before us is so important. We have talked about it on a number of occasions, how important it is for the troops we have in the field. It is important for creating homeland security—something as simple as $200 million for security for nuclear facilities. The Presiding Officer and Senator LIEBERMAN and I have thought it important to do something to beef up security at our nuclear reactor sites. We need to do that because we have rules now at one site for a certain degree of security but at another site there is another degree of security. Even having been given 6 months' notice that there would be a surprise exercise to show how ready they were for an attack, even given 6 months for this so-called surprise, over 50 percent of the reactor sites failed in this security issue.

There will be a hearing before the Environment and Public Works Committee beginning in a half hour to deal with security of nuclear reactor sites.

There are things that need to be done to protect our homeland. I hope we can get to that. I hope the effort to slow-walk, slow down the train, stops immediately.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BOND. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

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

Mr. BOND. I thank the Chair.

(The remarks of Mr. BOND pertaining to the introduction of S. 2579 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. BOND. Madam President, I yield the floor, and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. KENNEDY. Madam President, as I understand, we have time now until 10:15; is that correct?

The ACTING PRESIDENT pro tempore. The Senator is correct.

Mr. KENNEDY. Madam President, I yield myself such time as I may use.

HIGHER EDUCATION AND PELL GRANTS

Mr. KENNEDY. Madam President, over the period of these past weeks I have tried, with other of our colleagues, to bring attention to what is happening across the country in terms of the funding of education.

Many of us took pride in supporting the No Child Left Behind Act. Yet we are finding increasing information showing that more and more children across the Nation are being left behind. We are finding that daily in the reports.

In a little while this morning, I and others will be offering an amendment to try to address some of the special needs in the summer programs which are so important to children, in providing supplementary services to these children.

But I will focus on the overall issue we are facing of funding education, and, in particular, with regard to the availability of higher education for children from working families and from middle-income families and low-income families, and the availability and accessibility of the Pell grant program to help fund their education.

As we have all seen, there have been increasing reductions in support even in the areas of higher education.

First, I want to talk about the effect of the Bush budget on the overall investment in children and in teachers.

This chart shows the overall education program. The proposal was for a 3.5-percent increase last year. We got it up to 20 percent last year. That was really as a result of working together. That is what we all wanted to do, to work together with our colleagues and work with the administration. But working together is a two-way street. Part of it is reform but also investing in education. That is what we were able to do last year. Yet, this year, we see the administration proposal is only a 2.8-percent increase, which is completely unsatisfactory. It does not even meet the cost of living.

Of course, there are increasing numbers of children who are eligible for particularly the title I programs. So we will be, as we move through the appropriations battle, trying to meet our responsibilities to these children.

I will bring to the attention of the Members of the Senate what happened just yesterday in New York City. Madam President, 100,000 teachers and students in New York City gathered to protest the drastic school budget cuts. There are $358 million in cuts proposed by the mayor. One-hundred thousand students and teachers crammed eight blocks outside City Hall to protest the drastic school budget cuts proposed by the mayor.

Parents want their children educated. They want the Federal Government to work with the States and local communities to get the job done. If they see they are not getting it done in one area, there ought to be support for it in another area. They are tired of excuses.

We had the great national debate in terms of K through 12 just this last year. We made some commitments. We have some sense of expectation about what we are asking young people to do. We have some important accountability. But if we are going to ask the children to be accountable, we ought to be accountable. That is the key issue. If we are asking the young children who are going to school every single day to be accountable for the work they are to do, it is not too much to ask whether we are going to be accountable to make sure they are going to have the kind of support they need.

What is happening now is we are failing to do that. Although money does not answer all of the problems, it is a clear indication of a nation's priorities. When you see that we have a virtual abandonment of the commitment in terms of investing in children, and leaving millions of children behind because of budget considerations, it is not satisfactory.

We are, over the period of the remaining time in the Congress, going to be raising this issue. We are putting our friends and colleagues on notice that we are going to insist on accountability in the Senate.

Now, I want to mention an item in the supplemental which is very important, and that is the $1 billion for the Pell shortfall. We are grateful to the appropriators for ensuring that that $1 billion of shortfall was included in the supplemental. That is enormously important.

But as we are looking at the shortfall, we have to look at where we have been and what we are looking forward to. If you look at where we have been in terms of the funding of the Pell grants over the period of the recent years, you can look back from 1993 to the year 2001, and the average increase was $167.

During the Democratic administration, they raised the Pell grants from $2,300 to $3,750. That is an increase of $1,450.

Last year, it was requested that it be raised by $100. The Congress raised that to $250. Look what the administration has requested for this year: zero; virtually zero in their budget in terms of the Pell grants. This is at a time when you have 640,000 more children living in poverty, and hundreds of thousands of those children are going to be eligible for the program, which means there is going to be a further withering away of the Pell grant program. That is fundamentally wrong.

If we are talking about trying to improve K through 12—and we intend to do so—then we are going to have to have better qualified children who will have an interest in going on to college. Some of those young people will not come from wealthy families. There ought to be a system that is available to them, where if they are of limited income they can get the Pell grants, they can get some loans, they can get a work study program, they can work during the course of the summer, and they can put together a package so they can go to a fine public or private university.

It was the intention of this Congress over a long period of time to say to the young people of this Nation that college was going to be available and affordable. It goes back to the 1860s and the Morrill Act, when we had the land-grant colleges. It was repeated at the time of the GI bill in the post-World War II period. It was repeated in the early 1960s, when we had grants and loans. At that time, the grants were about 75 percent, the loans 25 percent, and the system worked.

But we have seen since that time increasing numbers of young people from working families, who have the skills, the talent, and the intellect to be able to go on to college, are denied that opportunity because the Pell grant just does not provide the resources and support. That is enormously important.

We have seen where the administration has failed to fight for increased funding for K through 12. We are saying that the administration is failing to fight for those young people who want to go to our colleges. This, we believe, is absolutely wrong. We are going to go to battle and fight for that.

Let me just review, very quickly, the recent experience on Pell grants.

In fiscal year 1996, the House Republicans cut President Clinton's request for a $2,600 maximum Pell grant by $180, to $2,420. Congress later enacted a $2,470 maximum award. So even though it was cut during the negotiations, in the final negotiations, the macro-negotiations with the administration, they were able to get a very modest increase.

In 1997, the House Republicans again cut President Clinton's request for a

$2,700 maximum Pell grant by $200, to $2,500. Due to the pressure, again, from the President, the House Democrats enacted a $2,700 maximum award.

In 1998, a bipartisan year, President Clinton proposed and Congress enacted a $3,000 maximum Pell grant.

In 1999, fiscal year 2000, the House Republicans proposed a token increase over the Clinton request for Pell grants by $50 in 1999 and $25 in the year 2000.

In 2001, President Clinton proposed a $3,500 maximum Pell grant, which was recommended by House Republicans. Led by House Democrats, however, the maximum Pell grant was later increased to $3,750, providing a $450 increase over the previous year and the largest increase in more than 25 years.

Again, in 2002, President Bush proposed a $100 increase for the maximum Pell, the smallest increase in 7 years. The President proposed the smallest increase—this is last year—in 7 years. With a bipartisan effort, Congress enacted a $250 increase, raising the maximum level to $4,000. And because of anticipated enrollment increases, the budget fell short and would have resulted in an actual cut in the Pell grant. In fiscal year 2003, President Bush proposes to freeze the maximum Pell grant at $4,000. However, the Congressional Budget Office estimated that this will result in a cut of the maximum award to $3,900.

When we are talking about trying to give a helping hand to young people of talent, ability, and intellectual capability to go to the fine schools and colleges of this country after they have gone through the high schools, many of these young people need the kind of financial package which includes some grants, some loans, work study, and other programs. For those in this body who don't understand what a difference $100 can make, if you increase fees by $100 or $200 in most community colleges, you will find a reduction in the number of applications of 5 or 10 percent; $200 to $300 will reflect a reduction of young people being willing to commit to that kind of indebtedness. That is what this is about.

We have tried to show, and we are going to address, the issue of the summer funding programs later on when we have the supplemental. We have been trying to show in the past weeks the failure to invest in K through 12.

We thank the appropriators for the increase of $1 billion they have provided to make sure the Pell grant is not going to fall behind. But as we are thankful to the appropriators for not falling further behind, we are mindful that this administration has requested absolutely zero in this budget. They are proposing $600 billion in tax cuts that will affect the wealthiest individuals and zero in terms of education for Pell grants that offer educational opportunities. Those are the choices being made.

We on this side of the aisle find that that is an intolerable and unfair choice for millions of hard-working families and their children who have the ability. They don't get the grant unless they are able to be accepted into the schools and colleges. We are demanding excellence of those children who go from K through 12. Then when they want to continue their education, what happens? We have an administration that says: Zero.

We want to give the American people the assurance that those of us on this side are going to work with our colleagues and others who are interested, but we will not stand for this kind of indifference in terms of support for young people to attend schools and colleges with Pell grants.

Mr. DURBIN. Will the Senator yield for a question?

Mr. KENNEDY. I yield.

Mr. DURBIN. I was listening to his speech off the floor. Back home in Illinois, we have just gone through a bruising budget battle at the State level. As a result of that battle, they have increased tuition at colleges and universities, meaning that families, particularly working families that already are trying to save so their kids can go to college, are facing even higher indebtedness for their children going to college, greater cost in tuitions and fees. And if I understand the Senator from Massachusetts, on the Federal side of the equation where we help students with Pell grants, for example, the Bush administration is proposing cuts in terms of the Pell grants.

What I would like to ask the Senator from Massachusetts is, isn't this coming at the families in both directions: On the one hand, the States raising the tuitions and costs; on the other hand, the amount of money available through the Bush budget for families across America is being reduced? This seems as if it will create really an incredible hardship on a lot of these families. Is that the point the Senator is addressing?

Mr. KENNEDY. The Senator is quite correct. First of all, the general estimate at this time is that the budget deficits for States across the country is somewhere between $48 and $50 billion. The general rule of thumb is about a third of that is education cuts. That is being reflected in higher fees or tuition. In my State, it is higher fees. That just means the fees will go directly to that particular school. If it were tuition, it would go into the State education funds.

As far as the student is concerned and the families, they are still paying it out of their pocket. It is an increase in taxes. It is an increase in taxes effectively. It is money they will have to pay so that this administration can give tax breaks to the wealthiest individuals. We are interested in its impact in terms of education.

What we are seeing is that there is an increasing number of young people of talent, ability, desire, individuals who can contribute to this Nation, to make it a stronger Nation, who can add to the economy, add to the essence of the elements of a democracy, who are being effectively shut out. The best estimate we have is that there will be 100,000 young people with this budget who would otherwise be eligible who will be excluded if we do nothing at all.

I don't see how that reflects what the administration has suggested; that is, education is their most important priority.

Mr. DURBIN. If the Senator will continue to yield, if I could follow up, we know that he and others, Democrats and Republicans, worked with the President for this education plan, Leave No Child Behind. One of the cornerstones of that plan was making certain we had quality teachers in the classroom.

Frankly, we are fighting a battle that is pretty tough. With more teachers retiring, with the demands on teachers increasing, with the number of teachers who are lured away to other private sector jobs increasing, we find ourselves struggling to maintain teacher quality.

I ask the Senator from Massachusetts, how much easier is it going to be to recruit the next generation of teachers when we are making the cost of college education higher? How much easier will it be if those young students graduating from college have a greater college debt as they come out of school to make the choice to go teach where we want them to teach, K through 12, high school, where we need their skills? How can we maintain teacher quality at a time when the Bush administration's budget is cutting back assistance to colleges, thereby increasing the debt for some students and discouraging others from pursuing higher education?

Mr. KENNEDY. I want to answer the question in two ways:

First, to underline the point being made by the Senator from Illinois, if it is going to cost more to go, if the children are going to borrow more and it will cost more, it will be a disincentive to those who want to have additional degrees in teaching. We want a well-qualified teacher in every classroom. This will be a financial disincentive for them to get their degrees, and it will be a disincentive for nurses to continue their education in order to become better nurse specialists, as it will in terms of child care, to try to strengthen those individuals who are trying to get some degrees to increase their ability to deal with the Nation's children. In those three areas, this will be a further disincentive.

Second, as the Senator will see from this particular chart I have before me, the administration's budget does nothing to improve teacher quality and reduce class sizes. We had final appropriations of $742 million last year. The proposed budget is zero for this year. These funds can be used in terms of recruitment, in terms of developing a mentoring system which has been so successful, as we found in the hearings. In terms of retention, it gives flexibility to local communities. They need

these additional funds to provide financial help for salaries in local communities.

We have given maximum flexibility to communities to ensure that we have a well-qualified teacher in every classroom. We want to provide the incentive to help local communities. We can't do the whole job, but we are committed to trying to do our part.

The Senator raises the issue of where we are in the budget for this year in terms of recruitment and maintaining professional development for teachers who want to upgrade their skills. We find that in this administration's budget it is effectively zero over the previous year. I am troubled by both of these factors when we say we are serious about enhancing education.

Mr. DURBIN. Let me ask the Senator from Massachusetts this question. He was the negotiator, the one who put together this legislation with President Bush and the White House. Aren't we also imposing some obligations on school districts across America to have more teachers certified in certain subjects so that they will teach math and science, for example, computer skills, because they also have the skills and training to do it? Aren't we saying to school districts in the next few years, we want you to have more and more certified teachers, qualified teachers, standing in the classrooms?

I hear that when I get back to Chicago in the State of Illinois. They say: That is a good goal. We want to meet that goal. But understand that takes an investment in teacher education and training; that takes resources for the school district to attract these good teachers and keep them. Aren't we, in the Bush bill, Leave No Child Behind, creating a goal of more certified teachers in the classroom and then in the Bush budget not putting in the money to achieve that goal?

Mr. KENNEDY. The Senator is absolutely correct.

There are many important parts of this No Child Left Behind. But for me the point of having a well-qualified teacher in front of every child in this country and doing that over a 4-year period—we gave the priorities to the areas where we had the neediest children, where you have the highest numbers of teachers who have not gotten their degrees. You have to admire these people anyway; they are teaching in difficult circumstances, and the best information we have is many of them want to continue teaching in these underserved areas if they will have an opportunity to get a degree and enhance their education.

But does the Senator know that there will be 18,000 fewer teachers who will be trained this year over last year because we have failed to provide the resources? I ask the Senator what possible sense that makes as well.

Mr. DURBIN. I say to the Senator from Massachusetts that we can't have it both ways. We cannot establish standards and say to school districts across America that we want you to have accountability and testing and the very best teachers in the classroom, we want you to prove you can educate our young people so they can produce for the 21st century, and then have the President send us a budget that doesn't provide the resources.

We had the press conferences. Everybody was patting one another on the back and smiling and saying we were all committed to education. Now comes the sorry part of the picture, when the budget itself is not presenting the resources the school districts need. As I see it, over the past several years we have made dramatic increases in education, increasing our commitment as a nation to better schools and better students. Now we seem to have taken a dramatic step behind. I might add, the Senator from Massachusetts understands, as I do, that to do this is terrible, but to do it in order to generate another tax cut for the wealthiest people in America makes no sense at all in terms of investing for our future.

I ask the Senator, haven't we had a long run here of increases in spending for education that is now, in the Bush budget, being broken?

Mr. KENNEDY. Well, the Senator is absolutely correct. If you take the past years of expenditures, the increases, we show that from 1997 to 2001, in terms of education, it went up 13 percent. In 2002, total education is 16 percent. If you look at the budget request by the administration—I draw this to the attention of my colleagues. Look at the budget projections over the future. From 2003 to 2010, it is virtually zero. It is the cost of living, which in this bill the request is not—but it is not any increase whatsoever in terms of children. As a result, we are going to find out the number of children who are going to be left behind.

These are the facts. You are going to find out all the way out to 2007 that you are still going to have—current projections—over 6.5 million children left behind. If we had funded the legislation—No Child Left Behind—which the President signed, we have gone from 6.3 million down to 3.9 million over that period of time. If we are going to say we are not going to leave any children behind, we ought to have this number zero. This is the best we could do in terms of the legislation. This is what the rhetoric is. This is what the reality is. That is what is happening in this country not only in funding this legislation but in school budgets.

I would like to inquire of my colleague and friend, does he not find in Illinois that parents want their children to be able to go to a good school and learn? They are less interested about what the funding stream is going to be from the local, State, or Federal. Obviously, we have a responsibility to meet our obligations as to States and local communities. The parents want to be sure children are——

The PRESIDING OFFICER (Mr. REED). The time of the Senator has expired.

Mr. KENNEDY. I ask unanimous consent for 3 more minutes.

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

Mr. KENNEDY. Now we are putting it at risk—both the kinds of reforms we have gotten out here and in terms of the assurances to those parents that we are going to do our business. Doesn't the Senator agree with me?

We heard so much about accountability, that we ought to be accountable, as well as these children in local schools, and by doing that meet our responsibilities in investing in the children.

Mr. DURBIN. I think the Senator is correct. At this time, parents sending their children to school are less concerned about the sources of the money going into the schools. They want to make certain that the children coming out of the school are well educated.

Here we have a President who really did some historic things. He made an announcement that there was going to be a Federal commitment to education. His political party had said in years gone by they wanted to eliminate the Federal commitment to education. He said: I am going to take a different course. We are going to make a Federal commitment to schools and education and funding. We applauded him, and the Senator from Massachusetts did. We voted with him and gave him a bipartisan, strong vote. We said we will stand with you because every level of government should make a commitment to this most basic issue in America: educating our children.

And now comes the first budget. The promise of the Federal commitment to education is disappearing before our eyes. So for the parents in Illinois, and in Massachusetts, and in Wisconsin, who are concerned about the quality of schools, they have to feel they have been misled by a President who said he wanted to make this commitment but then presents a budget that does not.

We have to make the difference here in Congress. We have to put in the resources, and I think this Democratic Senate has to lead the way.

I thank the Senator from Massachusetts for his leadership.

Mr. KENNEDY. Our time is expiring, but we are going to take time every week to go over these figures and give a report to the American people and our colleagues on what is happening in real terms. We are giving the assurances that we are going to fight in these remaining weeks and months to make sure we are going to invest in the children. We are very hopeful we will get the support of our colleagues in doing so.

I thank the Senator and I yield the floor.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

SUPPLEMENTAL APPROPRIATIONS ACT FOR FISCAL YEAR 2002

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of H.R. 4775, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 4775) making supplemental appropriations for further recovery from and response to terrorist attacks on the United States for the fiscal year ending September 30, 2002, and for other purposes.

Pending:

Reid Amendment No. 3570, to direct the Secretary of Agriculture to carry out a certain transfer of funds.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the pending Reid amendment be temporarily set aside in order that I may offer an amendment.

The PRESIDING OFFICER. Is there objection?

Mr. FEINGOLD. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. FEINGOLD. I wonder if the Senator will amend the request to provide that after the disposition of the amendment of the Senator from Massachusetts that the Senator from New Hampshire, Mr. GREGG, be recognized to offer an amendment.

Mr. KENNEDY. I amend my request.

Mr. STEVENS. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. What is the request, Mr. President?

The PRESIDING OFFICER. The Senator from Massachusetts has requested permission to set aside the pending amendment to bring up his amendment. The Senator from Wisconsin has requested permission, at the conclusion of the Kennedy amendment, to offer the Gregg amendment.

Mr. STEVENS. I object.

The PRESIDING OFFICER. Objection is heard. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, is there objection to temporarily setting aside the Reid amendment?

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. I object to Senator FEINGOLD's request to add the Gregg amendment in sequence until we can see that. May I ask Senator KENNEDY to repeat his request?

The PRESIDING OFFICER. Will the Senator from Massachusetts repeat the request?

Mr. KENNEDY. I had asked that the pending Reid amendment be temporarily set aside, and then I was going to send my amendment to the desk, if that was agreed to. Then I understood Senator FEINGOLD asked unanimous consent to go after I conclude my amendment. That is what I had understood was going to be the process. I am glad to work out whatever arrangement.

Mr. STEVENS. So far as I understand the position of this side, we have no objection to Senator KENNEDY setting aside the Reid amendment and proceeding with his amendment, but I do object to the sequencing of any amendment after that.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. FEINGOLD. I object to the request of the Senator from Massachusetts. I do not want to object, but I do, and I suggest the absence of a quorum.

The PRESIDING OFFICER. Objection is heard. The Senator from Massachusetts still has the floor.

Mr. KENNEDY. Mr. President, I then offer——

Mr. FEINGOLD addressed the Chair.

Mr. KENNEDY. I think I still have the floor.

The PRESIDING OFFICER. The Senator from Massachusetts is correct; he has the floor.

AMENDMENT NO. 3583 TO AMENDMENT NO. 3570

Mr. KENNEDY. Mr. President, I offer a second-degree amendment to the Reid amendment.

The PRESIDING OFFICER. The clerk will report the second-degree amendment.

The assistant legislative clerk read as follows:

The Senator from Massachusetts [Mr. KENNEDY], for himself, Mr. SMITH of Oregon, Mrs. BOXER, Mr. DODD, Mr. REID, Mrs. MURRAY, and Mr. DURBIN, proposes an amendment numbered 3583 to amendment No. 3570.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The PRESIDING OFFICER. Is there objection to the request to ask for termination of the reading of the amendment? Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To provide emergency school funding)

At the appropriate place, insert the following:

SEC. ___. EMERGENCY SUMMER SCHOOL FUNDING.

(a) FINDINGS; PURPOSE.—

(1) FINDINGS.—Congress finds the following:

(A) Under the amendments made by the No Child Left Behind Act of 2001, students and schools rightly are held accountable for meeting challenging State academic content and student academic achievement standards in mathematics, reading or language arts, and science.

(B) Summer programs and activities supported under the 21st Century Community Learning Centers program are critical to providing supplemental academic services and academic enrichment activities designed to help students meet local and State academic standards.

(C) Summer programs and activities supported under the 21st Century Community Learning Centers program help children and the children's families in the areas of youth development, drug and violence prevention, and character education.

(D) During the summer of 2002, school districts throughout the Nation will confront more than $200,000,000 in cuts to summer school programs, eliminating services and academic support to more than 150,000 struggling children.

(2) PURPOSE.—The purpose of this section is to provide opportunities for communities to provide summertime activities in community learning centers that—

(A) provide opportunities for academic enrichment, including providing tutorial services to help students, particularly students who attend low-performing schools, to meet State and local student academic achievement standards in core academic subjects, such as reading and mathematics; and

(B) offer students an array of additional services, programs, and activities, such as youth development activities, drug and violence prevention programs, counseling programs, art, music, and recreation programs, technology education programs, and character education programs, that are designed to reinforce and complement the regular academic program of participating students.

(b) FUNDING FOR SUMMER SCHOOL PROGRAMS.—

(1) IN GENERAL.—Provided that, in addition to amounts otherwise available to carry out section 4205(a) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7175(a)), $200,000,000 shall be available to carry out activities described in section 4205(a) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7175(a)) during the 2002 summer recess period.

(2) AWARDING OF GRANTS.—

(A) IN GENERAL.—Notwithstanding section 4202 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7172), the Secretary of Education shall award grants with funds made available under paragraph (1) on a competitive basis to eligible entities serving communities whose local educational agencies are not able to meet fully the communities' need for summer school programs.

(B) PRIORITY.—In awarding grants under subparagraph (A), the Secretary of Education shall give priority to an eligible entity that is a local educational agency or who serves a community whose local educational agency—

(i) serves high concentrations or numbers of low-income children;

(ii) before June 6, 2002, announced that the local educational agency is canceling or reducing summer school services in 2002; or

(iii) is located in a State whose State educational agency, before June 6, 2002, announced that the State educational agency is canceling or reducing summer school funding for 2002.

(3) APPLICATION AND OBLIGATION.—

(A) APPLICATION.—Notwithstanding sections 4203 and 4204 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7173 and 7174), an eligible entity that desires a grant under this section shall submit an application to the Secretary of Education at such time and in such manner as the Secretary of Education may require.

(B) OBLIGATION.—Not later than 4 weeks after the date of enactment of this section, the Secretary of Education shall obligate funds made available under this section.

(4) DEFINITION OF ELIGIBLE ENTITY.—In this section, the term ''eligible entity'' has the meaning given the term in section 4201 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7171).

(5) EMERGENCY DESIGNATION.—The entire amount necessary to carry out this section is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. REID. Mr. President, I ask unanimous consent that the Kennedy amendment be withdrawn and the Reid amendment No. 3570 be agreed to; that immediately after adoption of the Reid amendment, Senator KENNEDY be recognized to offer a first-degree amendment, and that there be 60 minutes of debate with respect to the amendment prior to a vote in relation to the amendment, with the time equally divided and controlled in the usual form, with no second degree amendment in order to the Kennedy amendment prior to a vote in relation to the amendment; that upon disposition of the Kennedy amendment, the next amendment in order be one offered by Senators GREGG and FEINGOLD; that there be 60 minutes of debate prior to a vote in relation to the amendment, with no second-degree amendment in order prior to the vote, with the time divided as follows: 15 minutes each for Senators GREGG and FEINGOLD and 30 minutes under the control of Senator CONRAD or his designee; that if the amendment is not disposed of by a Budget Act point of order, then it be subject to further debate and second-degree amendments.

The PRESIDING OFFICER. Is there objection?

Mr. FEINGOLD. Reserving the right to object, did I hear the Senator from Nevada say there will be 15 minutes each for Senator GREGG and Senator FEINGOLD?

Mr. REID. Yes, that is true.

Mr. FEINGOLD. I thank the Senator. I have no objection.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. REID. Mr. President, before Senator KENNEDY moves forward and we dispense with amendment No. 3570, I extend my appreciation to my counterpart, the Republican whip, who has worked this very hard. It has been extremely difficult to get to where we are today, but we are moving forward. It could not have been accomplished without the help of my friend from Oklahoma.

AMENDMENT NO. 3583 WITHDRAWN

The PRESIDING OFFICER. Under the previous order, the Kennedy amendment No. 3583 is withdrawn.

AMENDMENT NO. 3570

The PRESIDING OFFICER. Under the previous order, the Reid amendment is agreed to.

The amendment (No. 3570) was agreed to.

Mr. REID. I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Massachusetts.

AMENDMENT NO. 3608

Mr. KENNEDY. Mr. President, the amendment is at the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Massachusetts [Mr. KENNEDY], for himself, Mr. SMITH of Oregon, Mrs. BOXER, Mr. DODD, Mr. REID, Mrs. MURRAY, Mr. DURBIN, and Mr. REED, proposes an amendment numbered 3608.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To provide emergency school funding)

On page 89, between lines 3 and 4, insert the following:

SEC. 807. EMERGENCY SUMMER SCHOOL FUNDING.

(a) FINDINGS; PURPOSE.—

(1) FINDINGS.—Congress finds the following:

(A) Under the amendments made by the No Child Left Behind Act of 2001, students and schools rightly are held accountable for meeting challenging State academic content and student academic achievement standards in mathematics, reading or language arts, and science.

(B) Summer programs and activities supported under the 21st Century Community Learning Centers program are critical to providing supplemental academic services and academic enrichment activities designed to help students meet local and State academic standards.

(C) Summer programs and activities supported under the 21st Century Community Learning Centers program help children and the children's families in the areas of youth development, drug and violence prevention, and character education.

(D) During the summer of 2002, school districts throughout the Nation will confront more than $150,000,000 in cuts to summer school programs, eliminating services and academic support to more than 150,000 struggling children.

(2) PURPOSE.—The purpose of this section is to provide opportunities for communities to provide summertime activities in community learning centers that—

(A) provide opportunities for academic enrichment, including providing tutorial services to help students, particularly students who attend low-performing schools, to meet State and local student academic achievement standards in core academic subjects, such as reading and mathematics; and

(B) offer students an array of additional services, programs, and activities, such as youth development activities, drug and violence prevention programs, counseling programs, art, music, and recreation programs, technology education programs, and character education programs, that are designed to reinforce and complement the regular academic program of participating students.

(b) FUNDING FOR SUMMER SCHOOL PROGRAMS.—

(1) IN GENERAL.—That, in addition to amounts otherwise available to carry out section 4205(a) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7175(a)), $150,000,000 shall be available to carry out activities described in section 4205(a) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7175(a)) during the 2002 summer recess period.

(2) AWARDING OF GRANTS.—

(A) IN GENERAL.—Notwithstanding section 4202 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7172), the Secretary of Education shall award grants with funds made available under paragraph (1) on a competitive basis to eligible entities serving communities whose local educational agencies are not able to meet fully the communities' need for summer school programs.

(B) PRIORITY.—In awarding grants under subparagraph (A), the Secretary of Education shall give priority to an eligible entity that is a local educational agency or who serves a community whose local educational agency—

(i) serves high concentrations or numbers of low-income children;

(ii) before June 6, 2002, announced that the local educational agency is canceling or reducing summer school services in 2002; or

(iii) is located in a State whose State educational agency, before June 6, 2002, announced that the State educational agency is canceling or reducing summer school funding for 2002.

(3) APPLICATION AND OBLIGATION.—

(A) APPLICATION.—Notwithstanding sections 4203 and 4204 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7173 and 7174), an eligible entity that desires a grant under this section shall submit an application to the Secretary of Education at such time and in such manner as the Secretary of Education may require.

(B) OBLIGATION.—Not later than 4 weeks after the date of enactment of this section, the Secretary of Education shall obligate funds made available under this section.

(4) DEFINITION OF ELIGIBLE ENTITY.—In this section, the term ''eligible entity'' has the meaning given the term in section 4201 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7171).

Mr. KENNEDY. Mr. President, as I understand, we have an hour's time limit to be divided equally. I will make some very brief opening comments and then yield to my colleague and cosponsor, Senator SMITH from Oregon.

I offer this amendment on behalf of myself, Mr. SMITH of Oregon, Mrs. BOXER, Senator DODD, Senator REID, Senator MURRAY, and Senator DURBIN.

Very briefly, this amendment provides $150 million in emergency funding for fiscal year 2002 to communities to provide students who have fallen behind in their schoolwork the opportunity to catch up with their peers. The second area of education is to award emergency grants to communities that have unmet needs for the summer school programs. Priority in funding will be given to communities that have had to eliminate or cut back their summer school programs due to local and State budget reductions and have high poverty rates. Funding is to be provided on a one-time basis to ensure there are safe learning opportunities this summer for the neediest children.

The bill before us provides urgently needed resources to fight against terrorism, and this is vitally important to the Nation. But just as we must address needs on the war front, we must also turn to urgent priorities at home. There is no greater priority than ensuring a good education for our children. Good schools are critical to the Nation's future, and they are critical

to our national security and national defense.

We want our service men and women to be well trained, well led, and with the latest in terms of technology. In order to be able to do that and perform to secure our Nation, they have to be able to have a good education.

We have learned in recent days that schools across the country are cutting back on their summer school programs, creating an emergency for our schools, for our parents, and for schoolchildren. I know the Senator from Oregon has a schedule to keep, so I will yield to him and then I will come back and give the Members an idea about what is happening with the cuts in summer school programs and the value of the summer school programs, reaching the conclusion of all who were involved in the No Child Left Behind Act, if we are going to ask our children to perform, we have to make sure they are given the kind of support they need.

The 300,000 children who are going to have their summer school eliminated will not graduate from their schools without this kind of assistance because they are the ones who are involved in this program, and then we will be faced with what their futures will be without completing their education.

In our education program, we put a strong requirement on the students to perform, on schools to support those efforts, on teachers to be qualified, and also we have a part as well to make sure those children are not going to be left behind.

I yield 10 minutes to the Senator from Oregon.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. SMITH of Oregon. Mr. President, I thank Senator KENNEDY for yielding this time to me. I am pleased to join him in this amendment he has offered in the spirit of no child being left behind. It is obvious to anyone that the effect of the recession in many of the States, my own included, is that education is suffering devastating cuts and these are manifest particularly as to programs such as summer school.

Specifically, in my State, Portland, has eliminated summer school entirely for elementary school. It has cut its middle and high school programs in half, leaving more than 1,000 students unserved. Similar cuts are being made in Eugene, Beaverton, Salem, and in other schools across my State. These cuts are being made in States across the country as well, and preliminary reports indicate that as many as 300,000 students nationwide will not benefit from summer school this year.

I emphasize that this amendment is for any school that has unmet summer school needs. In Oregon, it means reversing summer school cuts, but in other States it may mean expanding their limited programs to reach more low-income and underserved students. If we do not step in and help our schools now, thousands of students across Oregon and across the country will not get the extra attention they need this summer. Those are thousands of students who will suffer next year if we do not act to help them today. Let's give our school districts the resources they need to help students who need it most. I urge my colleagues to support this effort.

It is my experience as a father, that summer school is a very valuable tool in the home to motivate better academic performance by the children. Just the threat to one's children that if they do not buckle down now, they will be going to summer school, I have observed does create some degree of terror and dread and better performance.

I hate to see this eliminated because my children have shared with me later that it was a good experience and highly motivational to go to summer school. As a Senator, I can, with great enthusiasm, support what Senator KENNEDY has offered because we have, with the very best of intentions, tried to get our economy moving with the stimulus package, with which we tried to backfill the impact of State budgets. That was taken out in a conference committee, against my objections, but it was done, and we passed it.

This has created shortfalls in States. This is being manifest not only in health care programs and other cutbacks, but in education programs. It seems to me we have a role because we helped create a short-term deficit so we would have a long-term surplus, that we can, with this package today, help in a critical area by restoring summer school funding.

I have seen it work as a dad. I think we need it to work as Senators, and I urge my colleagues to join Senator KENNEDY and myself in passing this very needed amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I yield myself 5 additional minutes.

Once again, I give this information to our colleagues about the value of the summer school programs and give some examples of the studies that have been done and what the results have been. The most recent review of educational research shows that summer school programs make a difference for students. A recent review of 39 studies shows that the academic test scores declined over summer school vacation. The 13 more recent studies show summer school loss is equal to 1 month of learning at grade level. In addition, summer break was more detrimental to math computation and spelling, and the neediest students lost the most. Middle-class students gained during the summer on grade level reading tests while high-poverty students lost ground.

Our efforts with the ESEA are to target the neediest students. Research indicates quite clearly what happens to them without any summer school, but listen to what happens to them with it. The Chicago public schools initiated the summer school program in 1996 to help children who had fallen behind catch up. Eighty-three percent of the 9,700 Chicago third graders required to attend summer school last year had met their grade level criteria by the end of the summer. That is absolutely extraordinary progress. Seventy-five percent of sixth graders and 71 percent of eighth graders made the grade by the end of the summer. Without summer school, these students would not have been promoted to the next grade.

Listen to what has happened in Ohio. Ohio test scores for fourth graders show that children in summer school and afterschool programs exceeded the statewide percentages of students meeting proficiency standards in every subject area tested: Writing, reading, mathematics, citizenship, and science. Sixth graders exceeded the statewide percentages of students meeting proficiency standards in four of the five areas: writing, reading, mathematics, and citizenship. School absences and tardiness were reduced for participating students.

Look at Fulton County schools in Georgia, operating a summer accelerated learning experience that provides full-day summer school for 1st through 12th grade, including the breakfast and lunch for all students in the community, as well as participating students. In 1999, they provided half-day programs with only 3,000 student participants; in 2000, they expanded to full day and attracted twice as many students; in 2001, they had 10,000 students. This year, they predicted 11,000 students. The district tested students at the beginning and end of the summer and found great improvement.

The value of the summer school programs has been defined for students across this country.

Against that, we have the schools that are canceling the programs. I refer to an excellent story in the Gannette News Service regarding what is happening to summer schools across the country. It points out that summer schools have been a lifeline for students who struggle to meet higher academic standards and face repeating grades. In No Child Left Behind, we have tried to eliminate social promotion. Children have to measure up. Great numbers of children now are required to take summer school in order to be able to meet the academic challenges we have included in the program.

Now we see the canceling of the programs. This is very modest, costing about $1,000. It varies in different parts of the country but is basically about $1,000 for the summer program per student. What is happening is, 39 States have made midyear budget cuts during the fiscal year. A May analysis by the National Association of State Budget Offices shows they are cutting students from kindergarten through high school in the summer. Expectations are rising, but the funds are not. Something has to break. The programs that could

be singled out, such as summer school, are getting the ax, according to Michael Griffith, policy analyst with the Denver Education Commission.

Across the country, budget cuts imperil summer classes. In Washington, DC, educators slice student enrollment at the District 5-week summer program by 50 percent—a reduction in Washington, DC, by 50 percent of summer school programs that children otherwise are required to take in order to try to meet the standards.

In Indiana, more than $470 million in budget cuts forced education to cut 15 percent of the money for the summer school programs. As a result, some school districts are limiting class to key academic studies such as reading and math.

In South Carolina, districts have trimmed or eliminated summer school programs. ''You cannot cut textbooks; that money was spent the first day of school,'' said a spokesman for the South Carolina Department of Education, Jim Foster. One of the few things left to cut—something not done yet—is summer school.

I will mention some of the reductions. In Florida, in Dade County, 19,000 students are cut out of summer school programs; in Hillsborough County, FL, 36,000 students have lost the summer school program; in Broward County, 40,000 students have lost summer programs; in my State, Massachusetts: Worcester County, MA, 6,000; more than 25,000 in the State of Michigan. Even in smaller communities, in South Carolina, in Laurens County, $100,000 for 280 students is eliminated. In Marion County, SC, $50,000 was eliminated, and 200 students, needy in terms of education requirements, see their program eliminated.

In Wisconsin, $60,000 in Mequon; 1,200 students. This is over 300,000 students according to the latest information.

This is an emergency. We have in the program provided the Secretary obligate the funds within 4 weeks or sooner. If we are able to get it, there is every expectation that the appropriators will move this conference rapidly. The differences are minimal. There are some differences with the House, not great. They will move it rapidly, I expect in a matter of days, and we will get the final outcome with the inclusion of this amendment. All that has to happen, from our conversations with school superintendents, school boards across the country, if the Secretary obligates the money, they will have the resources and they can reinstate these summer programs.

The Department at the present time has on file $150 million in worthy, highly regarded 21st century summer school and afterschool applications—already ranked and already peer-reviewed, on the Secretary's desk. He could approve $150 million worth of those this afternoon. They have been peer-reviewed and ranked. All that needs to be done is to give greater targeting to the needy students. We give discretion to the Secretary to be able to do that. That would be manageable.

The Department can promise the funds to those districts placing a priority on those canceling the summer school programs or so the districts can borrow money to resume the summer programs, and the Department can then reimburse.

States contemplate more summer school cuts right now. My own State is considering a $40 million additional cut. This is a barebones amendment to deal with an emergency. If we do not do this, these summer school programs are headed for the chop block. We made a commitment to the students that we would not leave them behind. The school districts now are saying to the students: Look, you have to make the grade in these schools, in terms of the tests, and you have to stay and do the work over the course of the summer and raise your grades because we are eliminating social promotion from these States and these local communities. So the students are prepared to go. And now we are saying the resources will not be there.

This is an emergency. It does relate to our security in a very important way in terms of the education of our children. It seems to me the Senate should be willing to accept this amendment.

How much time remains?

The PRESIDING OFFICER (Mr. JOHNSON). Twelve and a half minutes.

The Senator from California.

Mrs. BOXER. Mr. President, I am very grateful to have 6 minutes to try to put into words my strongest support for this very important amendment which has been put forward by our leader on education, Senator KENNEDY, with the strong endorsement of Senator GORDON SMITH, making it a very bipartisan amendment.

There is some confusion about what an emergency supplemental bill is. I have been in the Congress—hard to believe it—20 years, 10 in the House and 10 in the Senate, and we take up emergency supplementals all the time because there are unmet needs and we need to act.

Senator KENNEDY is pointing out a crucial unmet need. I was very delighted when he asked me to speak because I have worked hard with him, with the Presiding Officer, and others on afterschool programs for our children.

The funding will go into the afterschool programs. We all think of afterschool programs as occurring at the end of the day when kids could go home to empty houses, and so on. That is the usual way to think of it. But Senator KENNEDY is doing something interesting. What he is basically saying is afterschool ends and for some kids there is no summer school. That is afterschool in the broadest sense. So I support these funds going through the 21st Century Learning Centers.

When President Bush speaks about education, he talks about leaving no child behind. As a mother, as a grandmother, as a Senator from the largest State in the Union, I know that when you leave a child home alone in the summertime, you are really giving a new meaning to ''left behind.'' We know during the regular school year what happens. The FBI has shown us the crime rate going dramatically upward after school hours. We know what happens when a child has all day to sit alone at home, without having the chance to have activities funneled into something positive, without having the chance to hone their skills for the rest of the year.

As Senator KENNEDY has stated so eloquently many times, we are putting much more of a burden on our youngsters to step up to the plate and achieve high standards. I support that. But at the same time, to deprive them of summer school this summer just as we are putting all these standards in place is a cruel hypocrisy. If we do not support this amendment, I think we are doing something very cruel indeed to those children.

This amendment will benefit every single State in the Union. The way it is worded, it will go to States that have a shortfall, but it will also go to areas where there is an unmet need. In my home State of California, summer school is a very high priority. But even with that, and even with the fact that in our State you cannot cut it back, in terms of State funds, we have a tremendous unmet need. Many of our children are left behind; 6,000 California students who are eligible for summer school will go without.

So I say to Senator KENNEDY: Thank you very much on behalf of those 6,000 children. This is not some theoretical debate. This is a real emergency for many of our families who do not have the wherewithal, who do not have the ability to ensure their children are protected from being alone after the school year is over. I believe with this amendment we will be making a very strong statement.

Again, it is important for colleagues to recognize that this is an emergency supplemental. Yes, it has much in it that deals with homeland security, and I support every dollar for that. But, again, as Senator KENNEDY has stated, and as former President Dwight Eisenhower stated—because he was the first one to call attention to this—if we do not educate our children, we are taking a national security risk.

It is not a stretch in my mind to say that for kids home alone who should have an effective summer school program, that is, in fact, an emergency. That is, in fact, something we must address in this bill. It is an emergency.

Again, I believe the definition of afterschool certainly should apply to this situation. After school is over, what happens to our children? Many of them will be fortunate, they will have summer school; their energies will be channeled; their talents will be invigorated. They will do better in the

school year following. But many of them are left behind.

If our President means what he says—and I know in his heart he means it—he ought to support this.

I thank my colleague from Massachusetts for his leadership on this.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. KENNEDY. Mr. President, how much time now remains?

The PRESIDING OFFICER. The Senator has 6 minutes.

Mr. KENNEDY. On the other side, Mr. President?

The PRESIDING OFFICER. Thirty minutes.

Mr. KENNEDY. Mr. President, I will take 2 minutes. I mentioned earlier the impact on some of the counties. I want to point out this is not just large communities or small communities, it is in all communities. I will use, for example, what some cuts mean to children. Just for the minute or two, I will use some of the counties in the State of Florida, but these are replicated in other communities.

In Hillsborough, around Tampa, a $6.2 million cut, which is the entire program canceled for 36,000 students not served; Lee County, $1.3 million cut, all summer school services have been cut, except for those for the IDEA students. That is 2,500 high school students will not be served.

In Leon County, they have $1 million for their summer school program. They have now decided not to serve any of the 3,600 they intended to serve.

In Manatee County, $1.4 million was cut from their summer program leaving just $275,000, so that entire program is canceled, except for the students who need only one credit to graduate.

This is being replicated in rural areas, urban areas, all across the country—300,000 children were depending upon summer school in order to meet their obligations to try to meet the rigors of academic challenges in school. If we do not provide the resources here in this legislation in a timely way, those programs will be canceled and those children are in very serious risk of not being able to move to another grade or to graduate. I think that falls into the definition of an emergency.

AMENDMENT NO. 3608, AS MODIFIED

Mr. KENNEDY. Mr. President, I ask the modification that Senator SMITH and I described be made at the desk.

The PRESIDING OFFICER. Is there objection?

Mr. BYRD. Mr. President, what is the modification?

The PRESIDING OFFICER. The modification of an emergency designation.

Mr. BYRD. I have no objection to the Senator being able to do that.

The PRESIDING OFFICER. Without objection, the amendment is so modified.

The amendment (No. 3608), as modified, is as follows:

At the appropriate place, insert the following:

SEC. ___. EMERGENCY SUMMER SCHOOL FUNDING.

(a) FINDINGS; PURPOSE.—

(1) FINDINGS.—Congress finds the following:

(A) Under the amendments made by the No Child Left Behind Act of 2001, students and schools rightly are held accountable for meeting challenging State academic content and student academic achievement standards in mathematics, reading or language arts, and science.

(B) Summer programs and activities supported under the 21st Century Community Learning Centers program are critical to providing supplemental academic services and academic enrichment activities designed to help students meet local and State academic standards.

(C) Summer programs and activities supported under the 21st Century Community Learning Centers program help children and the children's families in the areas of youth development, drug and violence prevention, and character education.

(D) During the summer of 2002, school districts throughout the Nation will confront more than $200,000,000 in cuts to summer school programs, eliminating services and academic support to more than 150,000 struggling children.

(2) PURPOSE.—The purpose of this section is to provide opportunities for communities to provide summertime activities in community learning centers that—

(A) provide opportunities for academic enrichment, including providing tutorial services to help students, particularly students who attend low-performing schools, to meet State and local student academic achievement standards in core academic subjects, such as reading and mathematics; and

(B) offer students an array of additional services, programs, and activities, such as youth development activities, drug and violence prevention programs, counseling programs, art, music, and recreation programs, technology education programs, and character education programs, that are designed to reinforce and complement the regular academic program of participating students.

(b) FUNDING FOR SUMMER SCHOOL PROGRAMS.—

(1) IN GENERAL.—Provided that, in addition to amounts otherwise available to carry out section 4205(a) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7175(a)), $150,000,000 shall be available to carry out activities described in section 4205(a) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7175(a)) during the 2002 summer recess period.

(2) AWARDING OF GRANTS.—

(A) IN GENERAL.—Notwithstanding section 4202 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7172), the Secretary of Education shall award grants with funds made available under paragraph (1) on a competitive basis to eligible entities serving communities whose local educational agencies are not able to meet fully the communities' need for summer school programs.

(B) PRIORITY.—In awarding grants under subparagraph (A), the Secretary of Education shall give priority to an eligible entity that is a local educational agency or who serves a community whose local educational agency—

(i) serves high concentrations or numbers of low-income children;

(ii) before June 6, 2002, announced that the local educational agency is canceling or reducing summer school services in 2002; or

(iii) is located in a State whose State educational agency, before June 6, 2002, announced that the State educational agency is canceling or reducing summer school funding for 2002.

(3) APPLICATION AND OBLIGATION.—

(A) APPLICATION.—Notwithstanding sections 4203 and 4204 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7173 and 7174), an eligible entity that desires a grant under this section shall submit an application to the Secretary of Education at such time and in such manner as the Secretary of Education may require.

(B) OBLIGATION.—Not later than 4 weeks after the date of enactment of this section, the Secretary of Education shall obligate funds made available under this section.

(4) DEFINITION OF ELIGIBLE ENTITY.—In this section, the term ''eligible entity'' has the meaning given the term in section 4201 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7171).

(5) EMERGENCY DESIGNATION.—The entire amount necessary to carry out this section is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

The PRESIDING OFFICER. Who yields time?

Mr. BYRD. Mr. President, I yield myself such time as I may consume.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. Mr. President, regrettably, I must oppose the amendment offered by my friend from Massachusetts. I do not like to oppose this amendment. I would be very supportive of this amendment were it under different circumstances and not being offered to this bill. The amendment would provide $150 million in emergency funding for fiscal year 2002 to support community summer school programs.

Last December, Congress approved and the President signed the Labor-HHS Education Appropriations Act for fiscal year 2002. That act contains significant resources for the summer school program. Currently, the Federal Government provides $1 billion in funding for the 21st Century Afterschool Program. In fiscal year 2002, the funding increased by $150 million.

Senator KENNEDY makes a very strong case for this program, and I certainly agree with him in the concept, but I cannot support this amendment as it is being offered to this supplemental bill.

This supplemental appropriations bill is focused on providing the resources necessary to support the war on terrorism and to secure our homeland.

In the supplemental bill, we funded the President's request for $14 billion for the Department of Defense. We have provided $8.3 billion for homeland defense programs.

I believe it is essential that the Senate move forward quickly in approving this bill so that Federal agencies and State and local governments have the resources they need now—not later—to prevent, to detect, and to respond to potential terrorist attacks. Funding homeland defense must be our highest priority.

Sadly, in the Statement of Administration Policy, delivered to the Senate yesterday, I believe it was, the President's senior advisers indicated they would recommend that he veto this

bill because it contains what the administration characterizes as ''lower priority, nonemergency programs.''

It is not clear which of our homeland defense programs the administration was referring to in their statement. Was it the funding to train and equip firefighters? Was it the funding to enhance law enforcement? Was it the funding to enhance port security? Was it the funding for airport security? Was it the security funding that the Department of Energy believes is essential to prevent terrorists from getting their hands on nuclear material but that OMB turned down?

Regardless, we are facing a veto threat because the advisers to the President at least, apparently, believe we have too much funding in the bill for homeland defense and other programs.

I believe the President and his advisers are fundamentally wrong when it comes to homeland defense.

The Vice President has said we can expect another terrorist attack—that it is almost certain. When might that happen—tomorrow, or next week, or next year? Yet the administration opposes critical homeland defense programs that our recent Appropriations Committee hearings demonstrated were necessary to fill in the cracks in the security of our homeland.

Having said all of this, I do not believe we should add fuel to the fire by adding funding to this bill for a program that was well funded in the Labor-HHS Education Act. Was it because the summer school programs used more funds? Senator KENNEDY and other Senators make a good case that it could be. But it is not an emergency.

I regret having to oppose this amendment. I think I can say without any feeling that anyone can question my statement that I have been as great a supporter of education as any Senator in this Chamber. I have supported education all through the years. I support summer school programs. But I don't support adding $150 million to this bill when the threats of veto downtown indicate we would simply be adding fuel to the fire.

This is a tough bill. It has been very difficult to bring it thus far. We conducted hearings which were extremely substantive. We had good witnesses. We had witnesses from all over the country—Governors, mayors, and people who are at the local level, firefighters, policemen, and health officials. We had former Senator Sam Nunn and former Senator Warren Rudman come before the committee. We had seven Federal Department heads. We went into matters very thoroughly on this committee. We were concerned about homeland defense. We wanted to provide the moneys that could be used in a protective way and in a way that would make our people safe. These moneys are for schoolchildren—for the safety of schoolchildren, for safety in schools, and for the safety of the children and their parents in their homes.

I just do not want to do anything that would give the administration any assistance in arguing that we are going beyond what we should do in this particular bill. We are having a hard enough time with the administration as it is. The Homeland Defense Director, Mr. Ridge, would not come before the committee. The President would not let him come before the committee. So we had to make do with what we could. We had very good hearings even though he did not appear before the committee.

So we are doing the best we can to protect the people of this country in the face of imminent threats, if we are to pay any attention to what the administration has said about threats.

I hope we will not add this amendment to this bill. It would be difficult enough in conference to carry the bill as it is written.

We think what is in the bill, generally speaking, has been the product of our hearings. The hearings have been studied assiduously by the staff of both sides. And Senator STEVENS and I have labored hard to bring this bill thus far. I don't want to see this bill vetoed. I hope we can convince the President not to veto it. But I think we ought to be very careful not to be adding amendments on this floor that will make it easier for the administration to make its case.

I shall yield the floor at this point. I yield 5 minutes to the distinguished Senator from Alaska, Mr. STEVENS.

The PRESIDING OFFICER. The Senator from Alaska is recognized.

Mr. STEVENS. Mr. President, I thank the distinguished chairman of our committee.

I regret that I must take the position we have to take on this amendment. It provides emergency funding for communities that have summer school programs. But as we look at it, the priority is given to communities that have had to eliminate or cut back on programs due to State or local budget reductions.

We increased the money in the budget for 2002 by $150 million above the 2001 budget in this area. Having increased it $150 million, the State and local governments reduced their effort. And now the Senator wishes us to make up the reduction brought about by local and State reductions which they took because we had provided Federal money to assist them in the area. It is a never ending cycle if we do that.

But beyond that, I call attention to the fact that we are already in June. There is no way in God's heaven we are going to get this bill to the President before July. The normal processes of releasing money would not get the money to them before September, when the school year has started. This is no way to treat our emergency bill that is before us now to deal with emergencies of homeland defense, emergencies in defense, and other emergencies. There are emergencies. The Oklahoma bridge is an emergency. But this is not an emergency. They are not needed on an emergency basis. They cannot be spent this summer.

I am compelled to oppose the amendment because of the circumstance we face.

I want to tell the Senate that this is the test. Everybody comes to us saying, you two big spenders are going to spend all the money around the place.

The Senator from West Virginia and I have the job of trying to urge the Senate to get this bill to conference. As I said yesterday, I would like to see just a motion to go to third reading and take the bill we brought out of committee to conference, and bring the bill back by Tuesday so it might even get to the President before July 4. But under the procedure we are now following, I seriously doubt this bill will be on the President's desk before the July 4 recess, which is a travesty.

This amendment adds to that delay because, I can assure you, the House will not accept this amendment. It is going to be opposed by the President and add to the bundle of sticks already there that brought about this threat of a veto.

So I want to ask the Senate to support the leadership of our committee and refuse to accept this amendment because it is not an emergency, to vote against this concept of waiving the point of order that the Senator from West Virginia is compelled to make. He, as I do, believes very much in children. We believe in providing the money that is necessary.

I am alarmed at the process that is underway whereby as we increase Federal spending, the State and local entities decrease theirs, so there is no net benefit to the beneficiaries we are trying to assist by bringing some additional Federal money into the areas previously occupied totally by State and local funds.

I thank the Senator.

The PRESIDING OFFICER. Who yields time?

The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, this is an emergency. If we do not provide the resources to these States, we are going to see an increased number of children who are not going to get the help they need.

I will point out, before we get all excited about this being an emergency, there are a number of items that are included as emergencies in this supplemental: National Park Service construction at $18 million; fire claims for New Mexico for $80 million. I am going to support that and vote for it. But let's not leave the impression this is only for homeland security. I will not go into the several hundred million dollars for additional items in the bill.

If we are going to take care of the fire claims in the Southwest and provide funding for the National Park Service, I think we ought to provide money for children to go to school in the summer. That is an emergency, too. I hope that we would do that.

The principal money that was increased last year starts in July and is for the next fiscal year. These schools and many of the school districts did not understand the emergency. But the requirements we put on the schools were not only for the poor children, they were for every child in this country. We ought to be concerned about the emergency that every child in this country is facing when they are being knocked off assistance to meet certain standards which our bill last year required them to meet. That is why this is an emergency and why I think it is important.

Mr. President, I reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. BYRD. Mr. President, how much time remains?

The PRESIDING OFFICER. The Senator from West Virginia controls 16½ minutes.

Mr. BYRD. How much time does the opposition have?

The PRESIDING OFFICER. Two minutes 15 seconds.

Mr. BYRD. Mr. President, I know it is easy to point to a bill that is a $31 billion bill. We increased that bill yesterday by $393 million. So it is $31,393,000,000.

Now, it is easy to look at that, easy to pick at little items—pick, pick—but I think that if those items are considered and studied and all the facts are known, they are justified. They are justified.

We do the best we can with a big bill. I do not take a back seat to anybody in support for the people of this country: the education of our children, young people, and adults.

Last year, the President requested $44.5 billion for discretionary education programs. This level was woefully inadequate. Through negotiations with the White House, I was able to reach agreement on a ceiling for discretionary spending that was high enough to provide a $4.4 billion increase for our Nation's education programs.

Following that agreement with the White House, I provided, as chairman of the Appropriations Committee, an allocation to the Labor-HHS Education Subcommittee that was large enough for Chairman HARKIN to approve a $4.4 billion increase over the President's request and $6.7 billion, or 16 percent, above the prior fiscal year.

So if you are looking for ''Mr. Education'' around here, I will stay in the ring; I will fight for that as hard as anybody else. I got my education the hard way. I started out in a two-room schoolhouse in southern West Virginia. I graduated in 1934 in a class of 28 persons. I was the valedictorian. If there had been 29 persons, I might not have been valedictorian. But it was 16 years after I completed high school before I was able to start college.

So don't talk to me about education. You are looking at somebody who typifies the effort to study and to learn and the effort to help others to learn.

I went to school 10 years at night in this city to get my law degree, not that I ever expected to be a lawyer, but I wanted to learn. I am still learning.

I chose this past Sunday to travel miles into the mountains of West Virginia to address a commencement. I had several commencement invitations from West Virginia high schools and colleges. I chose one. I chose to address the commencement at a high school in Pickens, WV, near Helvetia, a little town that was founded by Swiss immigrants in the early 1800s.

How many students were in that whole school? Thirty-seven from kindergarten through the senior class. How many students were in the senior class? Three—not 300; two young men and one young woman.

Why did I choose them? I wanted to go to that little school to let those little people back there in the hills, who might feel that they are off the beaten path, that somebody was interested, somebody was paying attention to them.

That little school has won several of the Statewide academic awards. They don't go in big for athletics—I don't, either—they concentrate on academics, and they won several awards. A little school with one ten-thousandths of the whole school population in West Virginia has won 11 percent of the academic awards in that State.

So I am for education. I want to help our young people. Years ago, I fought for summer jobs for young people in this District of Columbia so they could work and, hopefully, stay out of trouble.

So I can shout as loud as anybody, and I can believe what I am saying as conscientiously as can anybody else. I am doing what I can for education. Education is one of my priorities; it always has been. But this is a different bill. We are talking about the safety of young people who attend schools at Pickens, Sophia, or here in Washington, DC. We are talking about the safety of people.

This administration tells us that we might see a repeat of what happened on September 11; it is almost certain.

This bill needs to pass. We need to get it to conference. We need to get it to the President. And I hope that the President will not veto it. It is a worthwhile bill—not that the amendment that the distinguished Senator is proposing is not worthwhile. I support that amendment but not on this bill—not on this bill.

I have a job to do here, and it is to try to get the bill through.

How many minutes remain?

The PRESIDING OFFICER. Ten minutes remain.

Mr. BYRD. I thank the chair, and I yield the floor for now.

The PRESIDING OFFICER. Who yields time?

Mr. BYRD. I yield 3 minutes to Senator GREGG.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. I thank the chairman of the committee. I rise in opposition to this amendment which is obviously well intentioned but unfortunately is not affordable at this time, and certainly not on this bill. It is inconsistent with some of what we have already done in the area of summer school education.

First, the reason it is inconsistent is that there is no way this bill is going to pass in time for this money to get out for the summer school activities. As a practical matter, although it would be a nice vote and obviously would be politically attractive, its impact on summer school will be negligible, if any at all, because the money simply will not get there.

Secondly, it is important to remember that in the ESEA bill, we have given the authority to local school districts to spend title I money for the purposes of summer school, which makes a great deal of sense, and the President has increased funding for title I by $1.6 billion last year and asked for another $1 billion this year. Those are significant dollar increases.

If a local school district desires, it can use those moneys for the purpose of extending the school year or aggressively promoting summer school. The money is in place, already appropriated. As a practical matter, it is following a path which we set under ESEA, which was the bill we passed, No Child Left Behind, and is part of that entire package.

Although this additional money is certainly well intentioned, I don't see it having much effect because it is not going to get to the schools by this summer because the money will not be available in that timeframe.

Secondly, we have already funded these programs through the dramatic increase in title I which has come about as a result of the President's leadership.

For that reason, I oppose the amendment. I yield back my time.

The PRESIDING OFFICER. Who yields time? The Senator from Massachusetts.

Mr. KENNEDY. How much time do I have?

The PRESIDING OFFICER. Two minutes 10 seconds.

Mr. KENNEDY. And on the other side?

The PRESIDING OFFICER. Eight minutes.

Mr. KENNEDY. Mr. President, I will yield the remaining time to myself.

While taking care of the war front, we also must take care of the home front. Summer school is an emergency for 300,000 schoolchildren who may not graduate without this amendment. It is just as deserving as other emergency items in this bill. There are other emergency items: National Park Service construction, $18 million; Bureau of Indian Affairs, department management, $7 million; Forest Service capital improvements, $4 million; fire claims, $80 million. These are all under

the emergency provisions. I believe $150 million for summer school programs for children is as deserving as those programs.

In the end, this is about families, it is about children, it is about who we are as a nation. Can we protect our interests abroad and also help our children here at home?

I know a point of order will be made. I hope we would add this as an amendment to meeting emergency requirements such as those other items I indicated have been included. Children, summer school programs, ought to be included as well.

Mr. President, I am prepared to yield back the remainder of my time, or I will withhold the time depending on the opposition.

The PRESIDING OFFICER. Who yields time?

The Senator from West Virginia.

Mr. BYRD. Mr. President, I yield myself such time as I may require.

Mr. President, the supplemental also contains $1 billion for the Pell grant shortfall. That is a key education program. I want the record to show that the bill is certainly not devoid of moneys that are to be spent in the interest of education.

Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. Seven and one-half minutes.

Mr. BYRD. Mr. President, would the distinguished Senator from Massachusetts like some of my time?

Mr. KENNEDY. I thank the Senator. I think we have had a good discussion. I am prepared to yield back the time. I am very grateful to the Senator. We are prepared to yield back the time and move ahead. I would retain that time if others were going to speak, but I am prepared to move to the vote on what will probably be a point of order. If the Senator cares to, I will yield back my time, if those in opposition will yield back their time.

Mr. BYRD. How much time does the Senator from Massachusetts have remaining?

The PRESIDING OFFICER. Thirty seconds.

Mr. BYRD. That would be a good tradeoff.

I consider the Senator from Massachusetts to be not only a fine Senator, but he is my friend. He is very interested in fostering education and providing good legislation and good funding. If he wants another 3 minutes, I will be glad to yield him 3 minutes of my time. I am ready to make a point of order, but I don't want to do it without giving the Senator or any other Senator who wishes to speak time on his behalf.

Mr. KENNEDY. As I mentioned, we are prepared to move ahead with the resolution. I will yield back my 30 seconds. I understand when all time has expired, then a point of order will be made. We will let the Senate make a decision. I thank the Senator very much for extending me the time. We have had other Senators who have spoken. I think we are prepared to move ahead.

Mr. BYRD. Very well. Mr. President, I am constrained to recall a little poem which I think the distinguished Senator from Massachusetts will like. I like it very much. I think we are both interested in the same cause, the education of our young people.

As a Senator who has great-grandchildren, I certainly hope for the best for these great-grandchildren and the great-grandchildren of all other great-grandparents in the country.

I guess I will close my opposition to this amendment with this brief recapitulation of verse:

I took a piece of plastic clay
And idly fashioned it one day—
And as my fingers pressed it, still
It moved and yielded to my will.

I came again when days were past
The bit of clay was hard at last.
The form I gave it, still it bore,
And I could change that form no more!

I took a piece of living clay,
And gently fashioned it day by day,
And molded with my power and art
A young child's soft and yielding heart.

I came again when years were gone:
It was a man I looked upon.
He still that early impress bore,
And I could fashion it never more.

I think that pretty well sums up my feeling toward our young people, our children, the education of our young people. Now is the time, the formative period in their youth when we can shape and mold them to our will. Now is the best time for the learning process, while they are young and they don't have the other cares that they will have later.

I compliment the distinguished Senator for his offering of this amendment. I oppose it with apologies. But I can't help it. This bill is not the bill on which we should attach this amendment, however worthy the amendment.

With those apologies, I will make the point of order. I yield back my time.

Mr. KENNEDY. Mr. President, if I may have 30 seconds, I thank my friend from West Virginia. He can make a speech in favor of education, name every one of his elementary and secondary schoolteachers, give all of their background, and convince this body of the importance of funding. I am looking forward to standing with him, hopefully shoulder to shoulder, as we move on into these appropriations to try to do what needs to be done for the children of this country. I always enjoy the chance of working with him. My time has expired, I understand.

Mr. BYRD. I thank the Senator. I assure him we will be standing shoulder to shoulder in many instances.

Mr. President, section 205 of H. Con. Res 290, the fiscal year 2001 concurrent resolution on the budget, created a point of order against an emergency designation on nondefense spending. The amendment contains nondefense spending with an emergency designation.

Pursuant to section 205 of H. Con. Res 290, the fiscal year 2001 concurrent resolution on the budget, I make a point of order against the emergency designation contained in the amendment.

Mr. KENNEDY. Mr. President, I move to waive section 205 of H. Con. Res 290, the concurrent resolution on the budget for fiscal year 2001 for purposes of the pending amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

Mr. KENNEDY. Mr. President, parliamentary inquiry: The ''yea'' vote will be interpreted as waiving the Budget Act for the purpose of this amendment, is that correct?

The PRESIDING OFFICER. A ''yea'' vote is in favor of waiving the Budget Act.

Mr. KENNEDY. I thank the Chair.

The PRESIDING OFFICER. The question is on agreeing to the motion. The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. REID. I announce that the Senator from New Jersey (Mr. TORRICELLI) is necessarily absent.

Mr. NICKLES. I announce that the Senator from North Carolina (Mr. HELMS) is necessarily absent.

I further announce that if present and voting the Senator from North Carolina (Mr. HELMS) would vote ''no.''

The PRESIDING OFFICER (Ms. CANTWELL). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 38, nays 60, as follows:

[Rollcall Vote No. 132 Leg.]

YEAS—38

Akaka	Harkin	Nelson (FL)
Bayh	Hollings	Nelson (NE)
Biden	Jeffords	Reed
Bingaman	Johnson	Reid
Boxer	Kennedy	Rockefeller
Cantwell	Kerry	Sarbanes
Corzine	Kohl	Schumer
Daschle	Landrieu	Smith (OR)
Dodd	Levin	Specter
Dorgan	Lieberman	Stabenow
Durbin	Lincoln	Wellstone
Edwards	Mikulski	Wyden
Feinstein	Murray	

NAYS—60

Allard	Crapo	Leahy
Allen	Dayton	Lott
Baucus	DeWine	Lugar
Bennett	Domenici	McCain
Bond	Ensign	McConnell
Breaux	Enzi	Miller
Brownback	Feingold	Murkowski
Bunning	Fitzgerald	Nickles
Burns	Frist	Roberts
Byrd	Graham	Santorum
Campbell	Gramm	Sessions
Carnahan	Grassley	Shelby
Carper	Gregg	Smith (NH)
Chafee	Hagel	Snowe
Cleland	Hatch	Stevens
Clinton	Hutchinson	Thomas
Cochran	Hutchison	Thompson
Collins	Inhofe	Thurmond
Conrad	Inouye	Voinovich
Craig	Kyl	Warner

NOT VOTING—2

Helms	Torricelli

The PRESIDING OFFICER. The yeas are 38, the nays are 60.

Three-fifths of the Senators duly chosen and sworn not having voted in the

affirmative, the motion is rejected. The point of order is sustained. The emergency designation is removed.

AMENDMENT NO. 3608, AS MODIFIED, WITHDRAWN

Mr. KENNEDY. Madam President, I ask unanimous consent that the amendment be withdrawn.

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

The Senator from New Mexico.

Mr. BINGAMAN. Madam President, I ask unanimous consent that I be allowed to speak for up to 2 minutes as in morning business.

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

(The remarks of Mr. BINGAMAN are printed in today's RECORD under ''Morning Business.'')

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. I ask unanimous consent to follow the Senator from Wisconsin with two amendments to be called up.

Mr. GREGG. Reserving the right to object.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. I have no personal objection; however, I believe we should consult with the Republican leader, Senator STEVENS. At this time, I am constrained to object.

The PRESIDING OFFICER. The objection is heard.

Ms. LANDRIEU. Let me inquire if I could call them up and lay them aside before a decision to vote.

The PRESIDING OFFICER. Is there objection?

Mr. GREGG. I have to object.

The PRESIDING OFFICER. The objection is heard.

AMENDMENT NO. 3687

The PRESIDING OFFICER. Under the previous order, the next amendment is the Gregg-Feingold amendment.

Mr. GREGG. I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from New Hampshire [Mr. GREGG], for himself, Mr. FEINGOLD, Mr. CHAFEE, Mr. KERRY, Mr. VOINOVICH, and Mr. MCCAIN, proposes an amendment numbered 3687.

Mr. GREGG. I ask unanimous consent reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To extend and strengthen procedures to maintain fiscal accountability and responsibility)

At the appropriate place, insert the following:

PART —BUDGET ENFORCEMENT

SECTION 1. SHORT TITLE.

This Part may be cited as the ''Budget Enforcement Act of 2002''.

SEC. 2. EXTENSION OF DISCRETIONARY SPENDING LIMITS.

(a) IN GENERAL.—Section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901) is amended by striking paragraphs (7) through (16) and inserting the following:

''(7) with respect to fiscal year 2003—

''(A) for the discretionary category: $766,169,000,000 in new budget authority and $758,880,000,000 in outlays;

''(B) for the highway category: $27,728,000,000 in outlays;

''(C) for the mass transit category: $6,256,000,000 in outlays; and

''(D) for the conservation spending category: $1,920,000,000 in new budget authority and $1,872,000,000 in outlays;

''(8)(A) with respect to fiscal year 2004 for the discretionary category: $784,425,000,000 in new budget authority and $814,447,000,000 in outlays; and

''(B) with respect to fiscal year 2004 for the conservation spending category: $2,080,000,000, in new budget authority and $2,032,000,000 outlays;

''(9)(A) with respect to fiscal year 2005 for the discretionary category: $801,968,000,000 in new budget authority and $833,246,000,000 in outlays; and

''(B) with respect to fiscal year 2005 for the conservation spending category: $2,240,000,000, in new budget authority and $2,192,000,000 in outlays;

''(10)(A) with respect to fiscal year 2006 for the discretionary category: $819,740,000,000, in new budget authority and $845,056,000,000 in outlays; and

''(B) with respect to fiscal year 2006 for the conservation spending category: $2,400,000,000, in new budget authority and $2,352,000,000 in outlays;

''(11) with respect to each fiscal year 2002 through 2006 for the Federal and State Land and Water Conservation Fund subcategory of the conservation spending category: $540,000,000 in new budget authority and the outlays flowing therefrom;

''(12) with respect to each fiscal year 2002 through 2006 for the State and Other Conservation subcategory of the conservation spending category: $300,000,000 in new budget authority and the outlays flowing therefrom;

''(13) with respect to each fiscal year 2002 through 2006 for the Urban and Historic Preservation subcategory of the conservation spending category: $160,000,000 in new budget authority and the outlays flowing therefrom;

''(14) with respect to each fiscal year 2002 through 2006 for the Payments in Lieu of Taxes subcategory of the conservation spending category: $50,000,000 in new budget authority and the outlays flowing therefrom;

''(15) with respect to each fiscal year 2002 through 2006 for the Federal Deferred Maintenance subcategory of the conservation spending category: $150,000,000 in new budget authority and the outlays flowing therefrom;

''(16) for the Coastal Assistance subcategory of the conservation spending category:

''(A) with respect to fiscal year 2002: $440,000,000 in new budget authority and the outlays flowing therefrom;

''(B) with respect to fiscal year 2003: $480,000,000 in new budget authority and the outlays flowing therefrom;

''(C) with respect to fiscal year 2004: $520,000,000 in new budget authority and the outlays flowing therefrom;

''(D) with respect to fiscal year 2005: $560,000,000 in new budget authority and the outlays flowing therefrom;

''(E) with respect to fiscal year 2006: $600,000,000 in new budget authority and the outlays flowing therefrom; and

''(17) with respect to fiscal year 2007 for the discretionary category: $840,993,000,000, in new budget authority and $858,266,000,000 in outlays.''.

(b) REPORTS.—Subsections (c)(2) and (f)(2) of section 254 of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 904) are amended by striking ''2002'' and inserting ''2007''.

(c) EXPIRATION.—

(1) GRAMM-RUDMAN-HOLLINGS.—Section 275(b) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900 note) is amended—

(A) by striking ''2002'' and inserting ''2007''; and

(B) by striking ''2006'' and inserting ''2011''.

(2) CONGRESSIONAL BUDGET ACT.—Section 904(e) of the Congressional Budget Act of 1974 (2 U.S.C. 621 note) is amended by striking ''2002'' and inserting ''2007''.

SEC. 3. EXTENSION OF PAY-AS-YOU-GO REQUIREMENT.

Section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 902) is amended—

(1) in subsections (a) and (b)(1), by striking ''enacted before October 1, 2002,'' and inserting ''enacted before October 1, 2007''; and

(2) in subsection (b) by inserting at the end thereof the following:

''(3) EXCEPTION.—Notwithstanding any other provision of law, there shall be no sequestration under this section for any fiscal year in which a surplus exists (as measured in conformance with section 13301 of the Budget Enforcement Act of 1990).''.

SEC. 4. POINT OF ORDER TO REQUIRE COMPLIANCE WITH THE DISCRETIONARY SPENDING LIMITS AND PAY-AS-YOU-GO.

Section 312(b) of the Congressional Budget Act of 1974 (2 U.S.C. 643(b)) is amended to read as follows:

''(b) DISCRETIONARY SPENDING LIMIT AND PAY-AS-YOU-GO POINT OF ORDER IN THE SENATE.—

''(1) IN GENERAL.—Except as otherwise provided in paragraph (6), it shall not be in order in the Senate to consider any bill or resolution or any separate provision of a bill or resolution (or amendment, motion, or conference report on that bill or resolution) that would—

''(A) exceed any of the discretionary spending limits set forth in section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 or any suballocation of such limits among subcommittees under section 302(b); or

''(B) for direct spending or revenue legislation, would cause or increase a deficit (as measured in conformance with section 13301 of the Budget Enforcement Act of 1990) for any one of the following three applicable time periods:

''(i) the first year covered by the most recently adopted concurrent resolution on the budget;

''(ii) the period of the first 5 fiscal years covered by the most recently adopted concurrent resolution on the budget; or

''(iii) the period of the 5 fiscal years following the first five fiscal years covered in the most recently adopted concurrent resolution on the budget.

''(2) BUDGET RESOLUTIONS.—Except as otherwise provided in paragraph (6), it shall not be in order in the Senate to consider any concurrent resolution on the budget (or amendment, motion, or conference report on that concurrent resolution) that would exceed any of the discretionary spending limits set forth in section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985.

''(3) POINT OF ORDER AGAINST A SPECIFIC PROVISION.—If the Presiding Officer sustains a point of order under paragraph (1) with respect to any separate provision of a bill or resolution, that provision shall be stricken from the measure and may not be offered as an amendment from the floor.

''(4) FORM OF THE POINT OF ORDER.—A point of order under this section may be raised by a Senator as provided in section 313(e).

''(5) CONFERENCE REPORTS.—If a point of order is sustained under this section against a conference report the report shall be disposed of as provided in section 313(d).

''(6) EXCEPTIONS.—This subsection shall not apply if a declaration of war by the Congress is in effect or if a joint resolution pursuant to section 258 of the Balanced Budget and Emergency Deficit Control Act of 1985 has been enacted.''.

SEC. 5. ENFORCEMENT AGAINST BUDGET EVASION.

(a) IN GENERAL.—Title III of the Congressional Budget Act of 1974 is amended by inserting at the end the following:

''BUDGET EVASION POINT OF ORDER

''SEC. 316. (a) Discretionary Spending Limits.—It shall not be in order to consider any bill or resolution (or amendment, motion, or conference report on that bill or resolution) that waives or suspends the enforcement of section 251 of the Balanced Budget and Emergency Deficit Control Act of 1985 or otherwise would alter the spending limits set forth in that section.

''(b) PAY-AS-YOU-GO.—It shall not be in order to consider any bill or resolution (or amendment, motion, or conference report on that bill or resolution) that waives or suspends the enforcement of section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985 or otherwise would alter the balances of the pay-as-you-go scorecard pursuant to that section.

''(c) DIRECTED SCORING.—It shall not be in order in the Senate to consider any bill or resolution (or amendment, motion, or conference report on that bill or resolution) that directs the scorekeeping of any bill or resolution.

''(d) WAIVER AND APPEAL.—This section may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under this section.''.

(b) TABLE OF CONTENTS.—The table of contents for the Congressional Budget Act of 1974 is amended by inserting after the item for section 315 the following:

''316. Budget evasion point of order.''.

Mr. GREGG. I offer this amendment on behalf of myself, Senator FEINGOLD, Senator CHAFEE, Senator KERRY, Senator VOINOVICH, and Senator MCCAIN.

Essentially, this amendment does two things. It reinstitutes the caps and it reinstitutes the pay-go language. It puts back in place budgetary discipline as we move through this process of appropriations bills.

Recently, we have seen the budget discipline within the Congress has eroded rather dramatically. We have seen the Agriculture bill and the trade adjustment bill both adding massive new entitlement programs. We know as we look down the road we will have very significant costs in the area of fighting terrorism and in the area of natural defense. It is absolutely critical in this context that we start to put some budget discipline in place.

We are facing, regrettably, a deficit, something we hoped would not happen, but it has happened as a result of the economic slowdown and as a result of the effects of terrorism. The deficit is growing rather radically, unfortunately. Our job as legislators is to make sure we do not aggravate that deficit by not being fiscally responsible as we bring forward appropriations bills and other bills which might have entitlement spending included.

Unfortunately, the disciplining mechanism which actually exists out there, or has existed for the last 5 or 6 years, is about to lapse; that is, the ability to have a fixed number beyond which if we are going to spend we have to have a supermajority to do that. That is called caps.

The second budget discipline, which is pay-go, essentially says if you are going to add a new entitlement program or you are going to cut taxes during a period, especially of deficits, you must offset that event so that it becomes a budget-neutral event that also lapses.

This language which Senator FEINGOLD and I have put together and which failed on a very close vote in the Budget Committee, a tie vote, in fact—it would have passed with one more vote—reinstitutes the same traditional approach—so 5-year caps, 5-year pay-go, and, as a result, put in place some discipline.

There are some subtleties to our bill about which I want to be open. Some people have looked at them and said they are interested in them and some said they are concerned about them. One is the way we enforce this mechanism by saying the bill which exceeds the caps allocated to it by the chairman of the Appropriations Committee, the 302(b) allocation, that if a bill exceeds that cap, that bill is subject to a point of order on specific parts of that bill, depending on what part of that bill is unable to be sustained with 60 votes. So it becomes a targeted approach of trying to bring that bill back into proper perspective as far as appropriations and the budget are concerned.

Second, the basis for the cap is the Democratic budget proposal as it passed the committee. So the numbers are for the 5 years. Those were the gross numbers. Those numbers are higher than those of the President this year by $9 billion, but over the 5-year period they are actually about the same as the President's number. In fact, I think they are within a couple of billion dollars of each other. As a practical matter, there is a path toward maintaining fiscal responsibility.

If we do not do this, if we do not put back in place caps and pay-go mechanisms, we will have no budget discipline in this Congress, and, as a result, we will dramatically aggravate the deficit which, of course, impacts a lot of important issues, but especially impacts Social Security.

I hope my colleagues will support this effort. I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. FEINGOLD. I rise today to join with my colleague from New Hampshire, Senator GREGG, as well as my colleagues Senators CHAFEE, KERRY, VOINOVICH, and MCCAIN to offer this amendment, which I believe is a commonsense budget process amendment, the Budget Enforcement Act of 2002.

Let me especially thank the Senator from New Hampshire, who has been a terrific leader on this issue. As he said, we made a real effort in the Budget Committee, had an excellent debate with the chairman of the Appropriations Committee and only lost on a 9-to-9 vote. We were hoping for a good result today, but we are both devoted to returning some budget rules because we both believe this is one of the main reasons we were able to have some success in the 1990s in bringing the budget under control and actually getting to the point where we had a surplus for a brief period of time.

In the 1990s, we took fiscally responsible actions that led to balancing the budget in 1999 and 2000, without using Social Security, which was a tremendous achievement. Last year, the Government returned to the bad habit of using the Social Security surplus to fund other Government activities. I believe we have to put an end to that practice. The Government will not have these Social Security surpluses to use forever. In the next decade, the baby boom generation will begin to retire in large numbers. Starting in 2016, Social Security will start redeeming the bonds that it holds, and the non-Social Security government will have to start paying for those bonds from non-Social Security surpluses.

The bottom line is that, starting in 2016, the Government will have to show restraint in the non-Social Security budget so we can pay the Social Security benefits that Americans have already earned or will have already earned by that time.

That is why we cannot continue to enact either tax cuts or spending measures that push the Government further into deficit. Before we enter new obligations, we need to make sure we have the resources to make our Nation's commitment to our seniors under Social Security. I believe we need to return to the priority of protecting the Social Security trust fund. We should, as President Bush said in a March 2001 radio address, ''keep the promise of Social Security and keep the Government from raiding the Social Security surplus.''

Yes, September 11 changes priorities and how the Government spends money, but September 11 does not change the oncoming requirements of Social Security. As an economist has said: Demographics is destiny; we can either prepare for that destiny or we can fail. To get the Government out of the business of using Social Security surpluses to fund other Government spending, we need to strengthen our budget process. That is what this amendment does and that is why we urge our colleagues to support it.

The history of budget process changes teaches that realistic budget enforcement mechanisms work. The

Budget Enforcement Act of 1990, enacted with bipartisan support, with a Democratic Congress and a Republican President, deserves much credit for helping to keep the Government on that path to reduce and eventually eliminate the deficit.

A central feature of the 1990 act was the creation of caps on appropriated spending. Of course, in recent years, Congress has blown through those caps, when those caps were at unrealistic levels, and when the Government was running surpluses. But in most years of their history, appropriations caps helped to constrain the politically understandable appetite to spend without limit.

Congress has repeatedly endorsed the idea of spending caps. Congress renewed and extended the caps in the budget process laws of 1993 and 1997. And six of the last eight budget resolutions have set enforceable spending caps. If budget numbers are to have any meaning—if they are not to be just wishes and prayers—then we need to have enforcement.

Our amendment would reinstate and extend the caps on discretionary spending, and would do so at a realistic baseline. It would simply set those levels at those in the budget resolution reported by the Budget Committee on March 22. And our amendment maintains, without change, the separate subcaps created in the Violent Crime Act of 1994 and the Transportation Equity Act of 1998.

Like the 1990 budget law that it extends, our amendment would apply budget enforcement to entitlements and taxes. It would extend the pay-as-you-go enforcement mechanism. All parts of the budget would thus be treated fairly.

Our amendment would also improve the points of order that enforce the caps and pay-as-you-go enforcement. It would allow Senators to raise a point of order against specific provisions that cause the caps or pay-as-you-go discipline to be violated. This part of the amendment will work very much like the important Byrd rule that governs the reconciliation process, which is of course named after the distinguished senior Senator from West Virginia.

Under our amendment, if a piece of legislation violates the caps or pay-as-you-go discipline, any Senator could raise a point of order and force a vote on any individual provision that contributes to the budget violation. If the point of order is not waived, then the provision would be stricken from the legislation.

The amendment would also shut back-door ways around the caps and pay-as-you-go enforcement, by requiring 60 votes to change the caps, alter the balances of the pay-as-you-go scorecard, or direct scorekeeping.

Our amendment would limit the exceptions to the point of order against emergency designations in the fiscal year 2001 budget resolution, so that all emergencies would be treated alike. Our amendment would thus treat emergencies as they were treated in the text of that budget resolution when the Senate passed it on April 7, 2000, rather than in the watered-down form it had when it came back from conference with the House of Representatives.

Finally, our amendment would extend for 5 years the requirement for 60 votes to waive existing points of order that enforce the Congressional Budget Act. The 60-vote requirement that gives these points of order teeth expires on September 30 this year under current law.

This is sensible budget process reform, in keeping with the best, most effective budget process enforcement that we have enacted in the past. It would make a significant contribution toward ending the practice of using the Social Security surplus to fund other government activities. That is something that we simply must do, for our seniors, and for those in coming generations who will otherwise be stuck with the bill. I urge my colleagues to support this amendment.

Madam President, I ask unanimous consent that a summary of the amendment be printed in the RECORD.

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

GREGG-FEINGOLD-CHAFEE-KERRY AMENDMENT—BUDGET ENFORCEMENT ACT OF 2002

Appropriations Caps—The amendment would reinstate and extend for 5 years the caps on discretionary spending, keyed to the levels in the budget resolution reported by the Budget Committee. Points of order and the threat of across-the-board cuts would continue to provide enforcement.

Pay-as-You-Go Entitlements and Taxes—The amendment would reinstate and extend the pay-as-you-go discipline that controls entitlement spending and tax law changes. Points of order and the threat of across-the-board cuts would continue to provide enforcement.

Point of Order Against Specific Provisions that Violate the Caps or Pay-as-You-Go—If legislation violated the caps or pay-as-you-go enforcement, the amendment would allow any Senator to raise a point of order against (and thus force a vote on) any individual provision that contributed to the budget violation. If the Senate did not waive the point of order, then the provision would be stricken from the legislation. This point of order would work just like the Byrd Rule against extraneous matter in reconciliation legislation.

Guarding Against Budget Evasions—The amendment would shut back-door ways around the caps and pay-as-you-go enforcement, by requiring 60 votes to change the discretionary caps, alter the balances of the pay-as-you-go scorecard, or direct scorekeeping.

Extending Existing Points of Order—The amendment would extend for 5 years the requirement for 60 votes to waive existing points of order that enforce the Congressional Budget Act. The 60-vote requirement that gives these points of order teeth expires on September 30 this year under current law.

Mr. FEINGOLD. I reserve the remainder of my time and yield the floor.

The PRESIDING OFFICER. Who yields time? If no one yields time, time will be charged proportionately against the Senators who control time.

The Senator from New Hampshire.

Mr. GREGG. I yield 4 minutes to the Senator from Rhode Island, Mr. CHAFEE.

Mr. CHAFEE. Madam President, I rise today in support of the amendment sponsored by Senators GREGG, FEINGOLD, KERRY, VOINOVICH, MCCAIN, and myself.

This is a commonsense amendment that extends existing appropriations caps and pay-as-you-go rules for another 5 years. In addition, the amendment strengthens some budget enforcement mechanisms.

The Senators that have spoken before me have done an admirable job of explaining the provisions in the bill. I want to stress the necessity of fiscal discipline.

Every day constituents and experts talk to me about spending programs that are vitally important to them, asking me to support increased spending. Just as often I hear from people who want to do away with some tax, or lower a tax. They all have excellent arguments, and there is much merit to the initiatives they would like me to support. The problem is that if I were to support each of them, I would be supporting an agenda of cutting taxes and increasing spending. Such an agenda would directly result in deficit spending, which would increase the already enormous Federal debt.

In good conscience, I cannot support such an agenda. Therefore, often I must tell visitors that I cannot be supportive of their cherished initiative. As all in this body know, telling constituents that you do not support their project is a difficult job, especially when the reason that I give them is that ''The money just isn't there.'' Because they respond by saying, ''The money always seems to be there.''

The problem is that they are right. In a time of war, and deficits, we have approved new tax cuts, which I opposed. We are contemplating permanently extending other tax cuts, which I will oppose. As if that were not enough, we also have added a raft of new spending—including the farm bill and the stimulus—which I opposed. There is no end in sight.

We have gone from record surpluses straight back to deficits. We approved a massive tax cut last year, which limits the amount of money available. We know that the war on terrorism will be very costly. We know we are facing unprecedented demographic changes that will result in staggering costs to sustain Social Security and Medicare. Added to all that, we have a $6 trillion debt, which costs $200 billion in interest payments each year. And we practice no restraint. We continue to spend money, deepening the hole we are in.

This amendment is a step towards reestablishing fiscal discipline in this body. It alone will not ensure the return of balanced budgets—but it is a step in the right direction. Therefore, I

urge all my colleagues to support this amendment.

The PRESIDING OFFICER. Who yields time? The Senator from North Dakota.

Mr. CONRAD. Madam President, how much time remains?

The PRESIDING OFFICER. The Senator from North Dakota has 30 minutes.

Mr. CONRAD. How much time remains on the other side?

The PRESIDING OFFICER. The Senator from New Hampshire has 8 minutes; the Senator from Wisconsin, 9.

Mr. CONRAD. Madam President, I ask the Chair to advise me when I have consumed 10 minutes.

Madam President, the amendment offered by our colleagues is well intentioned. In fact, I share many of the goals they have enunciated today. We have an enormously serious problem with the fiscal condition of the country. This chart shows that we are now headed for a return to an era of deficits that is going to continue long into the future. This chart goes back to 1992, back to the time when we were deep in deficit. Many of us know the extraordinary efforts that were required to lift us out of deficit, back into surplus, which we enjoyed for just a few short years.

Last year, a series of decisions were made on a massive tax cut. Then, of course, the attack on the country occurred that led to increased spending for defense and homeland security. At the same time, there was an economic slowdown. We experienced those three events—the massive tax cut, the attack on this country that led to increased spending, and, of course, the economic slowdown. Those three, led by the tax cut—the tax cut was the biggest contributor to returning to deficit—has plunged us back into deficit by very large amounts that are going to continue the rest of the decade. That is the circumstance we face.

The proposal by our colleagues has a very serious set of problems attached to it. They have gone to what is an enforcement mechanism that we have seen in the past. If you liked Gramm-Rudman, you will love Gregg-Feingold because they have returned to the notion of enforcement based on projections; not what actually happens but based on projections of what will happen.

This is a fatal flaw. In fact, it could undermine the very budget discipline they are seeking to support. Have we forgotten what happened under Gramm-Rudman? Have we forgotten the endless game playing and gimmicks that resulted from Gramm-Rudman?

Have we forgotten the rosy scenario? Let us go back to 1990 and look at what could happen under the proposal of our colleagues to now again rely on forecasts and projections rather than real results.

Back in 1990, OMB told us at the beginning of the year that we were going to have a $100 billion deficit. They were right on track with the deficit reduction plan that was in place. That is what they said.

What actually occurred? It wasn't a $100 billion deficit. It was a $221 billion deficit.

All projections, all false; all that lead to a circumstance under the proposal from the Senator from New Hampshire and the Senator from Wisconsin that could lead a Congress to have more tax cuts, more spending, based on a projection that everything was OK. Later in the year, when reality sets in, their answer is to only deal with half of the equation that leads to budget deficits. Budget deficits are a result of an imbalance between spending and revenue. Their only answer is on the spending side of the equation. That is, I think, a mistake.

Let us look at what it took to get us back into balance. Back in the 1980s—here is the blue line, the revenue line, and the red line is the spending line. We can see for a very long period that spending exceeded revenues, and by large amounts. The result was a quadrupling of the debt of the United States.

What happened in 1993? We passed a plan to cut spending and to raise revenue. It was that combination that led us back to fiscal responsibility, that led us back to balance, that eliminated deficits, and that reduced debt.

Have we forgotten that worked?

I hope very much that we don't go down this slippery slope of a whole new enforcement mechanism based on projections rather than real results. That way leads to real trouble.

In addition to those problems, our friends who are coming before us with this amendment—well intentioned as it is—I think do underestimate the uncertainty of our time.

When this headline appeared on September 12, everything changed. This headline says, ''U.S. Attacked.''

We all remember that somber day when there were two strikes at the World Trade Center and passenger airliners turned into flying bombs, and what happened shortly thereafter with the attack on the Pentagon. That changed everything. We are now in a period of extraordinary uncertainty.

Here are recent headlines that talk about uncertainty. This is the Vice President of the United States warning of future attacks:

Possibility of another al-Qaida strike ''almost certain,'' the Vice President says.

In this circumstance, we should not be tying the hands of the Congress and the administration for the next 5 years. None of us are wise enough to know what demands may be made on this country. None of us can know what is in the next 24 hours, much less the next 5 years.

We ought to be ready to respond to any attack and any strike against this country. We ought not to be in a fiscal straitjacket that makes a response more difficult.

It is not just the Vice President of the United States. This is the head of the FBI: ''Warns of Suicide Bombs.''

Calls U.S. attacks akin to those on Israel inevitable.

Our friends who are sponsoring this amendment will say we have a way around that for defense spending. We only have a simple majority vote for additional defense spending.

Those are not typical defense expenditures that are being used to respond to terrorist attacks. Defense is part of it, but another part is called ''homeland security.'' Homeland security funding is not off in the defense budget. It is in the budget of the FBI, it is in the budget of the INS, it is in the budget of the FAA, it is in the budget of the Transportation Department, and it is in the budget of the Department of Health and Human Services to respond to attacks and to bioterrorism. The money needed to defend this Nation is not just in the defense budget.

Have we forgotten the response of this Congress to the attacks of September 11? Was it just defense spending that we increased? Absolutely not. We also responded with money for homeland security because we understood a terrorist threat to this country could not be just defended in the traditional way.

The uncertainty goes to other areas as well. This is a headline of Tuesday of this week in USA Today:

Nuclear Clash Would Batter World Financial Markets.

They are talking about what would happen if a nuclear exchange occurred between India and Pakistan. They alert us to the fact that it would batter world financial markets.

Nuclear war would spark a sell-off and send world stock markets tumbling.

This is a period of uncertainty, and we ought not to be tying the hands of the Congress being able to respond.

The uncertainty is not just on the spending side of the equation. It is also on the revenue side of the equation.

This is a headline of April 26 in the Los Angeles Times:

Lower Tax Receipts Could Double the United States Budget Deficit . . .

In this year alone.

I agree with that analysis. I think we are headed for a budget deficit this year of perhaps $160 billion and next year an even larger budget deficit.

That is why enforcement provisions are critically important. But they have to be enforcement provisions that will actually work and not make the situation worse.

I wish to announce my intention now to offer the budget enforcement provisions that have worked, and to do so after the disposition of this amendment.

Let me add one other observation about the amendment that is being offered.

The Gregg-Feingold proposal extends the statutory pay-as-you-go enforcement procedures for 5 years, but it substantially amends the current pay-go

law to allow direct spending increases or tax cuts to be enacted without being paid for if the Office of Management and Budget projects that there will be a surplus without Social Security.

That is the Achilles' heel of this amendment. It is based on projections and not real results.

We have been down that road before. It was a disaster for fiscal responsibility. Let us not repeat it.

I thank the Chair. I yield the floor and retain the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. GREGG. Madam President, I yield 5 minutes to the Senator from Arizona.

Mr. MCCAIN. Madam President, I rise in support of the Gregg-Feingold-Kerry amendment. I believe there is no perfect solution. There is no perfect answer to the problem we face. Perhaps some may argue that the caps for the first year are too high. Perhaps if I had written this amendment I might have made them lower. The fact is, without this amendment, there is no fiscal discipline. There is no fiscal discipline that can be imposed on a process which has lurched out of control.

To state the obvious, we have gone from estimates of $50 or $60 billion surpluses at the beginning of this year, to somewhere around $100 billion, $150 billion deficits, and we have not even passed the first appropriations bill. And if this emergency supplemental, which is $4 billion higher than the President's, is any indicator, we are going to be in a sea of red ink.

I think it is a bipartisan effort. It extends discretionary spending caps and the pay-go requirement for entitlement expansions and tax cuts.

These mechanisms have helped to impose fiscal discipline since they were first enacted in 1990, but they obviously expire this year. It would be ironic and irresponsible to let the caps and the pay-go expire just when the budget is punching back into deficit.

There are a lot of organizations around the country. One that I respect, and I know my colleague from New Hampshire respects, is the Concord Coalition.

The Concord Coalition is chaired by former U.S. Senators Warren Rudman and Bob Kerrey. They serve as the Concord Coalition's cochairs. And former Secretary of Commerce Pete Peterson serves as president.

They issued some grades. They are a fiscal responsibility organization. And the Concord Coalition just released this report on fiscal responsibility:

Overall: Progress toward short, medium, and long-term fiscal responsibility, D;

Short-Term: Enacting measures that maintain fiscal responsibility, C−;

Medium-Term: Enacting measures that are fiscally responsible over the next 10 years, D−;

Long-Term: Enacting measures that deal with the entitlement financing gap and ensure fiscal sustainability, D-.

They begin their report by saying:

Crocodile tears are flowing over the return of budget deficits—now likely to exceed $100 billion this year and next. Nearly everyone says they want the dip back into red ink to be brief. But almost no one is willing to give up anything to ensure that result. Indeed, the attitude seems to be: if deficits are back, let's make the most of them and blame someone else for the result.

They go on to say:

The bottom line—obscured but not altered by the events of 2001—is that our nation's greatest fiscal challenge remains the need to finance the huge unfunded retirement benefits and health care costs of a permanently older population.

Madam President, I ask unanimous consent that this release be printed in the RECORD.

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

[From the Concord Coalition, June 2002]

THE CONCORD COALITION'S REPORT ON FISCAL RESPONSIBILITY

DEFICITS ARE BACK, AND THE BUDGET BAZAAR IS OPEN FOR BUSINESS

It is now clear that the appropriate loosening of fiscal policy undertaken in response to the mild recession and devastating terrorist attacks of 2001 is turning into a headlong retreat from long-term fiscal responsibility. Crocodile tears are flowing over the return of budget deficits—now likely to exceed $100 billion this year and next. Nearly everyone says they want the dip back into red ink to be brief. But almost no one is willing to give up anything to ensure that result. Indeed, the attitude seems to be: if deficits are back, let's make the most of them and blame someone else for the result.

Tax cut advocates, defense hawks, farmers, educators, health care providers and beneficiaries, transportation planners, and veterans groups all insist that deficits are no reason to scale back their claims on a surplus that no longer exists. Each interest group has a grassroots constituency and an army of lobbyists. And each is prepared to threaten political retribution if every dime of its wish list is not funded. This may be an attractive short-term political strategy, but it's a terrible long-term fiscal policy.

The bottom line—obscured but not altered by the events of 2001—is that our nation's greatest fiscal challenge remains the need to finance the huge unfunded retirement benefits and health care costs of a permanently older population. The Baby Boomers' retirement costs will begin to impact the budget in just six years, and there is no plan for dealing with them other than to run up the debt. Surpluses would help by either reducing the debt, which provides needed savings and fiscal flexibility, or by providing resources to help pay the transition costs of Social Security and Medicare reform. Deficits can be acceptable as a short-term fiscal stimulus, but returning to chronic deficit spending would make the long-term challenge far more difficult.

Washington policymakers should focus on regaining budget surpluses as soon as is practicable. Instead, the recent breakdown in fiscal discipline, the refusal to acknowledge many likely expenses, and the wavering commitment to any particular goal—be it a unified balanced budget or balance excluding Social Security—signal that a prolonged period of deficits far in excess of official projections is probable. The question now being tested is whether the political will exist to reverse this trend. The preliminary answer is a decided: no.

THE FISCAL RESPONSIBILITY REPORT CARE

The Concord Coalition has graded Washington's performance on fiscal policy in three key time frames: the short-term (next 1–2 years), the medium-term (next 10 years), and the long-term (beyond the next 10 years). Each category is graded on a scale of A to F, with A signifying great improvement, and F signifying great harm. There is a necessary overlap in the consequences of policy decisions throughout the time frames.

Category and Grade

Overall: Progress toward fiscal responsibility: D.

Short-Term: Enacting measures that maintain fiscal responsibility over the next 1–2 years: C−.

Medium-Term: Enacting measures that are fiscally responsible over the next 10 years: D.

Long-Term: Enacting measures that deal with the entitlement financing gap and ensure fiscal sustainability: D−.

SHORT-TERM GRADE: C−

For reasons largely beyond the control of policymakers, the short-term outlook has gone from projected surpluses in excess of $300 billion to probable deficits in excess of $100 billion. (See table on Page 4.) Fiscal policy decisions in the current environment are more difficult than usual because actions to stimulate the economy and beef-up security, while legitimate in the short-term, create the risk of higher deficits in the long-term.

Given the circumstances, the test of fiscal responsibility is not whether the budget falls into deficit for a year or two but whether actions that subtract from the bottom line are carefully designed to meet legitimate immediate needs while minimizing costs in later years.

Even using this lenient standard, policymakers rate a polite C minus for the short-term. The ''economic stimulus'' bill enacted in March came to the rescue of an economy that was already recovering on its own. And even if a stimulus was justified as insurance, there was no need to extend the bill's costly accelerated depreciation provision for three years—well beyond any immediate need. Moreover, the assumption that the depreciation break will be allowed to ''sunset'' in September of 2004—two months before Election Day—is absurd. This provision will likely become a permanent new tax break at a cost of around $200 billion over the next decade.

As for spending, President Bush acknowledged in his Budget Message that the government ''will have new bills to pay.'' Paying these bills is not fiscally irresponsible. What is fiscally irresponsible is refusing to make trade-offs or using the current crisis atmosphere as a smoke screen for a generalized spending spree. Particularly susceptible to unscrutinized growth are the defense budget and the new loosely defined category of homeland security. Unfortunately, the President's budget proposed very few trade-offs and Congress has shown no inclination to accept any of them.

The appropriations process is just getting started so it cannot be said that the short-term situation has turned into a fiscal rout. But the signs are not promising. Congress has failed to adopt a budget resolution, failed to agree on FY 2002 supplemental spending, failed to extend expiring budget enforcement mechanisms, and failed to deal with the statutory debt limit in a timely or straightforward manner. Finally, the specter of ''rosy scenario'' is back, with the Administration (OMB) and the House using baseline projections that are more optimistic than CBO numbers by $35 billion in 2003 and $180 billion over the next five years. If these issues are not resolved quickly the result

could be a huge year-end omnibus appropriations bill—in other words, fiscal chaos.

MEDIUM-TERM GRADE: D

More harmful than the return of budget deficits in the short-term is the fact that President Bush and Congress have done very little to prevent deficits from extending well into the decade. The rapid disappearance of the projected $3.1 trillion 10-year non-Social Security surplus should be a yellow light of caution for policymakers advocating further tax cuts and new entitlements. But their response has been to step on the gas. The Concord Coalition gives Washington policymakers a medium-term grade of D.

The new farm bill, if graded alone, would surely warrant an F. The bill increases spending by $86 billion over 10 years and reverses the attempt under the 1996 Freedom to Farm Act to get away from Depression-era farm subsidies that distort markets, burden taxpayers, and harm the environment. Instead, subsidies are extended for major crops while new ones are created. The farm bill is a textbook case of an entitlement that survives because it is politically attractive, not because it is good policy.

Much more expensive than the farm bill are various proposals to add a prescription drug benefit to Medicare and delay or cancel scheduled reductions in provider payments. Last year, Congress set aside $314 billion in a reserve fund for Medicare expansion. This year, despite a drop of nearly $4 trillion in projected surpluses, the House budget resolution and the Senate Budget Committee plan (not yet considered on the floor) increase Medicare set asides to $350 billion and $500 billion respectively.

Adding a prescription drug benefit to Medicare, without comprehensive cost-saving reform, would not only pressure the budget in the medium-term but would make the program's long-term funding gap even wider. None of the respective plans conditions new money on such reform. Moreover, other entitlement expansions have been proposed. Overall, the Senate Budget Committee plan allows for an increase in entitlement spending of nearly $670 billion.

The series of escalating tax cuts enacted last year is also poised to drain the budget over the medium-term by $1.6 trillion. The phased-in nature of these tax cuts, and the ''sunset'' provision that cancels them all in 2010, give policymakers a valuable opportunity to reprioritize in view of new circumstances by permanently extending some of the tax cuts and delaying the effect of others until a non-Social Security surplus is achieved again. Unfortunately, the Administration and the House leadership have been pushing to lock in the entire package of tax cuts at a cost of nearly $400 billion over 10 years. They have also proposed new tax cuts even as they call for higher spending on defense, homeland security, and Medicare. It is a recipe for sustained deficits.

Such imprudence is compounded by attempts to obscure the full budgetary effects of fiscal decisions. This year saw the return to five-year budget plans by the Administration and the House. By itself, this development is not problematic. However, last year's tax plan was based on highly uncertain 10-year projections, and its huge costs come at the end of the 10 years. The shift now to a shorter budget window seems designed mainly to disguise those costs.

Finally, the medium-term outlook is threatened by the absence of any mechanism, procedural or rhetorical, for defining and enforcing a fiscal policy goal. Both parties' pronouncements about the inviolability of the Social Security surplus are long forgotten. While the respective budget plans of the Administration, House, and Senate Budget Committee all contemplate the return of surpluses no later than 2005, none of them would produce a non-Social Security surplus before 2012. Meanwhile, the discretionary spending caps and the PAYGO rules of the 1997 Balanced Budget Act expire this year. Without any markers for discipline, politicians have little incentive to scale back budget busting promises. Instead, they have shown a troubling comfort with using the Social Security surplus to either offset tax cuts or expand other government programs—new entitlements have even popped up in the trade and defense authorization bills.

LONG-TERM GRADE: D -

Rampant denial is the best way to describe Washington's response to the long-term fiscal challenge. While much has changed in the past year, two things remain depressingly consistent—the unsustainable path of long-term fiscal policy and the unwillingness of most political leaders to do anything about it. Concord's grade for the long-term is a D minus.

While President Bush campaigned on the need for Social Security reform, he has not followed through with a specific proposal. At his request, the commission he appointed last year did not produce a recommendation but instead came back with three illustrative models for adding personal accounts to the system. Two of the plans contained explicit provisions to improve the fiscal sustainability of the program, which personal accounts alone do not. Even though these provisions were designed to avoid any impact on current beneficiaries, political leaders of both parties reacted with horror, and the Administration has kept the commission's report firmly planted on the shelf.

Social Security has been reactivated as the third rail of American politics—touch it and die. Without any plan of their own, many Democrats have restored to scare tactics by accusing Republicans of having a ''secret plan to privatize Social Security.'' For their part, many Republicans implausibly insist that personal accounts can be added to the current system without costing anyone anything.

Neither party is discussing the tough choices that are needed to make the program sustainable over the long-term. Instead, they are jockeying for short-term political advantage by offering free lunch solutions that rely on such diversions as an imaginary ''lockbox'' or meaningless benefit guarantee certificates. Regardless of the long-term challenge, the House even voted 418–0 for a small benefit expansion.

The demographic and fiscal challenges go well beyond Social Security. Medicare poses an even more difficult challenge. Together, Social Security, Medicare and Medicaid are expected to double as a share of the economy by 2030.

It will take a combination of fiscal discipline and cost saving reform to put Social Security and Medicare on a sustainable path for all generations. Washington policymakers are not pursuing either strategy. They are pursuing The Do Nothing Plan, which ultimately leads to crushing debt, burdensome taxes or broken promises.

OVERALL GRADE: D

Good policy and political expediency are often at odds, but so far in 2002, politics is trouncing policy. Surpluses ''as far as the eye can see'' have vanished, yet policymakers remain intent on delivering more government spending—including entitlement expansions—and more tax cuts. With the midterm elections looming, no particular fiscal goal in place, and no procedural mechanisms to rein in spending, Congress is reverting to its old ''spend and borrow'' habit. Worse, the debate on how to finance the unfunded retirement costs of the coming demographic transformation has dramatically degenerated from an already low level.

Congress and the Administration can still re-establish fiscal discipline this year. But they cannot do so unless they confront the hard choices. Deficits are back and it is time to close the budget bazaar.

THE MYSTERY OF THE DISAPPEARING FY 2002 SURPLUS

[In billions of dollars]

January 2001 CBO Baseline Unified Surplus Projection	313
Changes:	
Tax act w/interest	−42
New Spending w/interest	−49
Economic and Technical w/interest	−242
Total Change	−333
January 2002 CBO Baseline Unified Deficit Projection	−21
Re-estimate in CBO Baseline since January 2002	+26
Economic Stimulus Package (P.L. 107–147)	−51
Farm Bill Outlays: (P.L. 107–171)	−2
Supplemental Outlays: (H.R. 4775)[1]	−8
Lower Than Expected Tax Receipts	−75
Debt Service	−2
Total Change	−112
Tentative FY 2002 Unified Deficit	−133
Tentative On-Budget Deficit	−290
Tentative Off-Budget Surplus	157

[1] The Senate Appropriations Committee version of the bill, S. 2551, is slightly higher.

Note: Numbers may not add due to rounding.

FISCAL FACTS

[Dollars in billions]

CBO March Baseline: Fiscal Years 2003–2012:	
Projected Unified Surplus	$2,380
On-Budget Deficit	−102
Off-Budget Surplus	$2,483
Percentage of Surplus in First Five Years	21%
Percentage of Surplus in Last Five Years	79%
Percentage of Surplus in Last Two Years	47%
Discretionary Spending:	
Average Annual Growth Rate Assumed in CBO Baseline	2.6%
Average Annual Growth Rate 1998–2002	7.6%
Decrease in Surplus if Spending Continues to Grow at 7.6%	−$2,719
Decrease in Surplus if Spending Grows at the Rate of GDP (5.3%)	−$1,442
Change in Projected Surplus Over the Next 10 Years Since January 2001:	
Causes of Reduction in Surplus (As a Percentage of Decrease):	
Tax Cuts	42%
Economic and Technical Changes	40%
Increased Spending	18%
National Debt:[2]	
Gross Debt	$6,019
Increase over the past year	$363
Debt Held by Public	$3,433
Increase over the past year	$157
Intergovernmental Debt	$2,585
Increase over the past year	$206
Net Interest on National Debt in FY 2001	$206
Net Interest as a Percentage of the Budget in FY 2001	11%

[1] Includes costs of increased debt service.

[2] As of May 31, 2002: Note: The gross debt figure of $6.019 trillion exceeds the statutory debt limit of $5.950 trillion because a small portion of the gross debt is not subject to the debt limit.

Mr. MCCAIN. This amendment by Senator GREGG and Senator FEINGOLD is an effort to at least pose some kind of fiscal brakes, caps, that have worked fairly well in the past—not perfectly. But I also worry that without the enactment of this amendment, we may find ourselves continuing this hemorrhaging of spending, which is really quite almost unprecedented in the time that I have had in Congress.

In the name of the war on terrorism, we are now endangering the financial future of this Nation, and every spending issue seems to be somehow related to the war on terrorism. And clearly it is not.

I congratulate the sponsors of this amendment. I look forward to voting for it.

I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. FEINGOLD. Madam President, I thank the Senator from Arizona. I am delighted to have his support on this important amendment.

Madam President, I yield 4 minutes of my time to the distinguished Senator from Ohio, Mr. VOINOVICH, who is a cosponsor of the amendment as well.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. VOINOVICH. Madam President, I rise today in support of the Gregg-Feingold amendment.

I realize that some of my colleagues will say that this is not the right time or place to consider budget process reforms. I strongly disagree. In fact, I wonder if my colleagues realize how bad the budget situation has become.

According to the most recent calculations from the Senate Budget Committee, the budget outlook has swung dramatically in the past year. Last year, CBO predicted a $313 billion surplus for fiscal year 2002. Now, instead of a surplus, we face a tremendous deficit. We will borrow and spend the entire $163 billion Social Security surplus and on top of that we are going to have to borrow an additional $137 billion from the private markets. To sum it up, we are going to borrow $300 billion in the 2002 budget.

This is new debt, on top of the staggering $6 trillion debt we already owe. The budget outlook for fiscal year 2003 is just as bad. The way things look now, we will borrow and spend the entire $179 billion Social Security surplus projected for next year. And on top of that we will have to borrow at least another $100 billion to fund the Government next year.

Some people might think a surge in economic growth is going to bail us out of our budget problems. It won't. These skyrocketing deficit figures are based on CBO's assumption that the economy will grow by 5.4 percent next year. If that does not happen, the 2003 budget deficit is even going to be worse. My point is: these deficits will not go away on their own. We must prioritize. We must make hard choices. Unfortunately, our record on making hard choices is not encouraging. Just look at the farm bill. It speaks volumes about the lack of fiscal discipline in this body. We need to put our foot down and recognize the obvious. In order to be fiscally responsible we have to live within our means and we must rein in spending.

That is why I am cosponsoring this amendment. The amendment won't solve all our budget problems. As everyone in this Chamber knows, we regularly circumvent budget rules, and I have no doubt that we will push in some instances to do the same thing this time. Nonetheless, we need to do something. This amendment marks an important first step to regain control. I am working with my friend from Wisconsin and other Senators on other legislation to improve the budget process. And we hope to introduce that legislation soon. But in the mean time, this amendment would help keep the national debt in check. We cannot wait. We have to act now. We have a moral obligation to our children and grandchildren. Remember, at the end of the day, it is their future we are mortgaging away.

I urge my colleagues to join me in supporting this very important amendment.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Madam President, momentarily I am going to yield time to my colleague on the Senate Budget Committee, Senator DOMENICI. Before I do that, I want to respond quickly to something the Senator from Arizona said.

I am in agreement with virtually everything the Senator from Arizona said. I am going to be offering the budget disciplines that are expiring at the end of September after this amendment. I think it is absolutely critical, as the Senator from Arizona indicated, that we continue those budget disciplines. It would be a profound mistake in this country to let those lapse.

But I say to my colleagues, the amendment being offered by the Senator from New Hampshire, the Senator from Wisconsin, and others, I believe, has enormous loopholes in it, such that would actually make our circumstance worse rather than make them better.

Madam President, I hope my colleagues are listening. Under the current pay-go law, if mandatory spending or tax cuts would increase the deficit, it triggers a sequester at the end of the year. Under this amendment, it would allow projected surpluses—hear me; projected surpluses—to be used to pay for additional spending and more tax cuts, without triggering a sequester.

Are colleagues listening? They are talking about fiscal discipline, and they are backing an amendment that would impose fiscal discipline based on projections? We tried that before. It did not work because what we got were gimmicks and rosy projections.

My colleagues are well intended. I am absolutely on their side with respect to the fundamental question of fiscal discipline. But this amendment, I believe, opens a major loophole because it is based on projections rather than real results.

How much time does the Senator from New Mexico want?

Mr. DOMENICI. Is the Senator short on time?

Mr. GREGG. Will the Senator yield on that point?

Mr. CONRAD. I yield 5 minutes to the Senator from New Mexico, and then I would be happy to engage the Senator from New Hampshire.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Madam President, I hope I do not use that much time.

In the end, after I am through analyzing it, I am not going to vote with the proponents. I am going to vote against the waiver that is before us and return us to the position we were in before this amendment, if it had passed.

First, I want to, nonetheless, congratulate Senator GREGG and Senator FEINGOLD on their amendment. I think I understand why they have offered this amendment on this supplemental bill.

The amendment was offered in the Senate Budget Committee back in March, and it failed by a tie vote. But it probably would not have mattered if it had been added to the Senate Budget Committee reported resolution because, of course, the Senate has not yet considered a budget resolution, and it certainly has not considered that one.

This brings us to my second point. The failure to adopt in the Senate a budget resolution, let alone a conference on a budget with the House, has put the Congress in a unique position of not having a budget for the first time in 27 years. The one time we did not achieve a conference agreement between the House and Senate, in 1998, we nevertheless did add a so-called deeming resolution in the Senate so that the process could proceed based on a Senate-passed budget resolution in that year. We are now seeing the problems of not having any blueprint. Whether it is good or medium or not so good, we are not going to have any blueprint, and I fear as we proceed through the summer and the fall that the problems will only increase, not decrease.

I don't think I am overstating it when I say the budget process in Congress is hanging by a thread. There are some here who might say ''good riddance,'' but with no budget resolution, no spending limits, no way to set priorities, not even some indication that we are interested in fiscal discipline, those who would do away with the budget process will live to regret the direction in which we seem to be headed and what it will yield.

That is why, absent a good and agreed-upon budget for next year, particularly as it relates to the level of appropriations I have been pressing for, at a minimum, a fiscal year 2003 spending cap, extension of expiring Budget Act enforcement provisions, including certain points of order, and other provisions that will maintain some discipline throughout the year, that is the way of supporting a major portion of the amendment you plan to offer if this one does not pass. That does not mean I approve of all of them, but they are among the provisions I think we must have if we are going to have any kind of enforcement.

I have been working with the chairman of the Budget Committee, the chairman and ranking member of the Appropriations Committee, and our leadership to develop an amendment that would provide for this needed discipline. At this time, it is unclear that

we will be able to offer this amendment or if it would have the 60 votes needed to waive the Budget Act in order that it be raised because it, too, would require a hearing before the Budget Committee and a report to escape the 60-vote requirement.

This brings me to the Gregg-Feingold amendment. Absent an alternative, I support their amendment in order to lay down a marker to establish some discipline absent a budget resolution in place. But at this time I cannot support a waiver of the Budget Act.

There are parts of their amendment with which I disagree. I am not sure we need 5-year spending caps if we are not going to have a budget resolution. I don't agree with the procedure that is being recommended in the amendment to remove provisions from an appropriations bill in a rifleshot manner. But, in general, except for the 5-year spending caps and the individual appropriations procedures, their proposal captures the major provisions of extending the pay-go provisions and the Budget Act points of order that expire this year.

Again, I prefer to continue to work on an alternative 1-year cap proposal, and that is why I will not vote in favor of the Budget Act waiver that is required for this amendment. But if an alternative is not found, then the problems and the chaos I portend for this summer are certain to prevail in this Chamber. Maybe we still have a little time to correct it before it ends up as what I have just predicted.

I thank those who have spent a lot of time trying to figure out what to do. It is difficult. In conclusion, the reason I will not vote for this is that there is $36.8 billion more in spending than the President's total appropriations, $26 billion less in Defense appropriations, and $63 billion more in other mandatory spending.

I yield the floor and thank the Senator for graciously yielding me 5 minutes.

The PRESIDING OFFICER (Mrs. CARNAHAN). The Senator from North Dakota.

Mr. CONRAD. I thank the distinguished ranking member of the Budget Committee. I agree with every word he said. We have a budget process that is hanging by a thread. That is exactly right. We desperately need to put in place the budget disciplines that can allow us to keep the spending from spinning out of control as we go into the budget process.

The amendment by the Senators from Wisconsin and New Hampshire, which is completely well intended, will not accomplish the result they seek. I believe that is the case because it is dependent upon OMB projections of surpluses. We tried that. It didn't work. Why didn't it work? Because what occurred was a rosy scenario.

I put up the chart for 1990. They said the deficit was right on target. It was going to be reduced to $100 billion. It wasn't reduced to $100 billion. It was $221 billion. Let's not have a massive loophole like that put back into the budget law of the Congress.

I yield the floor and retain the remainder of my time.

Mr. KERRY. Madam President, the amendment before us, the Gregg-Feingold-Chafee-Kerry Budget Enforcement Act of 2002, is critical to restoring a sense of fiscal responsibility to the congressional budget process. I urge my colleagues to support it.

The amendment reinstates and extends for 5 years the caps on discretionary spending, keyed to the levels in the Senate Budget Committee-passed budget resolution. The caps are scheduled to expire at the end of fiscal year 2002. The amendment also reinstates and extends for 5 years the pay-as-you-go rules for tax cuts and entitlement changes. The pay-as-you-go rule would apply to legislation which increases the non-Social Security budget deficit. The rule would not apply when the budget is running a surplus outside of Social Security. Sixty-vote points of order and the threat of sequestration would continue to provide enforcement for both the discretionary caps and pay-as-you-go violations.

To guard against budget evasions, the amendment would shut back-door ways around the caps and pay-as-you-go enforcement by requiring 60 votes to change the discretionary caps, alter the balances of the pay-as-you-go scorecard, or direct scorekeeping. All emergency designations would require 60 votes.

I was one of the first cosponsors of the Gramm-Rudman-Hollings deficit reduction legislation in the late 1980s. I understand the importance of fiscal responsibility and budget discipline. The discretionary caps and PAYGO rules have helped impose a sense of fiscal discipline since they were first enacted in 1990. Budget enforcement mechanisms played a key role in stemming the tide of runaway deficit spending. As individuals such as Federal Reserve Chairman Alan Greenspan and former Treasury Secretary Robert Rubin have recognized, the benefits of spending and fiscal restraint are enormous. The remarkable turn-around in the Federal budget during the 1990s contributed to a virtuous cycle of lower inflation, lower interest rates, and higher economic growth.

Unfortunately, the budget enforcement mechanisms are scheduled to expire this year. As the Concord Coalition has noted, it would be particular ironic and careless to let the caps and PAYGO rules expire just when the budget is plunging back into deficit. Our bipartisan amendment would prevent that from happening. It will also encourage a discussion of the tough choices that must be made, regardless of procedural mechanisms, to restore fiscal responsibility.

As quickly as surpluses appeared, they have disappeared. We must not allow ourselves to return to the previous days of cutting taxes, increasing spending, consuming the Social Security surplus, and running up debt. Beginning in 10 years when the Baby Boomers retire, Congress will face huge unfunded retirement and health care costs. Congress and the President lack a strategy for dealing with these liabilities or for returning to budget balance. Our amendment represents a crucial step for reversing a rapidly deteriorating budget outlook. Formal budgetary restraints are needed to balance the competing claims on the Federal budget.

Some opponents express concern that the amendment would place overly restrictive limitations on appropriations. Others outright suggest that the legislation will result in domestic appropriations cuts. In reality, the legislation fully funds the appropriations levels requested in the Senate Budget Committee-passed budget resolution. The amendment exceeds the spending levels requested by the President, allow for more spending on education, health care and other priorities. For fiscal year 2003, the bill would allow $768 billion in discretionary spending. This is a figure commonly cited in current budget negotiations, and considerably higher than the House budget level of $759 billion. If this should prove insufficient, Congress can either raise the caps or declare the spending as emergency spending to avoid enforcement consequences.

Finally, some opponents criticize the amendment's pay-as-you-go entitlements/tax rule because it allows spending or tax cuts when the government is running a surplus outside of Social Security. This exception is important because it will facilitate the funding of national priorities when the Federal Government is not facing major budgetary deficits. In addition, it allows for a more flexible response to the budget situation. It recognizes that the will for strict pay-as-you-go enforcement may not exist when government is running a substantial surplus.

Overall, the Gregg-Feingold-Chafee-Kerry Budget Enforcement Act of 2002 is an important safeguard against runaway deficit spending. It will provide an important super-majority obstacle against fiscally irresponsible tax cuts. It is flexible enough to allow spending on critical national investments regardless of the budget situation, provided there is sufficient support. Perhaps most importantly, it will force a national dialogue on priorities and reestablish deficit reduction as a strategic goal. I urge my colleagues to support the amendment.

Mr. LEVIN. Madam President, I cannot support the Gregg amendment regarding caps on annual appropriations and modifying the so-called ''pay-as-you-go'' provisions controlling entitlement spending and the costs of tax cut legislation. The Gregg amendment, while well-intentioned, bases budget enforcement mechanisms on unreliable budget projections by the Office of Management and Budget. If there were

an OMB projection upon which tax cuts were based, and then the projections proved overly optimistic as is often the case, Medicare and other critically important program cuts would be automatically triggered to pay for those tax cuts.

I will support an alternative budget enforcement mechanism amendment which will be offered by Senator CONRAD, the Chairman of the Senate Budget Committee which will extend rules controlling annual appropriations, entitlement spending, and the costs of tax cuts. The Conrad amendment would extend procedures which proved successful since their adoption in 1990 in eliminating deficits.

Mr. KYL. Madam President, I rise to offer support for the Gregg/Feingold amendment and urge my colleagues to vote in favor of that amendment. Fundamentally, the amendment would make two changes. First, it would extend discretionary spending caps for five years, and second, it would make legislation that fails to pay for itself with appropriate offsets subject to points of order and mandatory enforcement mechanisms.

Although I appreciate the assurances that an alternative scheme for budget enforcement will be offered if this amendment is defeated, I remain concerned that the vote on this amendment will provide the only opportunity to ensure real fiscal discipline after the current protections expire later this year.

The spending levels provided for in this amendment are more than generous. In fact, I would prefer to see the caps keyed to the spending levels in the President's budget, rather than to those set forth in the budget resolution reported by the Senate Budget Committee in March. But that is not the choice before us. The choice before us is whether there will be any limits at all on spending and whether there will be any enforcement mechanisms to restrain spending.

If we head into this year's appropriations process without any such tools, we will set the stage for a monumental dereliction of duty. The sky will be the limit in terms of spending. Any notion of priorities in wartime will be cast aside. All of the rhetoric about ensuring that Social Security Trust Fund surplus revenues be held sacrosanct will be rendered hollow. This amendment provides a means, however imperfect, of keeping us focused on trade-offs and priorities. Accordingly, I urge the waiver of the Budget Act and the adoption of the amendment.

The PRESIDING OFFICER. Who yields time?

The Senator from New Hampshire.

Mr. GREGG. What is the present status of the time?

The PRESIDING OFFICER. The Senator from New Hampshire controls 4 minutes; the Senator from Wisconsin, 6 minutes; the Senator from North Dakota, 8½ minutes.

Mr. GREGG. Madam President, let me respond quickly to the comments made relative to the technical aspects of the amendment. First, I am impressed that it has received such adulation but so little support. The Senator from New Mexico, whom I immensely respect, said it is a wonderful idea except for a couple little points but he thinks it might be a good marker. The Senator from North Dakota appears to be saying essentially the same thing with a little more intensity. I am glad we have put something out here that appears to be pretty close to what we need.

Why do we need it? We need it because without any budget disciplines in place, we will be in serious trouble as we move down the road, as was highlighted by a number of speakers. We need to have something in place that we can look to at least to give us some guidance, some signposts.

On the issue of pay-go, obviously you don't need pay-go if you are in surplus. It makes no sense to have pay-go if you are in surplus. In fact, we have shown that every time we have been in surplus, with the last appropriations bill coming out across the floor, we have basically put a hold on or stopped the application of pay-go.

This bill makes it very clear. The language says:

> There shall be no sequestration under this section for any fiscal year in which a surplus exists.

It is very specific. There must be a surplus in order for pay-go to be withdrawn. But if there is not a surplus, clearly pay-go exists, and it is available.

How do you find out if there is a surplus? You have to have scorekeeping, and that is the way we work around here. We have scorekeeping for lots of spending.

Rosy scenarios, I seriously doubt it. In fact, I suspect just the opposite is going to be the case for the next few years. That is a bit of a straw dog. Nobody is projecting any surpluses. I point to the chart of the Senator from North Dakota. He is not projecting any surpluses out there. Nobody else is for the foreseeable future. It is important we have pay-go in place during this period of that red ink.

I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. FEINGOLD. Madam President, I would like to respond to some of the arguments of the chairman of the Budget Committee as well.

The chairman argues that what Senator GREGG and I are proposing is new and radical. In large part what we are doing is merely extending the Budget Enforcement Act of 1990. Let me tell my colleagues what would be radical: If we go through this process without any budget rules at all. Based on my 10 years here, that would be radical and dangerous and harmful to Social Security and to the future of our budget. As far as I am concerned, we are on the precipice of going back to the bad old 1980s in terms of the budget process. This is a good-faith, bipartisan effort to try to keep some rules in place.

The chairman speaks, fairly, of course, with great knowledge about the new deficits and the new problems we face, especially in the last couple of years, especially since 9–11.

Let me remind everyone that we used the chairman's numbers, not pre-9–11 numbers, but his post-9–11 numbers, with regard to his 5-year scenario. That is what this is based on. It is based on our knowledge about the tragedy and difficulties that occurred.

I find it hard to understand when the chairman argues for flexibility that somehow Senator GREGG and I don't recognize the need for flexibility. He, too, apparently, if we don't prevail, intends to offer caps. He intends to offer limits. The fact is that the chairman acknowledges that even in difficult times such as these, there have to be rules and there have to be limits.

There is nothing irresponsible about proposing limits even in difficult times, such as a war against terrorism. In fact, I argue that the worst that can happen, at a time when we are fighting terrorism and other crises in the world, is to have no rules at all. Then it is more likely that legislation such as the farm bill will pass with unlimited amounts of inappropriate action and provisions. Some of the provisions in the energy bill and some in this bill are more likely to happen with no rules at all.

For the sake of our national security, for the sake of the fiscal integrity of our country, at this time it is more important than at any other time that we have some rules and procedures so the American public can know we are wisely using their tax dollars to proceed with this war against terrorism, and to protect them, and that we are not using it for pork projects at home.

The chairman complains that our amendment would not have budget enforcement at times when we are running a surplus without counting Social Security. Yet his idea guarantees us no discipline at all. I wish him well if we end up going with his amendment and considering that, but, obviously, I hope ours prevails. There is no guarantee. Defeating this amendment would leave us with no enforcement at all if these current rules expired in September, as they are expected to do. He says we only have constraints on spending. We followed the same constraints on taxes as they exist in current law. Taxes and entitlements are constrained in our amendment, as well as by the pay-as-you-go procedure.

He also seeks to argue that somehow we are doing something different or something radically inappropriate with regard to the OMB. The amendment gives the OMB the job of calculating whether we have complied with the caps or the pay-as-you-go discipline. But this is exactly as it has been since 1987. Nothing is new about this provision.

When Congress first enacted the Gramm-Rudman-Hollings bill in 1985, it

gave the job of calculating compliance to the Comptroller General, head of the General Accounting Office. But the Supreme Court ruled, in 1986 in the case of Bowsher v. Synar, that Congress could not constitutionally give that power to anybody outside of the executive branch of Government. That is why we do it. That is why Congress gave the job of calculating compliance to the OMB in the rewriting of the budget laws and continued that process in the 1990 Budget Enforcement Act. This argument doesn't hold water. Our amendment merely continues the same rule for the OMB.

As to the chairman's argument that we erred by not requiring pay-as-you-go enforcement in times of budget surplus, we disagree as a matter of policy. We believe that when the Government is taking in more tax revenues than it needs to fund existing programs, even after putting all Social Security surpluses aside, then it is altogether appropriate for Congress to consider fiscal choices, such as updating Medicare to include a prescription drug benefit. Do we want a 60-vote requirement in times of surplus to provide the American people with a prescription drug benefit? I hope not. If you are listening to your constituents, they desperately need this. So that doesn't seem to be appropriate.

Finally, I think this is a critical test on this vote. Are we serious about protecting Social Security, even in these difficult times? Are we going to go forward with no rules and continue down the road we are heading in—the road of a $100 billion deficit already? Especially after 9–11, the American people have a right to know that we are being especially careful with their dollars, that we can track it, and that they can follow the caps and the rules and enforcement procedures to see if we are doing their bidding and if we are truly putting our priorities straight—with the war on terrorism at the top, but also guaranteeing the safety and security of Social Security, which is very dear to them.

I yield my time.

Mr. CONRAD. Madam President, let me respond to the Senator from Wisconsin. The alternative is not their proposal versus no rules. That is not the alternative. I will offer an amendment that will extend the supermajority enforcement of budget points of order that extends the Budget Enforcement Act provisions—all of them—and that restores the Senate pay-go rules—in fact, toughens them. That is the alternative: serious budget discipline versus the proposal before us by Senators who are absolutely well intentioned. They have the diagnosis right, which is that we have deficit and debt problems, but their solution takes us back to a provision that did not work in the past and will not work in the future.

Have we forgotten 1990? When you base budget discipline and enforcement on projections, you are basing your discipline on quicksand. What could be more evident? In 1990, the Office of Management and Budget told us we were meeting our deficit projections, that the deficit was only going to be $100 billion. It turned out to be $221 billion because the whole budget discipline process was based on projections.

That is what this budget proposal does. It won't work. It didn't work then; it won't work now. It is absolutely misleading and will take us down a road not to budget deficits, through budget deficit elimination, not to reduce debt, but to more gimmicks, more game playing, more rosy scenarios.

After this amendment I will offer an amendment that has real budget discipline.

I retain the remainder of my time.

Mr. GREGG. Madam President, what is the status on the time?

The PRESIDING OFFICER. The Senator from New Hampshire has 2 minutes. The Senator from North Dakota has 6 minutes.

Mr. GREGG. Will the Senator allow us to close since it is our amendment? I will yield our last 2 minutes to the Senator from Washington.

Mr. CONRAD. The Senator has used his time, and I am going to use mine.

The PRESIDING OFFICER. Who yields time?

Mr. GREGG. I yield to the Senator from Washington 1 minute 45 seconds.

Ms. CANTWELL. Madam President, I rise today in support of the Gregg-Feingold amendment. The premise underlying this amendment—and its extension of the budget enforcement procedures—is that we as a body must be fiscally responsible.

We have real responsibilities and real priorities on which we have to make decisions, but we also must have fiscal discipline. In order to accomplish this it is important for us to have a framework by which this body can make these fiscal decisions.

This amendment helps us at a time when we have seen a surplus of $5.6 trillion over ten years disappear and turn into a $2.7 trillion deficit. And we know that the current deficit is a result of last year's tax cut, the recession, and the tragic events of September 11, 2001.

Having spent time in the private sector, I can tell you this: No private sector organization thinks it can spend its way out of problems; nor can we as a country.

I believe one of the most important actions we can take for the nation's future economic stability, is to pay down the national debt. According to Chairman of the Federal Reserve Board, Alan Greenspan, paying down the national debt lowers interest rates and keeps the capital markets and investment going. In January, he told the Senate Budget Committee that one of the reasons long-term rates have not come down is the sharp decrease in the surplus and the diminishing prospects for paying down the debt.

Our total budget must be crafted within the need to maintain fiscal discipline, and stimulate economic growth through continued federal investment in education and job training, while also protecting the environment. Furthermore, we need to invest in our nation's economic future by making a commitment to public research and development in science and technology—maintaining our status as a global leader.

It is a balance. We need to make these investments, but within a framework that ensures we don't spend beyond our means. If we want our economy to be strong, if we want revenues, and if we want to make the right decisions, we need to keep paying down the debt.

We must have fiscal discipline in budget and appropriations process. We cannot focus solely on the individual items and programs in our budget, but must look at the whole picture. The budget enforcement procedures help us do this, and help us keep a reign on our spending. These procedures worked successfully as we struggled to get out of deficit spending in the 1990s, and they will work as we struggle to get out of the current recession and deficit financing.

The PRESIDING OFFICER. The Senator has used her time.

The PRESIDING OFFICER. Who yields time? The Senator from North Dakota.

Mr. CONRAD. Madam President, I hope people are listening and paying very close attention. There is a lot at stake in the series of votes that are going to occur. The Senators have made the case that we are back in an era of budget deficits. I say to them, I warned our colleagues that is where we were headed. I did not do it this year. I did it last year. And I begged our colleagues not to go down the road that was taken. I warned them that we would be back to raiding Social Security, Medicare, and every other trust fund in sight, but they cast all caution aside and went down that road.

Today there is a fundamental question of whether or not we are going to have budget disciplines in place as we go through this year's appropriations process. I will offer an amendment that extends those budget disciplines. Every colleague is going to have a chance to be recorded as to whether or not they want budget discipline.

The amendment before us has very serious defects. It is not the budget disciplines that worked in the nineties that helped us get back on track. It is not those. It is a new scheme, and it is a scheme that has an enormous loophole. The loophole is that discipline is based on projections of what is going to happen.

Have we learned nothing? Last year, we were told there was going to be $5.6 trillion available in surplus over the next decade. That was a projection. Do you know what it is now? Nothing. Zero. The money is all gone. Let's not base budget discipline on projections.

Does the Senator from New Mexico seek time?

Mr. DOMENICI. Yes, I would like 2 or 3 minutes.

Mr. CONRAD. How much time do I have remaining?

The PRESIDING OFFICER. The Senator has 3 minutes 50 seconds.

Mr. CONRAD. I yield 3 minutes to the Senator from New Mexico.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Madam President, I thank the Senator. I failed to call him chairman. He has been chairman for 6 more months. In any event, we wish the Senator well next year in whatever capacity.

I wish to discuss not so much the amendment because I have explained why I do not think we should waive the Budget Act. We have to do better in trying to put discipline into what is currently a totally undisciplined situation with reference to goals and priorities.

Appropriations will have no responsibilities on the various bills. There will be no total dollar number that flows. This amendment will not help that.

I close my few remarks talking about, once again, the mistake we are making—and we are making it for whatever reason—in not passing a budget resolution. I am not filled with acrimony, but I do believe that in the over 27 years of serving, I felt a responsibility to get a budget, and actually we could have gotten a corner after an extremely tough year 3 years ago and said: Let's not do it. The Senator from New Hampshire could have been with me trying to keep discipline in this process. We could have said: Let's not do a budget resolution. It did some good. Some people are saying it did not.

I would personally look at the area of entitlements and how many had caps which precluded passage of more than we spent. It is the same on appropriations. Obviously, there is friction against those two institutions, but we did some good.

We happened to budget based upon an extremely powerful American economy which was with us for 10 years, and we got clipped in the 11th and 12th year when the economy did not stay strong. That is all that happened.

If we could have kept the budget resolution, it would have forced it or would have done something better, and we would probably be right back to moving close to a balanced budget in the next 5 years. I am not sure we are going to get there without something like a budget resolution, something to shoot with each year.

That is why I am saying we ought to do better than the Gregg amendment. He is on the right track. Maybe we can include him and his cosponsor with a group of us trying to do a little bit better.

I thank the Senator for yielding.

The PRESIDING OFFICER. Who yields time?

Mr. CONRAD. Madam President, would you alert us as to the time situation?

The PRESIDING OFFICER. The Senator from North Dakota has 50 seconds. The Senator from New Hampshire has 15 seconds.

Mr. CONRAD. Madam President, in conclusion, I agree absolutely with what motivates the sponsors of this amendment. We need budget disciplines. I will offer those as a package, all of the budget disciplines—every one; in fact, a strengthened pay-go provision—after we dispose of the amendment that is before us.

Madam President, I say to my colleagues, I believe the amendment before us has a giant loophole, unintended I am sure, but it is based on projections, not real results. We have seen what happens with that kind of budget approach.

I go back again to 1990 when we had a similar scheme in place based on projections from the Office of Management and Budget.

The PRESIDING OFFICER. The time of the Senator from North Dakota has expired.

Mr. CONRAD. Madam President, does the Senator from New Hampshire still have time?

The PRESIDING OFFICER. Fifteen seconds.

The Senator from New Hampshire.

Mr. GREGG. Madam President, I thank my colleague from Wisconsin and my other cosponsors for offering this amendment. This amendment is going to be our best opportunity to put in place long-term, effective budget enforcement mechanisms. There are no significant loopholes in this amendment.

The PRESIDING OFFICER. All time has expired.

The Senator from North Dakota.

Mr. CONRAD. Madam President, I raise a point of order that the pending amendment violates section 306 of the Congressional Budget Act of 1974.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. Madam President, pursuant to section 904 of the Congressional Budget Act, I move to waive the applicable section of that act for the consideration of the pending Gregg-Feingold amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

Mr. DOMENICI. Madam President, I wonder if Senators will permit me to speak for 30 seconds on another matter?

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

Mr. DOMENICI. Madam President, I am sending an amendment to the desk. If I can have the attention of Senator CONRAD, I am sending a copy of the amendment he is going to propose following the disposition of this amendment, if we defeat it, so Senators can look at it and we can get rid of some delays. They can study it during the next 30 minutes or so.

Mr. CONRAD. Is the Senator filing the amendment?

Mr. DOMENICI. I am sending it to the desk so anybody who wants to may look at it. If the Senator has concerns, I will not do it.

Mr. CONRAD. I will be constrained to object because I am told Senator BYRD would object if he were here. But I am very hopeful we can accomplish that same purpose momentarily.

Mr. DOMENICI. I do not want to argue, but I am not sending an amendment to be operative. I can put in a letter. If I want somebody to look at a proposed bill, why would anyone object?

Mr. CONRAD. No one will object to that.

Mr. DOMENICI. I am sure they cannot if they wanted to. It is not intended as anything other than for Senators to look at. If they are interested in how we might fix this situation, they might look at what is being recommended by the chairman.

I thank the chairman.

Mr. CONRAD. I have no objection.

The PRESIDING OFFICER. The question is on agreeing to the motion. The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. REID. I announce that the Senator from New Jersey (Mr. TORRICELLI) is necessarily absent.

Mr. NICKLES. I announce that the Senator from North Carolina (Mr. HELMS) is necessarily absent.

I further announce that if present and voting the Senator from North Carolina (Mr. HELMS) would vote ''yea.''

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 49, nays 49, as follows:

[Rollcall Vote No. 133 Leg.]

YEAS—49

Allard	Feingold	McConnell
Bayh	Fitzgerald	Miller
Bennett	Frist	Murkowski
Brownback	Graham	Nelson (NE)
Bunning	Gramm	Nickles
Burns	Grassley	Roberts
Cantwell	Gregg	Santorum
Carper	Hatch	Sessions
Chafee	Hutchinson	Shelby
Cleland	Hutchison	Smith (NH)
Collins	Inhofe	Smith (OR)
Craig	Kerry	Snowe
Crapo	Kyl	Thomas
DeWine	Lieberman	Thompson
Edwards	Lott	Voinovich
Ensign	Lugar	
Enzi	McCain	

NAYS—49

Akaka	Campbell	Domenici
Allen	Carnahan	Dorgan
Baucus	Clinton	Durbin
Biden	Cochran	Feinstein
Bingaman	Conrad	Hagel
Bond	Corzine	Harkin
Boxer	Daschle	Hollings
Breaux	Dayton	Inouye
Byrd	Dodd	Jeffords

Johnson	Murray	Stabenow
Kennedy	Nelson (FL)	Stevens
Kohl	Reed	Thurmond
Landrieu	Reid	Warner
Leahy	Rockefeller	Wellstone
Levin	Sarbanes	Wyden
Lincoln	Schumer	
Mikulski	Specter	

NOT VOTING—2

Helms	Torricelli

The PRESIDING OFFICER. On this vote, the yeas are 49, the nays are 49. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected. The point of order is sustained, and the amendment falls.

Mr. REID. I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 3764

The PRESIDING OFFICER. The majority leader.

Mr. DASCHLE. Madam President, I have an amendment which I send to the desk.

The PRESIDING OFFICER. The clerk will report.

Mr. DASCHLE. I ask unanimous consent the reading of the amendment be dispensed with.

Mr. McCAIN. I object. I want the amendment read.

The PRESIDING OFFICER. The clerk will read the amendment.

The legislative clerk read as follows:

The Senator from South Dakota [Mr. DASCHLE] proposes an amendment numbered 3764.

Mr. McCAIN. I ask unanimous consent the reading of the amendment be dispensed with.

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

The amendment is as follows:

At the appropriate place, insert the following:

SEC. ___. BUDGET ENFORCEMENT.

(a) EXTENSION OF BUDGET ENFORCEMENT POINTS OF ORDER.—Section 904 of the Congressional Budget Act of 1974 (2 U.S.C. 621 note) is amended—

(1) in subsection (c)(2)—

(A) by inserting ''and'' before ''312(b)'' and by striking '', and 312(c)''; and

(B) by striking ''258C(a)(5)''; and

(2) in subsection (d)(3)—

(A) by inserting ''and'' before ''312(b)'' and by striking '', and 312(c)''; and

(B) by striking ''258C(a)(5)''; and

(3) in subsection (e), by striking ''2002'' and inserting ''2007''.

(b) EXTENSION OF BUDGET ENFORCEMENT ACT PROVISIONS.—

(1) IN GENERAL.—Section 275(b) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900 note) is amended to read as follows:

''(b) EXPIRATION.—Sections 251 and 258B of this Act and sections 1105(f) and 1106(c) of title 31, United States Code, shall expire September 30, 2007. The remaining sections of part C of this title shall expire on September 30, 2011.''.

(2) STRIKING EXPIRED PROVISIONS.—

(A) BBA.—The Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900 et seq.) is amended by striking section 253.

(B) CONGRESSIONAL BUDGET ACT.—The Congressional Budget Act of 1974 (2 U.S.C. 621 et seq.) is amended—

(i) in section 312, by striking subsection (c); and

(ii) in section 314—

(I) in subsection (b), by striking paragraphs (2) through (5) and redesignating paragraph (6) as paragraph (2); and

(II) by striking subsection (e).

(c) EXTENSION OF DISCRETIONARY CAPS.—Section 251(b)(2) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)) is amended

(1) in the matter before subparagraph (A), by striking ''2002'' and inserting ''2007'';

(2) by striking subparagraphs (C), (D), (E), and (F); and

(3) by redesignating subparagraph (G) as subparagraph (C).

(d) EXTENSION OF PAY-AS-YOU-GO.—

(1) ENFORCEMENT.—Section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 902) is amended—

(A) in subsection (a), by striking ''2002'' and inserting ''2007''; and

(B) in subsection (b), by striking ''2002'' and inserting ''2007''.

(2) PAY-AS-YOU-GO RULE IN THE SENATE.—

(A) IN GENERAL.—Section 207 of House Concurrent Resolution 68 (106th Congress) is amended in subsection (g), by striking ''2002'' and inserting ''2007''.

(B) SENATE PAY-AS-YOU-GO ADJUSTMENT.—For purposes of Senate enforcement of section 207 of House Concurrent Resolution 68 (106th Congress), upon the enactment of this Act, the Chairman of the Committee on the Budget of the Senate shall adjust balances of direct spending and receipts for all fiscal years to zero.

(3) PAY-AS-YOU-GO ENFORCEMENT DURING ON-BUDGET SURPLUS.—If, prior to September 30, 2007, the Final Monthly Treasury Statement for any of fiscal years 2002 through 2006 reports an on-budget surplus, section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 902) shall expire at the end of the subsequent fiscal year, and the President, in the next budget, shall submit to Congress a recommendation for pay-as-you-go enforcement procedures that the president believes are appropriate when there is an on-budget surplus.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Madam President, this amendment is to provide the fiscal discipline that I think we all seek, at least the framework for it.

This amendment extends the supermajority enforcement of budget points of order. It extends the Senate's 60-vote Budget Act points of order for 5 years. These points of order, including points of order that protect Social Security——

Mr. REID. Will the Senator yield without losing the floor?

Mr. CONRAD. I am happy to yield.

Mr. REID. I would like to say—the Republican whip is on the floor and the Republican leader—when this amendment is completed, we will go back to the procedure we have always followed. If there appears to be no disagreement, we will have a Democratic amendment and Republican amendment and go back and forth.

Mr. NICKLES. If the Senator will yield, I appreciate that because there is some angst on our side. People thought we were in line to do an amendment. I appreciate your accommodation with the recognition, and we will have an amendment ready when we conclude this amendment.

Mr. REID. The last two amendments have been offered by both Democrats and Republicans, but this is offered by a Democrat, so we will go to a Republican. The leaders have agreed on that.

Mr. CONRAD. Madam President, when we debated the last amendment, the point was made, and the point was made correctly, that the various budget disciplines are going to expire on September 30 of this year. That could allow budget discipline to go right out the window.

What I am offering today is a continuation of the budget disciplines that have worked—the budget disciplines that allowed us to move from deficit to surplus. It is critically important that those budget disciplines be extended. I think there is strong support in this body for that proposition.

As I have indicated, these points of order, including points of order that protect Social Security, limit total spending and total tax cuts, enforce discretionary spending limits, and committee and subcommittee spending allocations are scheduled to expire on September 30.

The Senate has had Budget Act points of order that require 60 votes to waive since 1985. But unless action is taken starting October 1, it will only take 51 votes to waive most Budget Act points of order. Only 51 votes would be required to raid Social Security, or to exceed discretionary spending limits, or to increase total spending above agreed upon levels, or to cut taxes below agreed upon levels, or to exceed committee spending allocations.

Without the extension of these 60-vote points of order, it will become much more difficult to enforce budget discipline in the Senate. Senators who favor spending, or tax cuts, or exceed agreed upon budget limits would not be deterred by the need to convince 60 of their colleagues that the limits should not apply to their proposals.

In addition, the amendment I am offering extends Budget Enforcement Act provisions. The amendment extends for 5 years the Budget Enforcement Act procedures that limit discretionary spending and requires increases in mandatory spending or tax cuts to be offset. The discretionary spending limits are scheduled to expire on September 30 of this year. The pay-as-you-go procedures that control mandatory spending and tax cuts will cease to apply to newly enacted legislation after September 30, although pay-as-you-go sequestrations will continue to apply to legislation enacted before that date.

Under the amendment, the pay-as-you-go enforcement will expire earlier than scheduled if an actual non-Social Security surplus is reported before fiscal year 2007. Although it has not been evident for the past several years, the discretionary cap and pay-as-you-go enforcement actions of the Budget Enforcement Act of 1990 have proved to be very effective tools for budget enforcement.

Let us put up the chart that shows the long-term budget surplus standards we face.

Here is the long-term relationship between spending and revenues. This goes back to 1980. The red line is the spending of the Federal Government. The blue line is the revenue. We had this very significant gap between the two—spending exceeding revenue—back in the 1980s, and that led to a quadrupling of the national debt.

In 1993, we passed historic legislation that cut spending and raised revenue to eliminate this gap between spending and revenue—to eliminate deficits and to begin to allow us to pay down debt. We did that. The lines cross. Spending went below the revenue line. And in 1997 we passed additional legislation that led to budget surpluses. The revenue line was above the spending level.

That has all changed. Now we are back to deficits. After making all that progress, after moving out of deficits into surplus, after the fiscal mistakes of last year, the President proposed a massive tax cut with a major defense buildup and said we could have it all, said we could have all of the spending and all of the tax cuts, and that we would still have surpluses. He was wrong by a country mile. Instead of surpluses as far as the eye can see, we have deficits as far as the eye can see. The question is, Are we going to reinstitute the budget discipline to provide the framework for the appropriations process?

From the time the budget disciplines were enacted through 1998, they helped to control spending, limit tax cuts, and played an important role in the dramatic turnaround in our budget circumstance.

That is what this chart shows. We lifted this country out of deficits and put it in surplus. Then, unwisely, last year, a whole new fiscal policy was put in place. That policy has plunged us back into deficits as far as the eye can see. We are going to be facing red ink throughout the entire next decade.

Without these tools which expire on September 30, it is unlikely the budget would have gone from a record total deficit of $290 billion in 1992 to a surplus in 1998. After 1998, these enforcement tools fell victim to the unrealistic, low discretionary caps that were set in the 1997 Balanced Budget Act.

It is the reason I opposed the last amendment. It was going to repeat the mistakes of the past, put in unrealistic numbers in light of the attack on this country, and base budget enforcement on projections rather than real results.

These budget enforcement provisions are based on actual results, not projections, and don't leave us vulnerable to the office of Management and Budget going back to the rosy scenario days in which they told us there were surpluses even when that was highly unlikely.

We are back in deficit now and for the foreseeable future. We should extend and enforce the Budget Enforcement Act procedures, not let them expire and either give up on fiscal discipline or pretend there are some other procedures that might work better than these proven procedures.

In addition, my amendment extends the Senate pay-as-you-go rule. The amendment extends through 2007 the Senate pay-as-you-go point of order that prohibits surpluses from being used to pay for new mandatory spending or tax cuts.

Let me repeat that because I think it is critically important.

The pay-go provision will protect us from using Social Security money for other tax cuts or other spending. We must have this discipline put in place or else we risk losing control of the entire spending process.

I hope my colleagues will think very carefully about the circumstance we face. We have put in here the framework for budget caps. We have not put in the number for this year. We have negotiations going on right now to determine whether or not we can agree now on a number for this year. As you know, we are very close. After weeks of discussion, we were very close yesterday to agreeing on a number. Perhaps this can give us an opportunity to achieve an agreement. Even if we don't today reach agreement on what the budget numbers should be for this year, it is critically important that we put in place the budget enforcement framework. We cannot let that lapse. Even if we don't agree on a cap number for spending today, we can agree on the budget enforcement framework. We can then settle on a number if not today, sometime in the near future so that these disciplines have something to apply to.

It is critically important that this budget enforcement mechanism not be allowed to lapse. That would be a serious mistake given the fiscal condition of the country. Literally, for weeks we have engaged in good-faith negotiations with people on the other side of the aisle.

I thank Senator DOMENICI, the ranking member of the Budget Committee, and his staff. They have played a very constructive role in these discussions. That can be said of the chairman and ranking member of the Appropriations Committee as well. Senator BYRD, the chairman, and Senator STEVENS, the ranking member, have worked for many days to try to agree to a set of provisions that would allow us to provide a budget framework and to also provide for a continuation of these budget disciplines.

Unfortunately, those talks hit a bump in the road yesterday. We have a chance now to get back on track. We have an opportunity now to extend these budget discipline provisions. We have an opportunity now to agree on a budget limit, an appropriations limit for this year.

I do not know if we can agree on that in the next few hours, but perhaps we can. It would allow us, then, to go into the appropriations process with not only the budget disciplines intact but with an agreement on what total appropriations will be for this year. That would be a very positive development. We would then have a budget for the year, and we would have the budget disciplines so that we could, with greater confidence, ensure we stay within the limits agreed to.

At the very least, we ought to put in place those budget disciplines. We ought to put in place that framework. We ought to be ready for when the negotiations achieve a result and we are able to agree on a number. We can do that today, at a minimum. It would be even better if we could agree to an amount as well. But at the very least, let's send a signal that we are not going to have chaos in the budget process.

Senator DOMENICI, the distinguished ranking member, has served on the Budget Committee for a long time. He has been chairman and ranking member. He warned us: Look, we are in uncharted waters; this is dangerous ground; we should have a budget in place.

This is an opportunity to have a budget framework so that disciplines that are set to expire on September 30 continue. This is also an opportunity to agree on a budget amount.

I very much hope that people who are discussing this issue at this moment think very carefully about what is at stake. I hope they will think very carefully about what we need to consider.

If we allow these budget disciplines to lapse, and we go into the appropriations process without an agreed-upon budget amount, it does not take much imagination to think of what could occur. We could have spending spin out of control. I do not think anybody wants that to happen. Think of the implications. Think of the signal that would send to the financial markets of this country. Think of what that could mean to the economy of this country.

We have already seen that the equity markets are extremely vulnerable. We have already seen the stock market go down 200 points in a day. If the markets got the sense that we were not going to take serious action on the budget deficits that now confront the country, that could further destabilize equity markets and put us in an even more vulnerable position.

(Mr. CARPER assumed the chair.)

Mr. MCCAIN. Will the Senator yield for a question?

Mr. CONRAD. I will be happy to yield.

Mr. MCCAIN. I thank the Senator.

I don't often like to expose my ignorance of certain issues on the floor of the Senate, but I preface my question with the assumption that I am not an expert on the budget, as is the Senator from North Dakota. I don't know the nuances and the ins and outs of the budget process, nor have I ever quite understood the different categories and what falls in and what falls out of it.

Would the Senator explain to me, according to the amendment proposed by

the Senator from North Dakota, as I read it, there is no budget number associated with the Senator's amendment; is that correct?

Mr. CONRAD. The Senator is absolutely correct. We are awaiting additional discussions that are going on right now, that the Senator may be aware of, to see if we could reach agreement on that critical component. Obviously, that would be a very important part of this package.

I say to the Senator, there are really two parts to this. One is the budget number for this year. The other is the budget enforcement mechanisms. Both of them are necessary. Neither is sufficient. They are both necessary.

Even though we do not have yet an agreed-upon number, the reason I am offering this amendment is that at least we would then have the framework and discipline when a number is agreed to.

Mr. MCCAIN. If the Senator will yield for a further question.

Mr. CONRAD. Yes.

Mr. MCCAIN. I do not quite understand. Since there is no number, then enforcement would basically be meaningless because you do not have a number to enforce.

Why wouldn't we wait until we had an agreed-upon number and then present the amendment as such? Because it seems to me, if you pass this, it may do more damage than good, because then the conferees, who are appropriators, well known for their sense of fiscal discipline, would be the ones who would decide what the cap is.

My question to the Senator from North Dakota is, without an agreement on what the cap would be, we are now putting in rules that are basically unenforceable because there is nothing to enforce. Why wouldn't we wait and see if there was some agreement on the overall budget number instead of proposing that at this time? That is my question.

Mr. CONRAD. The Senator asks a very good question. There are really two pieces to this puzzle. We need a number for this year. We also need the budget disciplines reinstated because they expire on September 30. This may be one of our best opportunities, I say to the Senator, to reinstate those budget disciplines.

We may also have an opportunity to have the number agreed to today. That would be a full package. That would be a very desirable outcome, I say to the Senator. But at the very least, I think we want to get the budget disciplines put in place.

Let's say we do not agree. Let's say we are not able to reach agreement on a number for this year. Does that mean we have lost all opportunity? No. Because, I say to the Senator, then certain of the numbers that were in last year's budget resolution serve as a basis for the disciplines that we would now be extending. In other words, even if we did not reach agreement, at least we would have the structure of budget disciplines that could agree to certain spending levels that come from the budget resolution of last year.

Mr. MCCAIN. I thank the Senator for his courtesy in allowing me to question him and for his responses. I am still not quite clear why we would pass an amendment without something to enforce. But I certainly appreciate the courtesy of the Senator from North Dakota, and again I applaud his knowledge of the intricacies of a very complicated process which I have been unable to master in the years I have been in Congress. I thank the Senator from North Dakota.

Mr. CONRAD. Let me say to the Senator, for example, even if we were not able to agree on a discretionary spending amount for this year, if we have these budget disciplines in place, they would apply to the mandatory numbers from last year's budget. As the Senator knows, we have two pots of money. We have mandatory spending, and we have discretionary spending.

In the best of all worlds, what many of us would like to achieve is a discretionary limit agreed to for this year—in effect, a budget for this year. But we also have mandatory spending, and, in fact, mandatory spending is a bigger part of Federal spending than is discretionary. Even if we are not able to agree on a discretionary limit, if we have this budget discipline framework in place, we would have a way of disciplining mandatory spending.

In the best of all worlds, we get a discretionary spending limit, and we have these budget disciplines that apply on both sides of the equation, mandatory spending and discretionary spending. But at the very least, if we passed these budget disciplines, if we extend them, we have some way of disciplining mandatory spending. That is the biggest part of Federal spending.

It would also be very useful and important and certainly my goal to have a discretionary spending limit as well.

Mr. MCCAIN. I thank the Senator.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. I wonder, does the Senator still control the time?

Mr. CONRAD. I still control the floor. I would be glad to yield.

Mr. DOMENICI. I would ask for about 3 or 4 minutes, and I will yield back.

The PRESIDING OFFICER. Without objection, the Senator from New Mexico.

Mr. DOMENICI. Mr. President, I wanted to have a few moments with the chairman and Senator GRAMM and others who are interested, building off your current amendment, which is pending—and I thank you for the accommodations that you have made to it—one which is very important to our side, very important to everyone, as we have come to know it, with the understanding that you know these enforcement provisions are not, for the most part, found in the Budget Act. These enforcement provisions were designed principally by a huge conference that was presided over by former White House OMB Director Darman—remember him—and Senator ROBERT BYRD—you know him—and a few other people. We were about 2 weeks out there at Andrews Air Force Base when we tried to negotiate a budget.

It fell apart in terms of numbers, most interestingly. Some people didn't get treated well politically, and others did. Those who know have said the most important thing we did in 1990 or 1991 were the enforcement provisions. We were doing something rather significant. It turned out the tax part didn't work out as well for the President as it should have, but these enforcement provisions survived.

The principal author of those was Senator ROBERT BYRD, because we were giving, in a sense, many things he wanted, and in exchange he was trying to make sure that if they didn't do their job, something could happen to them, including his committee.

Today the distinguished Senator, on an appropriations bill, is trying to see if we can save some of those. I want to say, I have looked at them. I think the language I have used for the last 2 or 3 minutes means that I like them. In particular, they have been changed a little bit. I like them. I think we would have changed them a little bit, whether we were down here or not, from 1990 because a couple of the provisions don't work too well.

I regret that I can't seem to get a consensus on what else ought to belong in this. I think it is good, but it is half a measure because we ought to have some numbers in it. We ought to have some numbers for defense and some numbers for the rest of Government. Clearly, without any question, we don't need 5-year numbers at this point in the process.

The process is questionable mostly because of the number assumptions, not these enforcement provisions, speaking in the past.

But adults are going to sit down and arrive at this total; if not here, in a vote. If not tomorrow morning in a vote, they will go to a meeting someplace, and they are going to vote on how much we are going to allow for expenditures. We could go back to the day I arrived in the Senate, with Senator Nunn, Senator HELMS, and others. We never knew what we spent until all the bills were added up. Nobody bothered to give you any interim reports on six committees that reported and six bills. We were new. We said: How can you run a government where nobody knows until you are finished and by then you have already spent it all?

About 6 months later, the Budget Act was born on a premise that Senators JOHNSON and DOMENICI, heads of the freshman class, sent out a letter saying: Next year we will vote against all the measures together, 13 of us, if we don't have some process that tells us the pieces before we start. That was the beginning. So it has some pretty good history.

I have been there and enforced it a lot of times. You know about 35 percent of the votes of the Senate are points of order, and most of those points of order are 60-vote points of order, which is the only effective means this Congress has found to make it difficult to spend money. That is the only one. Because when it is controversial and you are seeking something with a lot of money, it is not easy to get 60 votes. So you ought to have that around here next year, too, and the year after; right?

The question is, how are you going to have it if you don't adopt it? Then to what are you going to make it applicable? I would have hoped that we could have gotten together beyond what is proposed and that we would go ahead and put the numbers in and get it done and then take a look, with our leadership, at where we go next. We still have a lot of amendments, but at least we could conceivably be through with this part.

I am trying as best I can in my few comments to put a little life into this debate; otherwise, who wants to talk about budgets. I do because when you live them, it is interesting to talk about them. How did you get this thing done?

Even the issue raised here, if we don't get one, we will deem one. I kept wondering, if that is the case, why in the world didn't we deem them when they were all so darned difficult? It is because when you finally go to look and see, what is that, it ain't so. We deemed a budget resolution that the Senate had adopted. That is what we deemed done.

Incidentally, we deemed a budget resolution that had been done by the Senate but wasn't getting adopted, and so we said, rather than let this whole year go with nothing, we will have a deeming resolution. And what do we deem up against? A budget resolution. So even when we were in foxholes shooting at each other because we couldn't agree on anything, clearly we chose to get something that said the Budget Act is being enforced.

As to the numbers I am giving you and others who want to be part of this, if they do, I am more than willing to come back and talk about them and see if we can put them together. Our leader will have them very shortly, and we will see where we go.

I thank you very much for yielding.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, let me, first, thank the distinguished Senator from New Mexico, the ranking member of the Budget Committee. I think he has done something very constructive because it kind of leads us to the point of all the decisions that need to be made. The Senator from New Mexico is saying, yes, we need the budget enforcement mechanism and framework. We also need a budget. We need a budget. The Senator from New Mexico has come forward with numbers that are very close numbers that I could agree to, I say to the Senator.

Mr. DOMENICI. I had them there because they are close to what the Senator has agreed to before.

Mr. CONRAD. That is exactly right. The Senator basically has the President's number, which the President proposed for outlays—not the President's policy, I am quick to acknowledge. Really, the significant difference—there is not a difference on the budget authority number. It is the President's number. We have said all along that we could agree to the President's number for spending this year. We would not agree to this so-called accruals policy that would say that retirement funding of Federal employees is somehow discretionary rather than mandatory spending. It doesn't seem to us that that is realistic. When you have Federal employees, you have costs for their retirement. That has always been mandatory spending because, obviously, it is required. It is not discretionary. But the overall President's number is one to which I would agree. It is in the budget resolution that passed the Senate Budget Committee.

The Senator from New Mexico has provided a number for outlays that is very close to a number to which I could agree. He has also provided a defense firewall. Well, I think the realistic outcome in the Senate is that if we had a vote, there would be a commitment to spend that amount of money for defense. I think that would probably be the overwhelming vote.

I say to my colleagues, the Senator from New Mexico has come forward with the other part of the package. We have the budget discipline framework and he has now provided the numbers, provided a budget for this year that is very close to the numbers we have discussed for days.

I hope my colleagues will think about the need to get a budget and budget discipline in place for this year. We can do it now.

Mr. President, I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized.

AMENDMENT NO. 3765 TO AMENDMENT NO. 3764

Mr. SANTORUM. Mr. President, I send a second-degree amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Pennsylvania [Mr. SANTORUM] proposes an amendment numbered 3765 to amendment No. 3764.

Mr. SANTORUM. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To adopt the concurrent resolution on the budget for fiscal year 2003 reported by the Committee on the Budget for the Senate)

At the end of the amendment add the following:

SEC. . The provisions of S. Con. Res. 100 (107th Congress) as reported by the Committee on the Budget and placed on the calendar is adopted by the Senate and the House of Representatives as the concurrent resolution on the budget for fiscal year 2003 in accordance with section 301 of the Congressional Budget Act of 1974.

Mr. SANTORUM. Mr. President, what I have sent up is the Democrat budget that was passed out of the Senate Budget Committee.

We heard the chairman lecture the Senate that we need to have budget discipline and we need a budget. Yet for the first time in the history of the Senate, since the Budget Enforcement Act was put in place in 1974, we have no budget. We have not even been offered a budget.

The chairman of the Budget Committee, whose responsibility it is to bring a budget to the floor, has not brought a budget to the floor. This is the same chairman of the Budget Committee who, back in 1998, after we passed a budget but it had not gotten a conference report, said:

The budget resolution was due by April 15—

He said this in October.

The President plays no role in the budget resolution. That is the responsibility of this Senate and of the House of Representatives. These bodies have failed in their responsibilities.

He made that comment after we passed a budget here, but we were not able to agree between the House and Senate. In this case, the Senate has not even brought up the issue. We are in a situation where we are now, after a few years of surplus, heading into a deficit and we have no budget discipline in place. We have not even had a debate on the floor of the Senate as to the future of the budget of the United States of America.

Every single family in America has to budget. It is our responsibility—in fact, it is an obligation under the law that we pass a budget. But the chairman and the majority party in the Senate have refused to consider the budget, refused to bring this resolution to the floor.

We have seen all these amendments back and forth about why we are going to create psuedobudgets and deeming resolutions and sort of psuedobudget enforcement, skimming around the issues of the budget, without being serious with the public as to what the budget really is. That is disingenuous on the part of the Senate. We should have a full and fair debate on a budget and see whether we can get a compromise.

Last year we had a divided Senate. We did something historic, and I give credit to the chairman and ranking member for putting together a bipartisan budget for the first time in a long

time that actually passed the Senate. It was tough. I am sure if you ask the Senator from New Mexico, he would say it was one of the hardest things he ever did. He had a 50–50 Senate. It was not easy to craft a budget that could get votes on both sides of the aisle. It is hard when it is divided. It was a difficult task, but it was one that the Republican majority and Senator DOMENICI took on because we knew it was important for the future of the country to have fiscal discipline, to have a budget in place, so enforcement mechanisms could be put into place, so we could put some sort of caps on discretionary spending and have enforcement mechanisms for taxes and mandatory programs. It is an important framework to governing this country. It is not even a discussion that we have had.

We are almost 2 months past the time we were supposed to have this budget, and this is the first day I can remember we even have had this discussion, much less had the bill before us. So I thought it was important, since we are having this sort of kabuki dance here about budgets, that we actually put a budget on the floor. So that is what is on the floor now. We have on the floor the budget passed out of the Senate Budget Committee. If we adopt it, if the majority can get the votes to adopt their budget, then we can have a budget resolution on the floor and we can go through the process of amending the budget resolution, coming up with what is important for this country, which is setting forth the framework of operating the Government of the United States. It is our responsibility.

The President has sent a budget. He sent up a budget that was very specific. The House has passed a budget. It was hard to do with the very narrow majority over there, but they were able to pass a budget. The fact that we had not even brought a budget up, almost 2 months after the date which it was due to be here, is something we should not be proud of. We set a precedent that is not a good one. It is a precedent that says we are going to leave things to chance in the Senate at a time when the appetite for spending is always very high.

What does this budget do? Well, it does several things. The President laid out in his budget three priorities: national security, increasing defense spending so we can address not only the threats that we have had for many years, which are sort of the conventional threats that we have had to deal with—we were potentially going to be involved in some sort of conflict with a large deployment of our troops, which is what our military has been geared to fight. We have a lot of equipment and trained men and women who are there to do that. But as you know from recent events—and even before recent events—the military was going through a transformation process—now accelerated because of these asymmetric threats to America. Not only do we have to maintain the existing force, but we have to deal with another security threat on Americans here and in the world at large. So in this environment, in a war against terrorism, faced with different threats, we need to dramatically increase defense spending. It is not really that dramatic; it is less than 10 percent in spending. They fund the President's priorities, as far as defense, for the next 2 years. After that, it does not. In fact, it reduces defense spending back basically to the rate of inflation, or below, but it dramatically increases and continues to allow the increase in domestic spending.

At the same time, it takes even more money that was due for tax reductions by making the President's tax cuts permanent and puts that money back and, of course, spends that money, too—not on defense spending but on domestic spending—in a time of war, a time of reshaping our military to protect this country. It reshapes the budget into more porkbarrel projects for Members of Congress. That is what this budget does. It takes money out of your pockets and puts it—

Mr. CONRAD. Will the Senator yield?

Mr. SANTORUM. Yes.

Mr. CONRAD. The Senator makes an assertion about the Senate Budget Committee that is flatly untrue.

The budget I offered that passed the Senate Budget Committee fully funded defense for 2003 and 2004. After that, it increased defense by the rate of inflation and set all of the additional defense spending aside that the President has requested in a defense reserve account. Every penny of that money that is not needed for defense goes to debt reduction. The Senator has said it goes to porkbarrel projects. That is absolutely false. Every penny of that money—every penny—either goes for defense or it goes for debt reduction.

When the Senator makes statements, I hope the Senator will at least be constrained by the facts.

Mr. SANTORUM. Reclaiming my time, I suggest that given the way this body operates and the Congress has operated over the past several years since I have been in Congress, we have not seen very many reserve accounts set aside for debt reduction that are not raided continually for spending in Washington, DC.

The Senator can say that money is set aside, and that is a nice little accounting mechanism, but the fact is we will spend that money and then some increases—whether it is supplemental appropriations without caps, since we do not have caps now, we would be flying through that money and we would be blowing through caps as we have in the past.

Second, I did say the tax dollars would not be given to the American public. They would be back in the budget and, yes, they would be used to increase spending in Washington, DC.

The fact is, it does not fund the President's priorities or the Nation's priorities with respect to national security, No. 1.

No. 2, it does take money that was targeted hopefully for the pockets of the American taxpayers and brings it back to Washington to be spent.

No. 3, and I quote the Washington Post headline, ''Senate Democrats Tap Social Security in Budget Plan.'' I hear over and over how these horrible Republicans want to raid Social Security and raid the Social Security trust fund.

The budget we have before us, in the words of those who use this lingo, ''raids the Social Security trust fund.'' It is horrible to suggest that, but it does. It does not fund the Nation's priorities with national security. It does increase spending in Washington, DC, for more and more domestic spending programs. It does raise taxes vis-a-vis the President's budget, and it does raid the Social Security trust fund.

Given what this budget does, I can understand why it might be difficult or why many Members, the leader, and the chairman of the Budget Committee did not want to bring this bill to the floor because such a budget would be very difficult to pass because it does not please very many Members on either side of the aisle.

There was no attempt in the process to try to form a bipartisan budget. Every effort by Senator DOMENICI and the budget Republicans was thwarted by the majority. So there was no attempt to build a bipartisan budget. Faced with very difficult fiscal realities, including raiding the Social Security trust fund, which this budget does, it is very difficult to get votes on a bipartisan basis when we have a very closely divided Senate.

I am not saying this would not be a very difficult political task—it would be—but it is one the Senate is required to do. This is a debate that we should have. This is a debate that has been denied to the Senate, has been denied to the American public, and, as a result we are going into waters very much uncharted, uncertain waters when it comes to setting spending priorities over the next few months through the appropriations process and whatever other bills that may be coming through that require expenditure of funds.

I understand there are attempts being made to create mechanisms to do other things that are sort of quasibudget in nature. That is all well and good. But the fact is, the chairman of the Budget Committee and the majority leader had a responsibility and obligation under the act to bring a bill before the Senate and debate a budget, and they have abdicated their responsibility. They have abdicated their responsibility to the Senate and to the American public.

I am going to give them an opportunity. We have waited 2 months. Many on our side were suggesting: Why don't we offer this on April 15? Because many of us thought: Let's see if we can work out something; let's see if we can, in fact, get some bipartisan resolution; maybe the chairman of the Budget Committee will bring forth a budget

resolution. Senator DASCHLE continually in his dugout said: We will get to that budget resolution; we will get to it; we will get to it.

I was willing to hold off longer. Now there are all these phony budget talks going on in this Chamber where we are going to do all these machinations to look like we are doing a budget. I thought: I am willing to put off while people have good-faith negotiations to get something done. But when we come out to the Chamber in the context of a supplemental and start playing games like we are doing a budget, let's call a spade a spade. Let's do a budget. You have not done a budget. Let's do a budget. I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, the Senator from Pennsylvania must have missed what has been going on. He has not been party to any of these discussions, any of these talks, but people on his side of the aisle have been, including the ranking member of the Budget Committee and the Republican leader. We have even involved the White House in an attempt to get a budget for this year.

The fact is, the Senate passed a budget resolution through the Budget Committee, a budget that is a 10-year budget as required under the law. The President presented a 10-year budget, and we will give our colleagues a chance to vote on that budget as well, just as we did in the Budget Committee.

Interestingly enough, some Republicans did not support that budget. We will see if they want to support that budget on the floor.

The Senator from Pennsylvania talks about raiding Social Security. The President's budget really raids Social Security. We will give the Senator from Pennsylvania the opportunity to vote on that budget and see if he wants to raid it by $500 billion more. That is what the President's budget does.

How are we in this deficit situation? Is it because we have not considered a budget resolution on the floor of the Senate? The Senator from Pennsylvania knows the answer to that question. We are in deficit for as far as the eye can see before a budget has been considered for fiscal year 2003, and I remind the Senator that the new fiscal year does not start until October 1. We have time to get a budget in place for this year.

The Senator perhaps has forgotten that the Senate has been involved in the election reform bill, the energy bill, the trade bill—all of these the administration requested us to take up. Now we are on the supplemental bill which the President also asked us to take up and dispose of. So the budget kept getting pushed back.

On the fundamental question of how we got in this circumstance where we see deficits as far as the eye can see, the facts are very clear. The Senator from Pennsylvania and his colleagues bear substantial responsibility. They are the ones who put a budget in place last year that plunged us back into deficits. We opposed it.

It was the Senator from Pennsylvania and his colleagues who said we can have it all, who said we can have a massive tax cut, we can have a major defense buildup, that we can have maximum paydown of the Federal debt. That is what they told us last year. And now they are here, after saying they were going to have maximum paydown of the Federal debt, asking for the second biggest increase in the debt in the history of the country.

This is their fiscal policy that is in place. It is their fiscal policy that has put us back into deficit. It is their fiscal policy that has put this country back into accumulating debt at a record rate.

No budget has yet been acted upon for the year 2003. It is their budget, the budget they passed last year, that they offered in both Chambers of the Congress, that they passed that has put us in this deep ditch. That is the fact.

Last year, we were told there would be nearly $6 trillion of surpluses over the next decade.

In fact, the President's Office of Management and Budget told us there was going to be $5.6 trillion of surpluses over the next 10 years. Now we are told maybe $400 billion, and that is before the revenue shortfall of this filing season.

The fact is the money is all gone. Where did it go? More than 40 percent went to the tax cut that the Senator from Pennsylvania and his colleagues pushed through this Congress. Twenty percent of the disappearance of the surplus went from increased expenditures as a result of the attacks on this country, 20 percent, and every Republican supported those expenditures.

Twenty percent of the disappearance of the surplus happened because of the economic slowdown. About 20 percent occurred as a result of underestimations of the cost of Medicare and Medicaid. That is where the money went.

So if the Senator from Pennsylvania is wondering how the money disappeared and who is responsible, he can look in the mirror because it was his fiscal policy, his budget, his plan, his promises that put us back into deficit and back into debt. That is where we are.

I warned against that fiscal policy. I warned that it would put us in danger of raiding Social Security and raiding Medicare and every other trust fund in sight. But, oh, no, the Senator from Pennsylvania and his colleagues said: We know better. There is going to be even more money than has been projected. That is what they said then, and now we reap the whirlwind and the devastation of deficits and debt as far as the eye can see.

We have an opportunity to get a budget framework in place. We have an opportunity to put in place the budget disciplines that are necessary to prevent spending from spinning out of control, but this kind of ad hominem attack is not going to solve those problems.

We presented a 10-year budget. I am proud of that budget. The budget I presented, that passed through the Budget Committee, did the following: No. 1, fully funded the President's defense request for 2003 and 2004, and for the years beyond put the money in a reserve account so that every penny would be available for the defense of this country if needed. But in those future years, where none of us can say with certainty what might be required for defense, to the extent any of that money is not needed for that purpose, it goes to reducing the debt of America. That is a good policy. It is one we ought to adopt.

In the budget I have offered our colleagues, we fully fund all of the money the President has requested for homeland security because we believe everybody in this Chamber understands our first obligation is to defend this Nation.

The budget I have offered also has greater debt reduction than the President has offered in his budget, $500 billion more in debt reduction than what the President proposed, if the defense reserve fund is not needed for defense. If it is all required for defense, we still are paying down the debt by $230 billion more than the President's proposal.

On the other key issues before us, the budget I offered my colleagues said there would be no additional tax cuts unless they are paid for because we are now in deficit. It contains no tax increases, and it also has no delay of the scheduled tax cuts.

The budget I offered also attempts to address the priorities of the American people because it rejects certain of the cuts the President proposed. The President proposed cutting the highway construction program in this country by 27 percent. The President's budget proposes a $9 billion cut in highway and bridge construction funding. I do not think that is the priority of the American people.

Mr. SANTORUM. Will the Senator yield for a question?

Mr. CONRAD. Since the Senator has presented the budget I offered, I would like to complete the description of that and then I would be happy to yield.

I do not think it is wise to reduce the highway and bridge construction budget of the United States by 27 percent. No. 1, it would cost over 350,000 jobs in America. No. 2, it would reduce the efficiency of the transportation system in our country. What sense would that make?

It does not end there. The other major difference in the priorities of my budget from the President's budget is in education. Everybody says education is their priority, but the President's budget actually cut his signature education proposal, No Child Left Behind. The President, with great fanfare, went across the country drawing

attention to the No Child Left Behind Act, but in the first budget he proposed, he cut the funding for No Child Left Behind.

I also, in my budget, kept the Federal promise that was made long ago to the States with Disabilities Act funding for education. Educators all across America told us this was the single highest priority. It is the one thing that would help school districts across America the most, if the Federal Government would keep its commitment to fund 40 percent of the costs of the Disabilities Act. That is a promise we have not kept. Under the budget I have proposed, we would keep it.

We have some additional funding for education, some additional funding for law enforcement as well. The President cut dramatically the funding for the COPS Program. What sense does that make, when we face a terrorist threat, to cut cops on the street? This is a program that has put tens of thousands of policemen on the streets of America. So we restored that cut.

We also dealt with some of the other priorities of the Nation. In addition to education, in addition to law enforcement, we dealt with the health care needs of America.

The President had about $250 billion set aside for a prescription drug benefit and to expand health care coverage. The House in their budget resolution set aside $350 billion for a prescription drug benefit and for adjustments to providers. They did not pick up the President's proposal for expanding health care coverage.

In the budget I have proposed, we have a $500 billion reserve fund for health care, for prescription drugs, for the President's proposal on expanding health care, and for the third category of adjusting for providers, the Medicare cuts that are in place that endanger the health care of the people of the country because there are additional cuts to hospitals, additional cuts to doctors that go beyond what was anticipated when the 1997 Deficit Reduction Act was put in place.

Some have asked, how can it be that there are fewer cuts than the President proposed but on the other hand there is more debt reduction? How can that be? The way we achieved that result was not to adopt the President's proposal of additional tax reductions on top of the stimulus package that has already been put in place this year, and on top of the massive tax cut that was put in place last year that extends over the next 10 years. We say, yes, there can be additional tax cuts, absolutely, but they have to be paid for.

I think that is a pretty reasonable budget. Those are principles that ought to be adopted. Those are things that make sense.

I want to review how we got in the circumstance we are in today. It was not the fact that we have not yet adopted a budget for 2003 that put us into deficit.

I conclude by saying we got in this soup because of the fiscal policy put in place last year by the Senator from Pennsylvania and his colleagues. They are the ones who told the American people: You can have it all; it all adds up, massive tax cut, major increases in spending. They will have maximum paydown of the Federal debt, they will do all these things based on a 10-year forecast that even the people who made the forecast warned was uncertain. But they bought it hook, line, and sinker, and they sold it to the American people.

What is the result? Before we have a budget for fiscal year 2003, massive deficit is the result, deficit not just for this year but next year and the next year and the next year and the next year, because that party that claims to be the party of fiscal responsibility put us right back into the soup of deficits, debt, and decline. Their plan did not add up. Now we have an opportunity and an obligation to try to agree on a budget for this year.

The PRESIDING OFFICER. The majority leader.

Mr. DASCHLE. Mr. President, I want to make sure everyone understands what it is we are debating on the Senate floor.

The President made a request of the Senate to pass an emergency appropriation that would directly respond to the terrorist attacks in the United States. He asked for more money for defense. He asked for more money for homeland security. He asked for more money for New York. That is the pending legislation.

Our colleagues on the other side of the aisle have said this bill is on a slow train to nowhere. Mr. President, it is disconcerting, at best, that on an issue of this import—dealing with troops overseas while the nation is on high alert after being told repeatedly in the last 3 weeks about the inevitability of a further attack—somebody has unconscionably come to the floor and slow-trained this important bill, slow-walked it, stopped it, brought it to a grinding halt. But that is exactly what is happening.

We need to get this legislation passed. There ought to be a good debate about budget. We have been trying to do that. We will have one. But to offer a budget resolution on the amendment that is currently pending is inexcusable. It is politics. It has everything to do with slowing this bill down to a screeching halt and ignoring the plea of the President of the United States to enact this legislation as quickly as we can. That is what we are doing.

Members of his party have said: We don't care what the President is requesting, we are going to slow-walk this, we are going to put this on a slow train, and we are not going to pass this legislation this week. We will vote against cloture tomorrow. We are actually going to continue to filibuster a bill the President has requested to deal with homeland defense, to deal with aid to New York, and to deal with the defense needs of this country. That is inexcusable.

I move to table the second-degree amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. REID. I announce that the Senator from New Mexico (Mr. BINGAMAN), the Senator from West Virginia (Mr. ROCKEFELLER), and the Senator from New Jersey (Mr. TORRICELLI) are necessarily absent.

Mr. NICKLES. I announce that the Senator from North Carolina (Mr. HELMS) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 96, nays 0, as follows:

[Rollcall Vote No. 134 Leg.]

YEAS—96

Akaka	Dorgan	Lott
Allard	Durbin	Lugar
Allen	Edwards	McCain
Baucus	Ensign	McConnell
Bayh	Enzi	Mikulski
Bennett	Feingold	Miller
Biden	Feinstein	Murkowski
Bond	Fitzgerald	Murray
Boxer	Frist	Nelson (FL)
Breaux	Graham	Nelson (NE)
Brownback	Gramm	Nickles
Bunning	Grassley	Reed
Burns	Gregg	Reid
Byrd	Hagel	Roberts
Campbell	Harkin	Santorum
Cantwell	Hatch	Sarbanes
Carnahan	Hollings	Schumer
Carper	Hutchinson	Sessions
Chafee	Hutchison	Shelby
Cleland	Inhofe	Smith (NH)
Clinton	Inouye	Smith (OR)
Cochran	Jeffords	Snowe
Collins	Johnson	Specter
Conrad	Kennedy	Stabenow
Corzine	Kerry	Stevens
Craig	Kohl	Thomas
Crapo	Kyl	Thompson
Daschle	Landrieu	Thurmond
Dayton	Leahy	Voinovich
DeWine	Levin	Warner
Dodd	Lieberman	Wellstone
Domenici	Lincoln	Wyden

NOT VOTING—4

Bingaman	Rockefeller
Helms	Torricelli

The motion was agreed to.

Mr. REID. I move to reconsider the vote and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The deputy majority leader.

Mr. REID. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. MILLER). Without objection, it is so ordered.

Mr. CONRAD. Mr. President, I want to reflect for a moment on the events of today and say to my colleagues, we

have to find a way to break the gridlock. The bill that is before us is for defense, for homeland security, for dealing with the tragedy of the attack on New York, and to deal with some other urgent needs, including the shortfall in Pell grants and VA medical care.

The bill before us is a $31 billion bill. Fourteen billion dollars is for defense, money requested by the President to respond to the continuing terrorist threat to this country; $8.3 billion is for homeland security, again funds requested by the President to respond to the continuing threat against our Nation; $5.5 billion is to respond to the needs of New York after the attack of September 11; $1.9 billion is for foreign security assistance to strengthen our embassies against terrorist attacks; $1 billion to deal with the shortfall in Pell grants; $400 million for VA medical care. That is the bill that is before us. Those are requests of the President of the United States.

I want to make clear that what is at stake is spending items requested by the President of the United States to respond to the threats against our country and the devastation that occurred as a result of those attacks. I think it also must be said that we need to have a budget put in place for this year. It is needed. Now we are being told by some on the other side, they will block any attempt to have a vote on a budget framework for this year.

There are others on both sides who want to work together to achieve that result. There are others on both sides who believe it is important to have a budget put in place for this year, to have the budget disciplines extended for this year. I hoped we could do that before we conclude work on this supplemental. This is one of the best alternatives, one of the best options we will have to put in place a budget framework for this year.

I might say that people on both sides of the aisle have worked very hard to do that, are very close to an agreement to do that, but we have to have an opportunity to vote before cloture is invoked or that effort will fall.

That is the hard reality. We have an opportunity to put in place a budget for this year, to extend the budget disciplines for this year, and to provide some order to this process. That is in the interest of all of us. That is in the interest of the Nation. I would hope very much that tomorrow we would have the opportunity to vote on that on a bipartisan basis.

Ms. STABENOW. Will the Senator yield?

Mr. CONRAD. I am happy to yield.

Ms. STABENOW. I ask the Senator, who is the chair of our Budget Committee, about issues that are in that budget which I think are so critical for all of us, and I share with the Senator his frustration about the lack of willingness or ability to move ahead in order to pass this supplemental and to be able to pass the budget. One of the important provisions that we have worked on together relates to the question of prescription drugs and putting forward a comprehensive Medicare prescription drug benefit that I know the Presiding Officer has been deeply involved in leading and advocating as well.

Would the Senator not agree that it is critically important that we be able to move ahead with this budget so we can address the issue of Medicare prescription drugs and be able to address the spiraling costs of medications, affecting every part of our economy and that our budget resolution, in fact, puts in place the ability to do that?

Mr. CONRAD. I would like nothing better than to have the opportunity to have a full plan. At this moment, what is at stake is having any plan just for this year. That is clearly in the Nation's interests. It is in the interest of an orderly appropriations process to have a budget for this year and to have the various budget disciplines put in place for this year. That is now what is at risk, much less having a longer term plan. What is at risk at this moment is having any plan. That is what is at risk.

There are some Members who do not want any plan, some Members who want chaos. They think somehow they benefit by not having a discipline in this entire process. That is regrettable, I say to my colleague, who is a very valuable member of the Senate Budget Committee. We voted out a resolution, a blueprint on how to proceed, one that was fiscally responsible, that had substantially more debt paydown than the President proposed, one that has no tax increases, one that has no delay of the scheduled tax cuts, one that provides everything the President requested for the defense of this Nation, both in terms of the defense budget and the budget for homeland security. We did that.

We are asking for at least the opportunity to vote on one year of that plan so we meet the defense needs, so we meet the needs for homeland security, so we get this supplemental budget in place that the President has requested, so that, yes, we have the budget disciplines continue past September 30 when they expire. We do not want to see a circumstance where spending spins out of control. Just be here in October with no budget disciplines available and see what real chaos can be.

I say to my colleagues, I know there are people who have strong feelings on all of these issues. I do, as well. We ought to let the Senate work its will. We ought to have a chance to vote. That is how we determine outcomes here.

I have been told there are some who have the idea of preventing the Senate from voting. They do not want a chance to vote because they think they would lose, although there is a 60-vote requirement. They are right. They would lose. We would then have the opportunity to have not only a budget for this year and also the budget disciplines continue, that is very much in the public interest.

I hope some of my colleagues overnight will think about the consequences of the failure to act. I thank the Senator from Michigan for her contributions on the Budget Committee.

Ms. STABENOW. I commend the Senator from North Dakota for his ongoing leadership on the Budget Committee. These are challenging times. He has forecast for over a year great concerns about an evaporating surplus and what could happen with a downturn and other pressures on the budget. He has continued to advocate fiscal discipline. I join the Senator in that and in setting the right priorities for the country, the right priorities for our families.

ASSISTANCE FOR ISRAEL

Mr. BYRD. Mr. President, I want to take a moment to discuss the amendment of the Senator from Kentucky, the ranking minority member of the Foreign Operations Subcommittee, Senator MCCONNELL, concerning assistance for Israel.

This amendment would permit the transfer of all or a portion of the funds in the supplemental for Israel, to the ''Nonproliferation, Anti-Terrorism, Demining and Related Programs'' account (NADR), to be used for ''defensive, non-lethal anti-terrorism assistance.'' It is my understanding that the purpose of this amendment is to provide the authority to utilize these funds to purchase bomb detection equipment, x-ray machinery, body armor, and similar types of border security and other defensive equipment to prevent acts of terrorism. Am I correct?

Mr. McCONNELL. I thank the chairman of the Appropriations Committee for his question. Yes, he is correct. That is exactly what these funds would be available for. The recent bombings in Israel—including one this morning that killed 16 people—have only demonstrated the urgent need for this type of assistance.

Mr. BYRD. I thank the Senator. I want to be certain that there is no ambiguity about what these funds are for. We are all aware that there was never any intention that these funds would be available for lethal assistance or for the expansion of settlements, but I think it is important to reaffirm that understanding. These NADR funds would not be available for offensive purposes, or for any purpose unrelated to the purchase of defensive, non-lethal anti-terrorism equipment, and the Senator from Kentucky has confirmed that.

Mr. McCONNELL. Let me thank the chairman for including the assistance for Israel in his mark.

WAIVER OF THE LOCAL MATCH FOR THE COMMUNICATIONS INTEROPERABILITY FUNDING

Ms. LANDRIEU. Mr. President, I would like to engage my colleague, the distinguished chairman of the Commerce, Justice, State appropriations Subcommittee, Senator HOLLINGS, in a

colloquy on the local match requirements for Federal grant funding. This pressing concern was raised by the local elected officials we heard from during the Appropriations Committee homeland security hearings. One of them testified that in many of these grant programs, particularly in the public safety area, our larger cities with the greatest needs cannot afford to meet a local requirement, while wealthier area with relatively fewer needs are able to take full advantage of these funds.

I hope the distinguished chairman will join me in this colloquy at this time.

Mr. HOLLINGS. I would be happy to speak with my colleague from Louisiana on this important issue.

Ms. LANDRIEU. I thank the Senator. I believe that local match requirements are an important shared investment in Federal grant making. So there is a need for it and I think my colleague would agree.

Mr. HOLLINGS. I certainly do agree. By giving the local jurisdiction ''buy-in'' to a grant, the local match adds an incentive for communities to use Federal funding effectively. A wide variety of grant programs have them. I also share in the Senator from Louisiana's concern that many of our communities may not be able to afford that match. Many grant programs provide waivers of the match in certain cases.

Ms. LANDRIEU. I would like to talk to the Senator about the $80 million in interoperable communications funding in the Department of Justice title of the bill. In the District of Columbia Subcommittee we have held hearings on the emergency preparedness needs for Washington, DC. During 9–11, District fire and police personnel had to have the ability to communicate with multiple jurisdictions that responded to the Pentagon. So interoperability is crucial for public safety officials.

The funding in the bill would be administered by the COPS program at the Department of Justice. You have been a leader in the Senate in your support of that program. COPS grants require a 25 percent local match for its grants. The COPS program does allow for a full or partial waiver of the local match for communities that are facing severe fiscal distress. Communities can qualify for a waiver in a wide variety of ways. Some qualify because they have been declared a FEMA disaster area or have been placed in receivership or bankruptcy. Communities can also get a waiver if they have had a recent large, one-time financial expense, like replacing a water treatment facility. The COPS program will also grant waivers to communities that had to make across-the-board budget cuts as a result of difficult economic circumstances.

Mr. HOLLINGS. Congress designed the COPS program to meet the specific law enforcement needs of individual communities. This is true not only with the waiver of the local match, but in how communities can use COPS funding in general.

Ms. LANDRIEU. Is it your understanding that the COPS interoperable communications funding in the bill will be administered in the same manner as the other COPS grant programs regarding the local match and the waiver process?

Mr. HOLLINGS. Yes. These funds will be administered in the same manner as other COPS grants funds regarding both the matching requirements and the waiver process.

Ms. LANDRIEU. I thank the chairman of the subcommittee. I look forward to working with you on this issue.

Mr. GRAHAM. Mr. President, I rise today in support of the funding for the U.S. Coast Guard aviation programs in the pending supplemental appropriations bill.

On February 20, I spent a day at Coast Guard Air Station Clearwater in St. Petersburg, Florida. I observed first hand some very impressive Coast Guard aviation operations, but also several helicopters that were inoperative due to problems associated with a shortage of spare parts. I am pleased that the pending supplemental will help restore adequate funding for the Coast Guard aviation program, including spare parts, and get these aircraft flying and operational again soon.

The Coast Guard needs this assistance to cover their basic operational expenses. According to the Coast Guard, the first supplemental this year provided funding to operate seven additional aircraft (4 HU–25 Falcon jets and 3 HH–65 helicopters) and provided a 15 percent increase in flight hours. The pending supplemental contains approximately $22 million to continue to operate the entire aviation fleet for the remainder of the fiscal year, with an adequate inventory levels of repair parts. I am also pleased that the Coast Guard reports that the President's fiscal year 2003 budget request contains the necessary recurring funding to support the additional aircraft and flight hours brought on by fiscal year 2002 supplemental funding, as well as continues to resolve the Service's aviation parts shortfalls.

I do recognize that some of the HH–60 helicopter problems that I saw in February are due to aging aircraft issues that affect the entire U.S. H–60 fleet, including those owned by the Department of Defense, and are not just the Coast Guard specific issues.

As one of the nation's first lines of defense in stemming the flow of illicit drugs and illegal immigration into the United States, it is imperative that the U.S. Coast Guard be appropriated the resources that they require to carry out their critical missions on behalf of the American people. And we must remain committed to ensuring that our Coast Guard has adequate resources not just now, but well into the future. The U.S. Coast Guard is important to Florida and important to the nation.

I urge my colleagues to join me in support for the Coast Guard's supplemental funding for fiscal year 2002 as well as for their annual appropriations in fiscal year 2003.

Mr. McCONNELL. Mr. President, I very much enjoyed Thomas Friedman's op-ed in today's New York Times entitled ''Land of Denial.'' I could not agree more with his assertion that Egypt can—and should—be doing more to be a leader in the Arab world.

Egypt is a land of missed opportunities, and it has forfeited its historical place in Middle Eastern history as a progressive and pluralistic country. Friedman points out that while other countries—Jordan, Bahrain, Qatar, and even Tunisia—have forged ahead with democratic, free press, and economic reforms, Egypt ''has been stagnating.''

I could not agree more with Friedman's assertion that ''[t]he intellectual air has gone stale in Egypt from too many years of controlled press and authoritarian politics.''

In the past, I have taken issue with Egypt's cold peace with Israel, its jailing of democracy advocates, its suspicious involvement with North Korean missiles and weapons technicians, and its reckless and irresponsible government-controlled press that fuels extremism on the streets of Cairo and throughout the Arab world.

It is not too late for President Hosni Mubarak to embark on a reform path that will ensure a stable and prosperous Egypt. It is in our interests—as well as those of the Egyptian people—that Mubarak invests in the development of functioning democratic institutions and political processes.

In the supplemental bill I carved out a portion of assistance provided in the Economic Support Fund account for the professional training of Egyptian and other Middle Eastern journalists. I did so because I firmly believe that a free and independent media in Egypt will contribute to our war against terrorism, peace in the region, and the political, legal, and economic development of that country.

The abuses of the government-controlled Egyptian press are legendary, and include personal attacks against Secretary of State Colin Powell and National Security Adviser Condoleezza Rice. America has been repeatedly tarred and feathered, Israel vilified, and Hitler criticized for not killing all the Jews ''so that the world could sigh in relief without their evil and sins.''

Such inflammatory nonsense fuels ideological extremism that has repercussions on our shores and throughout the world.

Let me assure my colleagues that in my capacity as ranking member of the Foreign Operations Subcommittee, I will continue to examine the assistance America provides to Egypt. I have already suggested to Secretary Powell that we reassess our assistance to Egypt to ensure that it effectively promotes critically needed reforms, and I look forward to working with the administration on this matter.

MORNING BUSINESS

Mr. REID. Mr. President, I have spoken to both the majority and the Republican leader and told them that we were going to go into a period for morning business for the rest of the evening, and they both are aware of what we were going to do. Therefore, I ask unanimous consent that the Senate now proceed to a period for morning business, with Senators permitted to speak therein for a period up to 10 minutes each.

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

ORDER OF BUSINESS

Mr. REID. Mr. President, for the information of all Members, I have spoken with the two leaders, and what we would like to do this evening is propound a unanimous consent request that we be in morning business in the morning from 9:30 until 10:30, with the time from 10:30 until 11 equally divided with the proponents and opponents of the motion to invoke cloture.

We, of course, will be on cloture whether there is an agreement or not. That is the rule. So that is what I am going to propose later on. As I have said, I have explained that to both leaders, and I think that is what they want.

Of course, Mr. President, there are no more rollcall votes today.

CRITICAL ISSUES

Ms. STABENOW. Mr. President, I rise to ask our colleagues to move beyond the obstructionist position, to work together to get the supplemental passed so we can move on to other critical issues that affect our families. This is one. It is important. There are important pieces in this bill that deal with our issues of homeland security and certainly, representing the great State of Michigan, issues of border security are critical. We are very concerned about making sure we have the resources in place. There are other important resources in this supplemental bill.

However, I am equally concerned about the ability to move beyond this, to get this completed on a bipartisan basis and move beyond this to the rest of the agenda that has to happen.

The Presiding Officer has spoken eloquently about the sense of urgency families feel about medicine and the inability to afford critical lifesaving medicine, whether you have cancer, a heart condition, high blood pressure, or a disabled child and you need to be able to provide that child with medicine that is needed.

We have the ability and, within our budget resolution, the capacity to pass a Medicare prescription drug benefit that will update Medicare and make sure there is a voluntary universal plan in place for those who need it, to be able to afford their prescription drugs.

We also have the ability to lower prices across the board. Our side of the aisle has put forward a strategy to provide a way to lower prices for our business community, large and small. I have seen the business communities come forward, small businesses that are losing the ability to provide health care for their employees because premiums are going up 30 and 40 percent this year.

The big three automakers shared some statistics with me. I came from a weekend-long event on Mackinaw Island, which I invite the Presiding Officer and my colleagues to come and enjoy during the beautiful summer months. There is a wonderful gathering of business and political leaders and university educators who come together once a year to discuss challenges facing the economy in southeastern Michigan and across Michigan and the business concerns. High on their list, if not at the very top, was the rising costs of health care, predominantly due to the explosion of the prices on prescription drugs.

We heard a presentation from DaimlerChrysler that indicated on a SUV today priced at $18,600 the cost of employee health care is $1,300, and that the fastest growing part of that is prescription drug costs. We not only need to be providing Medicare prescription drug coverage for seniors and for the disabled, but we need to close the loopholes which allow the companies to stop compensation through generics that go on to market or are supposed to go on to market once the patents run out where the formula is available to other countries to use and to produce prescription drugs at a lower cost.

We also need to open our borders to Canada. Two weeks ago, we passed fast-track trade authority, but the only thing we could not trade between the United States and Canada is prescription drugs, which makes absolutely no sense. We know, and we will be demonstrating next week in bus trips from a number of States across to Canada, that you can lower your prices at least in half.

I am pleased to have joined with Senator DORGAN from North Dakota, Senator JEFFORDS from Vermont, Senator WELLSTONE from Minnesota, and many others, in an effort to open the border so we can have that competition, and our pharmacists, our hospitals, our businesses can have business relationships with the Canadians, bringing back American made drugs sold to them at lower prices. We have that bill. If we had the opportunity, we could complete the supplemental and bring up that bill and lower prices immediately.

We have been able to put forward a bill that caps the amount the taxpayers subsidize in excessive advertising costs. The drug companies are spending 2.5 times more to advertise a drug than to create a new lifesaving drug, and we have a bill—and the Presiding Officer has joined in the effort—to cap the amount that can be written off on advertising and marketing costs to the same level that research costs are rip-offs on taxes, so taxpayers are subsidizing no more for advertising and marketing sales than we do for research. That would cut costs immediately.

We also have a bill to allow more flexibility for States using innovative techniques as in Maine and Vermont, where they are being sued by the drug companies for coming up with creative ways to lower prices.

We have an agenda to lower prices. We have an agenda that includes a comprehensive, voluntary, Medicare prescription drug benefit. If we can get beyond the current stalemate, we will have the time and opportunity to bring forward these issues that directly affect every single American—every business, every farmer, every worker, every family, every senior. It is an issue whose time has come.

People in our States are saying it is time to act. It is past time to act. We have been talking about this. You would think, given all the time we spent talking about it, on both sides of the aisle, we could have funded a prescription drug benefit.

The reality is we need to act. We need to do it now. I am deeply concerned that we are seeing, day after day, stalemate on moving forward on critical issues such as the supplemental that are so important to us and that are blocking us.

Mr. REID. Will the Senator yield for a question?

Ms. STABENOW. I am happy to yield to the distinguished Senator.

Mr. REID. I say to the Senator from Michigan how much I appreciate her leadership on this issue. Yesterday the Presiding Officer gave a speech, right close to where the Senator was standing. It was one of the most significant speeches I have heard since I have been here. He illustrated, in the mind of anyone who was listening, why we cannot wait.

I say to my friend from Michigan, I was on an elected board of trustees from a hospital district in 1966 when Medicare came into being. Prior to Medicare coming into being, 40 percent of the seniors who came into our hospital—it was a county hospital—had no health insurance. We were brutal. That is just the way it was all over America. We would go after whoever brought their mother or father, son or daughter in the hospital. We would go after them for their wages; we would attach their homes. That was the way it was all over America.

Medicare is imperfect, but now virtually every senior citizen who comes into a hospital has some health insurance.

In 1966, I think the Senator would agree, there really was not a paramount need for a health insurance plan that covered seniors for prescription drugs. That was not really a part of the

therapy at the time. But now the Senator would also acknowledge the average senior citizen has 18 prescriptions filled every year. They are lifesaving. They make people more comfortable. They prevent disease. How can we, the only superpower in the world, not have a prescription drug benefit for the program we call Medicare to take care of seniors? Would the Senator respond to that?

Ms. STABENOW. I thank the Senator very much for those comments. I could not agree more. When Medicare came into being, as the Senator from Nevada knows, it provided coverage for the way health care was provided at the time. You went into the hospital, you had an operation, and it covered the medications in the hospital. But we all know that health care has dramatically changed, and we are proud of that. We are proud that we have these new lifesaving drugs that stop someone from having to have the operation. We know most health care now involves prescriptions.

The problem we have is that this great American success story called Medicare that was put into place does not cover prescriptions. So effectively, now, we are not providing the health care that we promised our seniors and the disabled.

So for me and I know for the Presiding Officer and for our leader from Nevada, it is common sense. It is past time to update Medicare. I know we are urgently trying to make that happen.

I thank my friend for raising that. I know we have a tremendous amount of support all across this country for getting this done. I often think, in the debate on health care and this debate on prescription drugs, if we only had the same sense of urgency on this issue from a policy standpoint that we have when someone in our family gets sick or we get sick. When you find you are diagnosed with cancer and you have to have cancer medication, you can't say, ''This is too tough. We will do it next year. You can have your medicine next year.'' Or when your child gets sick, you can't say, ''You can't get sick this year. You can get sick next year.''

Yet we put off this issue year after year after year. We need this kind of urgency that our families feel. I know our leader from Nevada feels that. Certainly the majority leader of the Senate and the Presiding Officer from Georgia have eloquently stated this. We are going to keep coming to the floor, day after day after day, creating this sense of urgency, urging people to get involved with us to create the sense of urgency that we need to get this done.

Mr. REID. I know the Senator from Michigan has a schedule to meet. But will she yield for one more question?

Ms. STABENOW. I would be honored, yes.

Mr. REID. Having listened to the Senator and having listened to the Presiding Officer yesterday, I am—I can't say depressed; maybe in a legislative sense I am, but I am terribly concerned that we are wasting so much time. Everyone knows this bill that is being slow-walked here is going to pass. It has to pass.

This bill making supplemental appropriations for further recovery from the response to terrorist attacks on the United States—we know it is going to pass.

There are things in it that people may not like. But rather than waste 2 days' time here, why don't they file motions to strike what they don't like. It is a shame we have to invoke cloture.

We have spent Monday, we have spent Tuesday, we have spent Wednesday doing basically not much, when we could have been working on this legislation about which the Senator is speaking now, about which the Senator from Georgia spoke yesterday. We are wasting time.

I can be as partisan as a lot of people, but the State of Nevada is equally divided between Democrats and Republicans. I represent the Republicans of the State of Nevada just as I represent the Democrats. We in the Senate have to respond, in my opinion, in that same manner. The people about whom you speak are not Democrats; there are just as many Republicans as Democrats who need Medicare. We have to approach this in that manner. Would the Senator agree?

Ms. STABENOW. I could not agree more. I was thinking as the Senator was speaking, we have seniors who got up this morning and literally sat at the kitchen table and said: Do I eat today or do I get my medicine? Do I pay my utility bill or do I get my medicine? They didn't check to see if their registration card was Democrat or Republican. That is not what this is about. This is about real people's concerns.

People expect us to work together. They expect us to rise above those kinds of partisan efforts and work together to get things done for them in a meaningful way.

So I share the same concern. Every day this week that we are not able to address this is another day where thousands, probably millions of people across this country, are trying to decide how to put their pennies together to be able to afford the medicine that they or their family need. I would say enough is enough. It is time to get on with it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

SUPPLEMENTAL APPROPRIATIONS

Mr. REID. Mr. President, I appreciate the statement of the Senator from North Dakota, the chairman of the Budget Committee, and certainly the statement just made by my friend, the distinguished Senator from Michigan, Ms. STABENOW.

I spend a lot of time in the Chamber, and I really enjoy it. That is my job. I appreciate my ability to do that, that other Senators give me that responsibility. But there are days such as today and yesterday and Monday that I am concerned we are not doing enough in this body. I don't know why this is being slow-walked, as has been described in today's press. I am not making this up. It is right here in the Congressional Quarterly:

> Senate Republicans say they will not hesitate to slow walk legislation important to Democrats.

But as the Senator from Michigan stated, if we passed a prescription drug benefit for seniors—it would be great if we could do it for everyone, but let's say we do it for seniors on Medicare—they wouldn't know to whom to give credit, whether it be Democrats or Republicans, but they would be happy they got something. Conversely, our doing nothing, the blame goes to both parties. There is no advantage that anyone gets by not moving forward on legislation.

Pick up the newspaper anytime you want—today. I don't have a clip from today's paper, but it is easy to find one. Here is one, May 23. It was in my desk. I was cleaning out my desk as the Senator was speaking:

> The Department of Transportation has issued a warning about attacks on rail and transit systems across the country, law enforcement officials said on Thursday. The Department's warning, sent out Wednesday, was consulted by the Department of Transportation.

The reason that is important is this bill that we are now working on has a provision in it for security. We have almost $1 billion for port security. We have $200 million for security at nuclear weapons facilities. We have $154 million for cyber-security, and border security.

I am a member of the Appropriations Committee. I voted for the bill that came out of committee. But as with all Senators, you don't have an opportunity to read everything in a bill. The bill that came out is not a very big bill. It is 117 pages. I could read the bill easily in a half hour and really understand everything in it. If there is something that people do not like in the bill, they should try to get rid of it.

I think we are doing a disservice to the people of my State of Nevada and the country by not moving forward on this. There is no political advantage. I don't know if we can get cloture tomorrow. If we don't get cloture tomorrow, we will go again and try it some other time.

I don't know what benefit there is of the big stall that is taking place. I think it is a disservice to the country. I have tried on various occasions during the last several days, I have offered unanimous consent requests that we limit the number of amendments. I have offered unanimous consent requests that we have a finite list of amendments. It doesn't matter how many, but let us know how many so the managers can work to cut this down.

I am very disillusioned with what is happening. I say to the American people that they should send a message to their Senators to move forward on this legislation. This legislation is for further recovery in response to the terrorist attacks on the United States.

I will bet the State of Georgia is hurting for money as a result of some of the spending on antiterrorism, and the State of Nevada. There were a lot of things we were spending money on prior to September 11. We did it to make it a safer place. But for our ports, highways, schools, and other things, we are doing more. Nevada and Georgia and other States are eating those costs themselves.

There is money in this bill to help States, as there should be. We are spending lots of money in Nevada training first responders. There is $1 billion in this bill, including funds for firefighting grants, State and local law enforcement grants, grants to help State and local police to better coordinate their operations, fire and medical personnel, emergency planning grants, and search and rescue training. There is much that will help my State.

Frankly, time is of the essence. We would be much better off if this bill had passed last week. We would be better off if it had passed before we took our break for the Memorial Day recess. With each day that goes by, the hard-earned money of the taxpayers of Nevada is being spent. They need help on programs. What is another day? Another day means one more firefighter who is not trained. It means one more police officer who needs additional training. This is not done in a vacuum.

On September 11, the actions of evil people killed about 3,000 men, women, and children—women who were pregnant.

What has happened here is a clear illustration of: Do we really care about those people who are dead? I can't in my mind's eye understand the terror that went through the minds of those innocent people on this airplane who died in an awful way.

That is what this legislation is all about. Can we stop some of that? Of course we can.

There is $125 million for border security. There is $100 million so the Environmental Protection Agency can check the vulnerability and assessment of water systems. We have water in Nevada, as we have everyplace. You just pull it out of the lake. We have reservoirs. We can pull the water out of the reservoir. If these evil people would fly an airplane into a building killing not only the people on the airplane but the people in the building, certainly they wouldn't hesitate in a second to poison water and sicken and kill people.

We need to move forward. I am terribly disappointed that we are not moving forward.

I don't know why the President isn't involved. They came down here yesterday with a Statement of Administration Policy. The Statement of Administration Policy indicates that there are five or six provisions they don't like in the bill. I have no problem with that. The President of the United States has a right to tell us what he doesn't like. But what I don't like is people coming in saying the President is going to veto this bill. There is nothing to veto. If we pass this bill at 6 o'clock tonight, there will be nothing to veto. There is no bill. There is no legislation. We want to get to the House of Representatives so that we can meet and come up with a bill that he can then veto, if he wants to. But as Senator STEVENS said yesterday, it doesn't happen.

We are going to work something out to make the President happy. That is the way it works. We are not going to send him an appropriations bill—especially an emergency supplemental bill—that he doesn't like. He can't use this as an excuse.

My friend from Minnesota is in the Chamber. I am grateful that he came here tonight. I hope tomorrow cloture will be invoked and that we can move forward on this bill.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, I thank my colleague from Nevada.

First of all, I assume tomorrow there will be time to talk about the supplemental bill. I will not use a lot of time, but we want to finish this work. I am anxious to make a statement on Colombia. Tonight, I would like to talk about this delay. Am I correct there will probably be time to talk about this bill tomorrow?

Mr. REID. If cloture is invoked, there will be 30 hours, of which you will have an hour of your own.

Mr. WELLSTONE. I hope we will not have to do that.

The only thing I would like to say about this supplemental and where we are is I will refer to an article that the Presiding Officer, Senator MILLER, wrote in the New York Times. There is a lot of work to do here. I think people are becoming increasingly impatient because we are supposed to be here to advocate people, and help and work for people. I think the supplemental bill is a really good bill.

I was here the other day talking about one of the most important features that Senator REID was talking about—homeland defense and bumping up veteran health care to the tune of about $240-plus million. There are gaping holes in this VA health care. It is serious. It is very serious. We have very long waiting lines right now for primary care and for specialty care. We have a moratorium on any additional community clinics. Everybody says they are for the veterans.

Frankly, if you get beyond the Fourth of July and Memorial Day and Veterans Day, the way to speak for veterans is to live up to our commitment to make sure they get good health care coverage which they and their families deserve and expect. That is just one feature in this bill. It is important.

What bothers me the most is this strategy of delay. It is 10 to 6. We are not going to have any more votes. Our colleagues on the other side of the aisle have pretty much blocked everything for now. We should be having debate and votes, and we should be moving forward. We should pass this bill. People can vote up or down. We have a lot of other priorities.

Again, the Presiding Officer has talked about prescription drugs. In Minnesota, about as important an issue as I can think of is affordable prescription drugs.

Frankly, I also like the proposal, and I am part of this work of reimportation from Canada because there, by strict FDA safety guidelines, you are helping seniors and other working families who cannot afford the price.

But let's get on with the work. Let's have the debate relevant to people's lives, vote up or down, be held accountable—representative democracy at its very best, not at its worst.

Our colleagues on the other side of the aisle are just delaying and delaying, slowing the Senate. The Senate machinery is geared to grind slowly, but what is going on is just an effort to make the Senate a nondecisionmaking body. I do not think we do well for people when we are not a decisionmaking body.

There are those—I am a big advocate—who want to raise the minimum wage. I understand we are going to be dealing with hate crimes legislation, which I think we should.

For my own part, I would put right up there with affordable prescription drugs wanting to get back to funding education because my State of Minnesota believes they have been cheated out of $2 billion they should have had for the next 10 years. We did it in the Senate; it got blocked in conference committee. The House Republican leaders and the White House opposed it. That would have been a glidepath, full funding for the special education program over the next 5 years, then maintaining that for the next 5 years past that. It would have been $2 billion more for Minnesota.

Since a lot of our school districts have had to take money from other programs to fund special education because they have not gotten Federal money, 50 percent of it would have been fungible for special education, afterschool, more teaching assistants to help kids who are not doing as well in reading or math, being better able to recruit teachers, being better able to keep teachers, there is important work to do here.

We are not the main player in K–12, but this is a place where we could really make a commitment, and should.

I am anxious to get on with the appropriations process. I am anxious to get funding for education. I am anxious to talk about education and kids.

Frankly, I am anxious to talk about education, prekindergarten all the way through age 65, because I think that is the way we should define education. A lot of our students in Minnesota are 55 and going back to school. They have lost their jobs. They worked for the taconite industry on the range. LTV shut down, and they are going back to school so they can get different sets of skills for different employment opportunities to support their families.

So I would put it to you this way: As I see it, the early years, starting with the little ones, who are all under 4 feet tall and beautiful—we should be nice to them. That is prekindergarten and the early elementary school years. We want to make sure every kid in our country has an equal opportunity. Education is so important.

Then, when people get older, out of school, it is the jobs, decent wages, health care coverage. Then, when people get older than that, it is Medicare, it is Social Security, it is not losing your pension. There is the whole issue of pension reform so we do not see more people cheated and some of them financially destroyed with more Enron kinds of situations.

All of this is before us: pension reform legislation, getting it right for health care, reimbursement, Medicare. A lot of our hospitals in rural Minnesota are being killed right now from inadequate Medicare reimbursement. Hospital people have been here talking about what is going to happen to our ability to deliver care. Children's Hospital here—what is going to happen with cuts in medical education?

Other people are talking about more funding, expanding health care coverage, prescription drugs, education, raising the minimum wage, going after hate crimes, ending the discrimination.

I will finish this way. Tomorrow, we are going to have close to 2,000 people here from around the country; families who have struggled with mental illness. By the way, I do not know that there is a person in the Senate who does not know someone in their own family or a friend who has to struggle with this illness, saying: Treat it like any other illness. End the discrimination in this coverage. Don't tell us that if our daughter is struggling with depression, and we are scared to death she might take her life, that the health insurance plan will cover a couple of days in the hospital and that is it; a couple visits to the doctor and that is it. Treat this illness as any other illness. End the discrimination.

We want to bring this bill to the floor of the Senate. It is bipartisan. Senator DOMENICI has been the leader. I have been fortunate enough to join him. We have 66 Senators. We have the majority of the House on board.

There is a lot of important legislation we can pass that will lead to the improvement of the lives of people we represent.

I come to the floor tonight just to express some indignation at this delay, delay, delay strategy, slowing the Senate up, making it a nondecisionmaking body, because I think we are not at our best when we operate that way.

I just as soon have at it, have the debate, have the amendments, bring the legislation up for votes; vote yes, vote no. If you want to filibuster, filibuster; have the votes or don't have the votes. But what colleagues are doing now, at 6 o'clock at night—all gone, and will not let us vote on anything else—is making the Senate a nondecisionmaking body.

Frankly, there is a whole lot we could do to help people. The reason we are here is to help people. We might have different definitions of what it means to help people, so then let's have a debate about that. But, for God's sake, let's deal with the relevant legislation that affects people's lives. And let's do it now. Let's not just continue to grind away and slow everything down and block everything and make it impossible for us to move forward.

Mr. REID. Will the Senator yield for a question?

Mr. WELLSTONE. I am pleased to yield.

Mr. REID. The Senator would agree, would he not, that doing nothing does not meet the needs of the people of Minnesota, the people of Nevada, or anyplace in this country?

Mr. WELLSTONE. I say to my colleague from Nevada, only if you believe that we are here to do nothing is doing nothing defensible in any way, shape, or form. And that is what we are doing right now. Because if you want to gum up the works here in the Senate and block everything and basically make it impossible for us to move forward—which is what our Republican colleagues have done—you can do that. But I will tell you, the people we represent will not be pleased with us if we operate this way.

Mr. REID. Does the Senator know that in this morning's Daily Monitor there is a quote from a Republican—in fact, that is not true. It says: ''Senate Republicans say they will not hesitate to slow-walk legislation important to Democrats.''

Mr. WELLSTONE. I am sorry. They will not——

Mr. REID. '' . . . they will not hesitate to slow-walk legislation important to Democrats.'' Is the Senator aware of that statement that was made?

Mr. WELLSTONE. Well, see, I would say to my colleague—and he might disagree about this—there are two different issues here. Listen, if you think a piece of legislation is egregious, and you know the rules, have at it, slow it up. Fine. I have done that. I do not want to be inconsistent.

But when you have a statement like this, which says: We will not be reluctant to slow up legislation that is important to Democrats, then you are playing a different kind of game. Then it is straight partisanship. It has nothing to do with whether you feel strongly about it. It has more to do with a strategy of basically being able to say: Aha, a majority in a Democrat-run Senate can't get the job done because we will make sure they can't get the job done.

That is not acceptable. Do you know what that is? That is inside party strategy, total reelection stuff, which then means we do not pass affordable prescription drug legislation, we do not get it right for education, we do not get it right on a whole bunch of other issues that are important to people.

Mr. REID. Finally, would the Senator agree that this legislation now before the Senate that is being slow-walked, as the distinguished Senator from Texas said yesterday, and he reminded me he said it today, he felt it was important to ''slow the train down''—would the Senator agree that it is not good for the country to slow-walk or ''slow the train down,'' the Supplemental Appropriations Act for further recovery from and response to terrorist attacks on the United States?

This is an emergency supplemental bill. Does the Senator believe this is something we should be moving expeditiously?

Mr. WELLSTONE. I will just say this to my colleague from Nevada. There are two sets of issues people have, and both of them deal with security. There is an uneasiness about economic security, about the future, about jobs, pensions, good education for kids, health care. It is all there.

The other thing is that people—and with considerable justification—are really worried about physical security. Look what we have been through. People want to make sure that we are going to be able to do everything possible to best defend ourselves, everything possible to head off any kind of attack, everything possible to protect them, to protect their children.

So all of the money for Minnesota and all the other States in the country, for homeland defense, I do not think the people view as a waste. I do not know what the problem is in moving this matter forward. I think people in Minnesota and the people in the country—if they know; and we will make sure they know—disapprove, and for good reason.

I came to the floor to call on my colleagues to get going. Let's do the work. Let's get involved in the work of democracy. Let's not just do delay, delay, delay, all for the sake of some party strategy.

I yield the floor.

The PRESIDING OFFICER (Mr. DAYTON). The Senator from Washington.

TRANSPORTATION SECURITY

Mrs. MURRAY. Mr. President, as the chairman of the Appropriations Subcommittee on Transportation, I rise this evening in strong support of the Senate amendment to H.R. 4775, the supplemental appropriations bill for 2002.

During our debate, I have heard complaints from some colleagues that this

bill is beyond the President's request. Members are asking why this bill is larger than the administration's request and why it is larger than the House-passed bill. Our bill is larger because it makes the critical investments we need to make in transportation security.

We have spent months listening to the experts and finding out what investments we need to make. We did that in my own subcommittee, and through Senator BYRD's leadership we discovered the needs through full committee hearings on homeland defense. The President's budget and the House budget do not make the necessary investments in transportation security. Our bill does. That is why it is larger than the President's request.

I want to spend a few minutes explaining what is in our bill because it will prove that these are critical investments that the President and the House have not been willing to make.

For example, our bill funds the Transportation Security Administration. It will improve cargo security. It will enhance the security in and around our Nation's airports. It will improve security on inner-city buses. It will allow the Coast Guard to assess the vulnerability of our seaports. It will ensure that the FAA can meet the staffing needs at our Nation's control towers this summer without stealing from the budget for modernization and safety improvements. It will better reimburse our Nation's airports for the considerable expenses they have incurred due to our new security requirements. Overall, it will address the security challenges we all know are out there.

Before I talk about some of the specifics of the bill, I want to correct the record on one point. I have heard some claim that our bill is $2.2 billion larger than the House-passed bill. That is simply not accurate. While some in the House claim their bill is $28.8 billion, it is actually $30.1 billion when we use traditional, customary Congressional Budget Office scorekeeping. Instead of using that method, they have used accounting gimmicks. For some items in their bill they have actually chosen to use OMB scorekeeping; for example, concerning the delays in the availability of airline loan guarantees.

That point aside, the Senate bill is larger than the President's request and the House request, and one of the largest differences is in the area of transportation security. In this area, the funding level in our bill is $928 million or 20 percent higher than the administration's request.

It is important to point out that the House of Representatives actually cut the President's request for transportation security. That is why the Senate bill is $1.244 billion or 29 percent higher than the House-passed bill.

The centerpiece of the transportation chapter of this bill is the $4.7 billion the committee has included for the new Transportation Security Administration, or TSA. That amount is more than $300 million higher than the level requested by the administration and more than $850 million more than what is provided in the House bill.

First and foremost, the funding provided for the TSA will fully cover the administration's request to implement the recently enacted Aviation and Transportation Security Act that the President signed into law.

The House version of the bill imposes several cuts to the administration's request just at the time that the administration is aggressively seeking to meet the deadlines imposed by the Transportation Security Act. The most daunting of these deadlines is the requirement to screen all checked baggage for explosives by the end of this calendar year.

As many of our colleagues, I have been frustrated with the performance of the Transportation Security Administration in implementing those requirements. There has not been sufficient consultation with the Nation's airports or with Congress, and there has not been a sufficient amount of hiring at the TSA of individuals with transportation backgrounds. But still I don't think the solution to these problems is to impose significant cuts on the resources the administration itself has requested.

As with most of my colleagues, I do a lot of flying. I have witnessed the long lines of passengers seeking to get through airport security checkpoints. I have shared the frustration of clearing the security checkpoint only to be screened at the gate again. Our aviation industry is already suffering due to the fact that the high revenue business travelers who provide 40 percent of the airline's revenues are not returning to the skies.

If the Transportation Security Administration does not succeed at its stated goal of providing high-quality customer service and a short wait to clear airport security, our aviation industry is going to suffer a great deal further.

Secretary Mineta and Transportation Under Secretary Magaw have committed themselves to a national standard where no passenger will wait longer than 10 minutes to clear airport security. Frankly, many of us question whether they will ever achieve that goal. That is why the bill before us contains a requirement that the TSA publish on a monthly basis the actual wait times at each airport. I intend to monitor the TSA's performance in this area on a regular basis.

Another area of great concern to me is that air passengers are treated with dignity as they pass through our Nation's airports. If passengers can be expected to be treated as criminals from the moment they walk into the airport, they are not going to fly. Treating air passengers as criminals is not a formula for helping our airlines get back on their feet.

The administration's TSA budget has gone through a very torturous path. A full month passed from the time the Bush administration submitted its $4.4 billion supplemental budget request for TSA to the time Secretary Mineta could sit down with members of our committee and discuss what funds could be used for.

That was not necessarily Secretary Mineta's fault. He was spending that month arguing with the President's Office of Management and Budget on how much money we needed to implement the requirement to screen all checked baggage for explosives. When the noise finally quieted down between the DOT and OMB, the results were, frankly, very disappointing. Rather than deploy a significant number of explosive detection system, EDS, machines that can be easily integrated at the airports' luggage distribution system, the administration has chosen to take a cheaper route. They want to deploy only trace detection machines at three-quarters of our Nation's airports. These trace detection machines are effective at detecting explosives, but they were never designed or intended to be primary explosive detection mechanisms at our airports.

What I find most troubling is the TSA's plan to require more than half of passengers' bags to be opened by Federal enforcement personnel at three-quarters of our Nation's airports. I don't believe the flying public is going to be very warm to the idea that more than half of their luggage will be checked by Federal personnel who will rifle through their baggage in the airports.

As such, the committee has included directives to the TSA to ensure that this regime is implemented with dignity and privacy in mind so passengers will not have to open their baggage in full view of all the other passengers with whom they are traveling.

The committee appropriation for the TSA includes a $35 million initiative in the area of aviation safety and security that was not requested by the administration. Those funds are to be used exclusively for enhanced perimeter security and terminal security. Unfortunately, it is not necessary to get through the security checkpoints to attack our Nation's aviation system.

A terrorist can do a great deal of damage to our aviation system merely by performing a terrorist act within a crowded airport terminal.

I believe we need a stronger surveillance regime in our airport terminals, and the funding entered by this committee will be used for that purpose.

Also, the record indicates that more needs to be done to ensure that only those individuals who are properly credentialed and qualified are granted access to the secure areas of our airports.

Over the last few months there has been a spate of indictments and arrests of individuals who used falsified documents to gain access to secure areas of our airports. The additional funding provided by our committee will ensure better protection of those areas.

Now, perhaps these are improvements that the OMB considers to be unnecessary security add-ons, but I recommend that Director Daniels review the testimony of both Secretary Mineta and Under Secretary Magaw before making these complaints. Both of those gentlemen identified perimeter security as an area of significant need. That is not adequately funded under the President's proposal.

In the area of port and maritime security, the committee has included several new funding initiatives over and above those requested by the administration.

In the last supplemental appropriations bill, the committee included $93 million for a new advanced program to beef up security in our Nation's seaports. That $93 million appropriation elicited almost $700 million in applications.

In order to better meet that demand, the Senate bill includes an additional $200 million in the bill and also includes a $28 million initiative to deploy Operation Safe Commerce.

During our full committee's hearings on homeland defense in April and May, we heard testimony from ADM Richard Larrabee. Admiral Larrabee recently retired from the Coast Guard and became the director of commerce for the ports in New York and New Jersey. He was sitting in his office in the World Trade Center when the terrorists attacked and he lost dozens of his colleagues on that day.

Admiral Larrabee, along with CDR Stephen E. Flynn, Coast Guard, Retired, testified before our Appropriations Committee about the urgency of establishing a security regime to security cargo containers from the point of origin to their domestic destination.

In addition to the work of the full committee on this issue, the subcommittee has held 2 hearings on this issue, hearing from the administration, labor, industry, port authorities, and others in the field. It is difficult to overstate the importance of beginning to deal with this set of issues now.

Over 30 million intermodal containers enter our Nation's seaports each year and, frankly, we know very little about what is in them.

Between the Coast Guard and Customs Service, fewer than 2 percent of those containers are ever physically inspected. The Customs Service has only recently begun to beef up the reporting requirements regarding the content of those containers.

The Operation Safe Commerce initiative in our bill will be deployed at the three largest container load centers in our country. Together, those port areas take in more than 50 percent of the containers that enter our country every year.

It is impossible to exaggerate the damage that could be done to our economy if we are suddenly required to slow down the trade lanes into and out of our country because of security concerns.

This initiative will demonstrate the art of the possible when it comes to improving security of container shipping.

Also, within the amount provided for the TSA, the committee provided $20 million for improved security for over-the-road bus operators.

I wish to particularly commend the leadership of my colleague from Georgia, Senator MAX CLELAND, on this issue. As he notes, intercity bus transportation is part of our country's vital infrastructure. The Nation's intercity bus operators are just beginning to use the most rudimentary methods to better ensure security of bus passengers. Given the frequency with which we see terrorists overseas use buses as a venue for horrific acts of terrorism, this is the minimal investment we should be making in this area.

The Senate bill provides slightly more than $666 million for the U.S. Coast Guard. Those funds will be used to accelerate the Coast Guard's planned vulnerability assessments of our Nation's seaports.

Funds will also be used to expedite procurement of critical surface and aviation assets and to launch a new maritime domain awareness program to dramatically improve the Coast Guard's readiness to deal with domestic terrorist threats.

During our committee's hearing with Admiral Larrabee, we were disappointed to hear that the Coast Guard doesn't plan to conduct its vulnerability assessment of the second largest shipping port in the United States for 2 years. The committee did not consider that to be a satisfactory plan. So our bill grants the Coast Guard funds to expedite these port vulnerability assessments across the country so we can better secure these gateways of the globe.

The bill also includes $115 million that was not requested by the administration for the emergency funding needs of the Federal Aviation Administration. Since September 11, the FAA has had to spend at least $100 million to dramatically enhance security around its own critical air traffic control towers.

As a result, the FAA now finds itself $100 million short of the amount it needs to provide critical overtime expenses for air traffic controllers as we enter the busy summertime travel season.

Senators will remember, as I do, that during the two summers prior to September 11, air transportation in our country was rife with delays. If we don't adequately fund the shortfall in overtime at the FAA, we can expect to experience those delays again.

The administration's budget proposed to meet this $100 million shortfall by transferring funds already appropriated to improve air traffic control equipment, safety, and capacity. To me, that is not a responsible solution. We are years, if not decades, behind where we need to be in modernizing our air traffic control system, and we have huge, unmet needs at our airports.

That is why our bill provides the $100 million needed to pay for the air traffic controllers without stealing from those other accounts.

The Senate bill also includes an additional $100 million to better compensate the Nation's airports for the security costs they have incurred since September 11. Last year, the committee appropriated $175 million for that purpose.

But the airports committed almost $500 million in costs to the FAA for this funding. This additional $100 million will better reimburse the Nation's small, medium, and large hub airports for the costs associated with the security directives issued by the FAA since September 11.

Finally, separate from the issue of homeland defense, the bill includes a provision drafted by Senator HARRY REID and myself authorizing a higher obligation ceiling for the Federal Aid Highway Program for fiscal year 2003.

As Members should be aware, the administration's budget proposes that overall highway funding to the States be drastically slashed by $8.6 billion next year. That represents a cut of more than 27 percent.

Senator REID serves as the chairman of the authorizing subcommittee for highways, and the provision he and I drafted will ensure that, as part of the appropriations process for 2003, the Appropriations Committee will restore at least $4.5 billion of the President's cut and perhaps as much as $5.7 billion.

I believe my colleagues will agree that during this uncertain time in our economy, we must do our best to avoid the President's proposal to slash thousands of jobs and cut our investment in our Nation's transportation infrastructure.

The provision included in this bill—authorized by Senator REID and myself—will go a long way toward that goal.

I also thank my colleague from Alabama, Senator SHELBY, the ranking member of the Appropriations Subcommittee on Transportation, for his assistance in developing the transportation chapter of this bill.

I also thank Senator BYRD and Senator STEVENS for the bipartisan leadership of the Appropriations Committee and for their receptive approach to the views of our subcommittee. Both leaders demonstrated needed vision and commitment to exploring and understanding these issues of critical importance to our Nation's security and prosperity.

I believe the transportation chapter of this bill represents a strong, comprehensive approach to our homeland security needs, and I look forward to arguing for every dollar of this funding when we go to conference with the House of Representatives.

Each item was developed with thought and care. Each item represents an investment that needs to be made.

Each item will help build a more secure America.

The critics of this bill, and those who are impeding progress, put those investments at risk. I ask: What investment in airport security don't you want to make? What investment in seaport security don't you want to make? What will you say to the American people—our soldiers and sailors who are defending the Nation—when we don't make these needed investments?

This is a reasonable bill. It takes a reasonable approach to investing in America's security needs.

It was reported unanimously by our committee, and I hope the Senate can dispense with the delays and get on with passing this very important bill. I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, I wish to briefly speak about the legislation before us and to lend my support to the supplemental appropriations bill. I commend Chairman BYRD and Senator STEVENS for a job well done. They took extensive testimony in many hearings to determine the needs for homeland security, as well as many other needs, and they have incorporated those provisions in this bill.

I also salute and commend my colleague from Washington State, Senator MURRAY, for giving an excellent discussion of the transportation aspects of this bill. She indicated the detailed and the careful deliberation that went into the crafting of this legislation and suggested also the reality that was confronted by the committee in hearing testimony from witnesses who indicated it might take up to 2 years to do a survey of a port when, in fact, the American people are demanding action immediately, not 2 years from now—when the threat is immediate, not hypothetical or 2 years removed.

As a result, I find it ironic, to say the least, that opponents of this bill would simply say we will sacrifice all the needed expenses because the total that we recommend is higher than that recommended by the President of the United States.

Frankly, if you asked most Americans, they would say we are not spending enough on homeland security. If you asked them how much they would want us to spend, it would be: Spend as much as you need to ensure not just one port or one airfield but every port and every airfield, and to ensure every community in America is protected. That is what this bill attempts to do.

This is a downpayment on a much larger bill because the issues and threats we confront will not be banished within a few weeks or a few months. It is long term, ongoing, requiring a tremendous commitment of resources. This is a good downpayment and one that I support wholeheartedly.

The legislation includes within its provisions $14 billion for the cost of our operations in Afghanistan. To delay this bill any longer because of some objections or some overall objection and compromise for delaying funds for Afghanistan, to me, is inconceivable. We have those resources which we must commit and we must spend immediately.

The bill also includes $5.5 billion for the recovery of New York City—again, expenses that we cannot ignore, cannot defer. We have to respond.

There is $4.4 billion for aviation security, once again, a critical aspect of our response to the very real threats we face today because of terrorist attacks on the United States.

The bill contains $1.95 billion for international programs to aid the war on terrorism. These are important complements to our military operations. The administration speaks often, and correctly, about draining the swamp where the terrorists reside. That cannot be done by wishing it away. We have to have resources to deal with profound problems across the globe—inadequate education systems, the overall threat of poverty, lack of economic development—all of those factors that contribute directly sometimes, but certainly indirectly, to the atmosphere that encourages terrorism, encourages those who attack us.

I just returned, with some of my colleagues, from a conference of defense ministers in Singapore. If we look across the globe, this threat is very real and very sobering. We need resources to mount a counteroffensive. Those resources are not just military, they also involve assistance to local governments that are assisting us by intelligence operations, by using their military forces and their intelligence apparatus to help us in this war on terror. For all these reasons, we need to pass this bill and do it promptly.

One of the major provisions of the bill is $3 billion for homeland defense, and that incorporates many issues—first responders, police and fire—to make sure these very brave men and women have the materials and the know-how to confront a wholly different threat. I do not think anyone conceived even a year ago that our police and fire departments would be at the front lines of sophisticated attacks by terrorists against the United States, involving mass casualty operations and massive destruction, yet they are. We have to give them the tools to do the job, to protect themselves, and to protect the communities they serve so well. Those provisions are within this bill also.

We have to protect our nuclear facilities. It was shocking to me—and again this goes to the credibility of the administration saying they oppose this bill because we are spending too much. It was reported recently in the press that the authorities responsible for protecting our nuclear facilities asked for considerably more money and were told by OMB: No, we cannot afford it.

We are not going to accept that answer. We want those facilities protected. Where there are nuclear powerplants, where there are nuclear facilities of the Department of Energy throughout this country, we want those facilities guarded, protected to prevent a catastrophic terrorist attack. That is one aspect of this bill which is important also.

We also have to recognize the issue of biological terror. We witnessed firsthand in this Senate a biological attack. It is expensive, and we simply cannot wait for the next attack. We have to anticipate and, through our wise preventive actions, we hope preclude any type of attack. But that is not the result of wishful thinking and hoping it will not happen. That is putting real resources into prevention, into response, into those things that will prepare us for any type of mass casualty attack—biological, nuclear, or even a conventional weapon that is deployed against our people.

I believe the chairman, the ranking member, and the subcommittee chairmen and women and their counterparts, the ranking members, have done a very good job responding to the concerns.

In the Appropriations Committee when I sat and listened to this testimony from the people who are responsible in the Federal Government, at the State level, and in the local communities, I did not hear: You are spending too much. I heard: We need more help; we have to be responsive. Their position is not sitting here in Washington, it is literally on the front lines of this war on terror.

If we listened to the men and women who are directly responsible for protecting the American people from terrorist threats, I think they would say in a very strong and uniform chorus: Pass this bill now. It is not too expensive. In fact, it is simply a downpayment on significant costs we will face in the foreseeable future.

Our enemies are implacable. They are determined. They are reorganizing to strike again, and if we do not seize the moment and put the resources into a concerted, deliberate, expeditious effort to protect the American people, we will regret it and the American people will suffer the consequences. I urge we pass this legislation as quickly as possible.

I yield the floor.

SENATOR AND MRS. BYRD'S 65TH WEDDING ANNIVERSARY

Mr. BYRD. Mr. President, a week ago today, on the 29th of May, I was fortunate to celebrate 65 years of marriage, 65 years of wedded bliss—in this day and age, a somewhat uncommon occurrence. I am sorry this is so, for I wish that more people could know the joy I have had in finding one's soulmate early in life and then sharing that deep companionship over many happy years.

In the 16th century, John Ford wrote:

The joys of marriage are the heaven on earth,

Life's paradise, great princess, the soul's quiet,
Sinews of Concord, earthly immortality,
Eternity of pleasures; no restoratives
Like to a constant woman.

Mr. President, my strength, my comfort, was born Erma Ora James, the daughter of a West Virginia coal miner. She was my childhood sweetheart. We married in 1937, in a time of great hardship and trial. Together, we have seen great changes in the world—a world war and numerous other conflagrations around the globe, the dawn of the nuclear age, the advent of space exploration, the collapse of communism, breathtaking medical advances, astounding technological growth, rapid social changes, and resurgent terrors. We have known the highs of life and we have known the lows of family life—the delight of two fine daughters growing up, marrying, and having children of their own; the tragedy of the loss of a grandson; the indescribable love of holding newborn great granddaughters in our arms. For two hillbillies—that is what we are, two hillbillies—from West Virginia, it has been an exciting and wild ride, and I am glad I have had Erma to share it.

In my mind's eye, Erma Byrd will always be that sweet, young girl who allowed me to woo her with candy and chewing gum that were given to me by another schoolmate. She is a strong woman, but she is a quiet woman—even somewhat shy. I know she would rather that I were not speaking right now, and that is just the way she is—never seeking the limelight, keeping her focus on her family and her home. Being the wife of a Senator has never impressed her. She never developed any airs of self-importance, and she has never let me develop any airs either—although some people may think otherwise. She keeps me grounded, or, as my old mom used to say, she never lets me ''get above my raising.'' When I start to get a bit too proud, puffed up with my own accomplishments, she doesn't pop my balloon but, rather, knows how to gently deflate it before it swells too large. But she has always been there for me, helping me to campaign, always making herself available to the people of West Virginia. She is my biggest cheerleader and she is my kindest critic.

Erma has always been an equal partner in our marriage. Her domain is the home, where she rules as a benevolent dictator. There I am not Senator, just ROBERT. I mop the kitchen floor for her each Saturday morning—or I used to up until about a month ago. She will admit that I don't do the windows. When the duties of the Senate filled all my waking hours, and when I was going to school at night to earn my law degree, Erma kept the home fires burning. She took the lead in bringing up our two daughters, teaching them to be the fine women, mothers, and grandmothers they are. Without her help and her support, I could not have put the level of effort into my work that the people of West Virginia deserve and have come to expect; I would not have a law degree. Erma proves the old adage that ''behind every successful man is a successful woman.'' Perhaps Alfred Lord Tennyson put it better when he wrote in ''The Princess'' as follows:

The woman's cause is the man's: they rise or sink together.

Mr. President, together, Erma and I are complete and whole, a total that is more than the sum of its parts.

The 65th wedding anniversary is, by tradition, a diamond anniversary. In my life, Erma Ora Byrd is the diamond. She is my strength in times of fear, my comfort in times of sorrow, my perfect complement. She is a priceless treasure, a multifaceted woman of great insight and wisdom, of quiet humor and common sense. She is the reservoir of serenity at which one can slake the thirst of a stressful day.

I can only thank her and thank the Creator that she has put up with me for 65 years and now 1 week.

Mr. President, I would like to close with the words of Charles Jeffreys in a poem he titled ''We Have Lived and Loved Together.'' I dedicate it to my wife Erma and to all the lucky, happy couples who have, like us, been fortunate to spend a lifetime together. To the young married people who work for me, to all who are starting on their married lives together, I wish them well, and I hope that someday this poem will speak for them as well.

We have lived and loved together
Through many changing years;
We have shared each other's gladness
And wept each other's tears;
I have known ne'er a sorrow
That was long unsoothed by thee;
For thy smiles can make a summer
Where darkness else would be.

Like the leaves that fall around us
In autumn's fading hours,
Are the traitor's smiles, that darken
When the cloud of sorrow lowers;
And though many such we've known, love,
Too prone, alas, to range,
We both can speak of one love
Which time can never change.

We have lived and loved together
Through many changing years,
We have shared each other's gladness
And wept each other's tears.
And let us hope the future,
As the past has been will be:
I will share with thee my sorrows,
And thou thy joys with me.

Mr. President, I yield the floor.

JUDGE EUGENE SULLIVAN

Mr. THURMOND. Mr. President, I rise today to pay tribute to Judge Eugene R. Sullivan of the U.S. Court of Appeals for the Armed Forces.

Since his graduation from West Point, Judge Sullivan has worked diligently to ensure the betterment of our National being. He first proved himself as an Airborne Ranger in Vietnam. His gallantry earned him the Bronze Star and the Air Medal, to name just a few of his decorations.

Upon leaving the Army, Judge Sullivan has led a most amazing life. He first graduated from the Georgetown University Law Center. Following his time at Georgetown, Judge Sullivan went on to work for the law firm of Patton-Boggs. During his tenure there, he had the privilege of serving on the Defense Team for President Richard Nixon.

In the years following, Judge Sullivan returned to public service as an attorney for the Justice Department and as the General Counsel for the United States Air Force. In addition to his duties as General Counsel, the Judge also served as the Chief Legal Advisor to the National Reconnaissance Office and eventually as the Governor of Wake Island. His service was most exemplary.

Since 1986, Judge Sullivan has served as a member of the Federal bench. Many of us had the privilege of presiding over his appointment and his subsequent confirmation as the chief judge of the Court of Appeals for the Armed Forces.

In closing, I want to publicly thank Judge Eugene Sullivan for his service and dedication to our Nation. Moreover, I thank him for being my friend and wish him all the best in his future endeavors.

ENERGY BILL CONFERENCE

Mr. BINGAMAN. Madam President, about 2 weeks ago I urged that the House leadership go ahead and appoint conferees for the energy bill on which we should be in conference at this point.

As Senators will remember, we passed the energy bill in the Senate on April 25. The respective leaders of the two parties appointed conferees on May 1. Since then, we have not seen any action on the House side to appoint conferees so we could begin a conference with the House of Representatives on this very important bill.

The House bill is in excess of 500 pages. The bill we passed in the Senate after 6 weeks of floor debate is nearly 1,000 pages in length. It will take several weeks to come to agreement on a joint proposal we can take back to the two Houses and, hopefully, to the President.

The sooner we can get started, the better for everyone's point of view. It is in the country's interests that we try to resolve the differences between the House and the Senate and try to enact an energy bill this year. As long as we do not have conferees named on the House side, that makes it extremely difficult. I, again, urge the leadership on the House side to appoint their conferees.

When I raised this issue last month, one of my colleagues announced he had heard that the House of Representatives was going to appoint its conferees on the first day back after the recess. Well, that would have been yesterday, and we still don't have any forward

motion. I am getting ready to borrow Senator LOTT's bloodhounds to go looking for the House conferees.

We have an immense undertaking before us in terms of getting a balanced and comprehensive energy bill to the President's desk. The House bill is over 500 pages and the Senate bill is nearly 1000 pages. There are some similarities between the bills, but some very important differences, as well.

Conferences on authorizing legislation are never easy. The bioterrorism bill, for example, took months to conference. The bankruptcy bill has been in conference for over a year. To have a successful conference on the energy bill will take a lot of careful planning on the part of the leadership on both sides in both Houses of Congress. As I mentioned before the recess, even the most elementary questions, such as who should chair the conference, seem to be in dispute, although I think that the precedents are clearly in the Senate's favor.

We need to get going, and the actual naming of conferees by the House of Representatives, whenever it happens, will only be a start to a process of figuring out how the conference will be structured, whether there will be subconferences, and which issues to address first. I am anxious to start to work with whomever the House of Representatives decides will be my counterpart to initiate the organizational discussions.

To be most effective with the use of our time, we may have to think about taking on the big issues first to see if there is an overall energy bill that can achieve a critical mass of support on both sides of both House and Senate. If we adopt an incremental approach of working on minor issues first, and leaving all the hard issues to the end, we may be still working on clearing the legislative underbrush in December.

I hope that we can see some progress soon on starting the energy conference.

SUPPLEMENT TO RULES OF PROCEDURE

Mr. GRAHAM. Mr. President, pursuant to rule XXXVI, paragraph 2 of the Standing Rules of the Senate, I am submitting for publication in the CONGRESSIONAL RECORD a supplement to the Rules of Procedure of the Select Committee on Intelligence for purposes of the joint inquiry into the events of September 11, 2001, being conducted by the Senate Select Committee on Intelligence and the House Permanent Select Committee on Intelligence.

I ask unanimous consent they be printed in the RECORD.

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

SENATE SELECT COMMITTEE ON INTELLIGENCE—SUPPLEMENTAL JOINT INQUIRY RULES

In connection with the Joint Inquiry with the House Permanent Select Committee on Intelligence into the events of September 11, 2001, authorized by the Senate Select Committee on Intelligence (''SSCI'') pursuant to section 5(a)(1) of Senate Resolution 400, 94th Congress, and Rule 6 of the SSCI's Rules of Procedure, and pursuant to Rule XXVI.2 of the Standing Rules of the Senate, the SSCI adopts the following Joint Inquiry Rules to supplement the SSCI's Rules of Procedure for purposes of the Joint Inquiry only:

JOINT INQUIRY RULE 1. JOINT PROCEEDINGS

1.1. The SSCI may conduct hearings jointly with the House Permanent Select Committee on Intelligence. All joint hearings shall be considered hearings of both Committees.

1.2. The Rules of Procedure of both the SSCI and the House Permanent Select Committee on Intelligence shall apply in all hearings and other proceedings of this Joint Inquiry, except where superseded by these Joint Inquiry Rules, provided that, at any joint hearing, if any rules of the two Committees are inconsistent, the rules of that Committee whose Chairman or his designee is presiding shall apply.

1.3. For the purposes of the proceedings of this Joint Inquiry, all employees on the staff of either Committee working on the Joint Inquiry shall be considered to be acting on behalf of both Committees.

JOINT INQUIRY RULE 2. HEARINGS

2.1. All testimony at hearings shall be taken under oath or affirmation.

2.2. Subpoenas for the attendance of witnesses, or the production of documents, records, or other materials, at hearings may be authorized by vote of the SSCI pursuant to SSCI Rule 2, or by the SSCI's Chairman and Vice Chairman, acting jointly.

JOINT INQUIRY RULE 3. DEPOSITIONS

3.1. All testimony taken, and all documents, records, or other materials produced, at a deposition of the SSCI shall be considered part of the record of both Committees.

3.2. Subpoenas for depositions and notices for the taking of depositions may be authorized by vote of the SSCI pursuant to SSCI Rule 2, or by the SSCI's Chairman and Vice Chairman, acting jointly, and shall be issued and served as provided in SSCI Rule 7. Deposition notices shall specify a time and place of examination and the name or names of Committee members or staff who will take the deposition. Depositions shall be in private and shall, for purposes of the rules of both Committees, be deemed to be testimony given before the Committees in executive session.

3.3. Witnesses shall be examined upon oath administered by a member of the SSCI or by an individual authorized by local law to administer oaths. Questions may be propounded by members or staff of either Committee. If a witness objects to a question and refuses to testify, the Committee members or staff present may proceed with the deposition, or may, at that time or subsequently, seek a ruling on the objection from the Chairman of the SSCI or any member of the SSCI designated by the Chairman. The SSCI shall not initiate procedures leading to civil or criminal enforcement unless the witness refuses to testify after having been ordered and directed to answer by the Chairman or a member designated by the Chairman.

3.4. Procedures for the attendance of counsel for witnesses at, and for the inspection, correction, and filing of transcripts of, depositions shall be as provided in SSCI Rules 8.4 and 8.7.

PROFESSIONAL BOXING AMENDMENTS ACT OF 2002

Mr. McCAIN. Mr. President, on May 22, I was joined by my colleague, Senator DORGAN, in introducing the Professional Boxing Amendments Act of 2002. This legislation would strengthen existing Federal boxing laws by making uniform certain health and safety standards, establish a centralized medical registry to be used by local commissions to protect boxers, reduce arbitrary practices of sanctioning organizations, and provide uniformity in ranking criteria and contractual guidelines. This legislation would also establish a Federal regulatory entity to oversee professional boxing and set uniform standards for certain aspects of the sport.

Since 1996, Congress has acted to improve the sport of boxing by passing two laws, the Professional Boxing Safety Act of 1996, and the Muhammad Ali Boxing Reform Act of 2000. These laws were intended to establish uniform standards to improve the health and safety of boxers, and to better protect them from the sometimes coercive, exploitative, and unethical business practices of promoters, managers, and sanctioning organizations.

While the Professional Boxing Safety Act, as amended by the Muhammad Ali Act, has had some positive effects on the sport, I am concerned by the repeated failure of some State and tribal boxing commissions to comply with the law, and the lack of enforcement of the law by both Federal and State law enforcement officials. Corruption remains endemic in professional boxing, and the sport continues to be beset with a variety of problems, some beyond the scope of the current system of local regulation.

Therefore, the bill we are introducing today would further strengthen Federal boxing laws, and also create a Federal regulatory entity, the ''United States Boxing Administration'', USBA, to oversee the sport. The USBA would be headed by an Administrator, appointed by the President, with the advice and consent of the Senate.

The primary functions of the USBA would be to protect the health, safety, and general interests of boxers. More specifically, the USBA would, among other things: administer Federal boxing laws and coordinate with other Federal regulatory agencies to ensure that these laws are enforced; oversee all professional boxing matches in the United States; and work with the boxing industry and local commissions to improve the status and standards of the sport. The USBA would license boxers, promoters, managers, and sanctioning organizations, and revoke or suspend such licenses if the USBA believes that such action is in the public interest. No longer would a boxer like Mike Tyson be able to forum-shop for a State with a weak commission if he is undeserving of a license.

The fines collected and licensing fees imposed by the USBA would be used to fund a percentage of its activities. The USBA would also maintain a centralized database of medical and statistical information pertaining to boxers in the

United States that would be used confidentially by local commissions in making licensing decisions.

Let me be clear. The USBA would not be intended to micro-manage boxing by interfering with the daily operations of local boxing commissions. Instead, the USBA would work in consultation with local commissions, and the Administrator would only exercise his/her authority should reasonable grounds exist for intervention.

The problems that plague the sport of professional boxing compromise the safety of boxers and undermine the credibility of the sport in the eyes of the public. I believe this bill provides a realistic approach to curbing these problems, and I urge my colleagues to support this proposal.

TUNA PROVISION IN THE ANDEAN TRADE PREFERENCES ACT

Mr. AKAKA. Mr. President, I rise today to express my deep concern with the tuna provision in the Andean Trade Preferences Expansion Act (ATPEA) portion of the Trade Act of 2002. The purpose of ATPEA is to encourage economic opportunities other than drug production and trade in Andean nations. Previously, canned tuna has not been included in the list of items given preferential tariff treatment. The provision included in the Trade Act would authorize the President to extend duty-free treatment to a specified level of imports of canned tuna from Andean nations.

The Philippines, an important ally in the war on terrorism, is likely to be harmed economically by the unintended consequences of this action. The canneries and most of the tuna fishing fleet of the Philippines are based on the island of Mindanao. The tuna industry directly accounts for 45,000 jobs on Mindanao and approximately 105,000 people are employed in supporting industries. These jobs are being risked by the Andean Trade Preferences Act.

It is also important to note that the Abu Sayyaf, which is believed to be linked to the al-Qaida terrorist network, operates in the Mindanao region. The Abu Sayyaf organization has been responsible for kidnappings, executions, and bombings. U.S. Armed Forces are assisting the Philippines in combating the terrorist group. Providing preferential tariff treatment to tuna from Andean nations has the possibility of destabilizing a region in which we have U.S. troops involved in anti-terrorism operations.

It is my hope that the conferees can effectively address this important national security issue and prevent economic disruption in a region where a war on terrorism is being fought.

The tuna tariffs reveal a need for enhanced coordination of trade preferences. A thoughtful strategy of balancing trade preferences must be developed to prevent future policy inconsistencies in the future.

LOCAL LAW ENFORCEMENT ACT OF 2001

Mr. SMITH of Oregon. Mr. President, I rise today to speak about hate crimes legislation I introduced with Senator KENNEDY in March of last year. The Local Law Enforcement Act of 2001 would add new categories to current hate crimes legislation sending a signal that violence of any kind is unacceptable in our society.

I would like to describe a terrible crime that occurred July 7, 1993 in Azusa, CA. A gay man was beaten to death. The attackers, Joshua Swindell, 21, and Steven Matus, 17, were charged with murder and committing a hate crime in connection with the incident.

I believe that government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act of 2001 is now a symbol that can become substance. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

INITIAL SCOPE OF JOINT INQUIRY

Mr. GRAHAM. Mr. President, I ask unanimous consent that the Initial Scope of the Joint Inquiry into the events of September 11, 2002, being conducted by the Senate Select Committee on Intelligence and the House Permanent Select Committee on Intelligence, be printed in the CONGRESSIONAL RECORD.

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

PREAMBLE

To reduce the risk of future terrorist attacks; to honor the memories of the victims of the September 11 terrorist attacks by conducting a thorough search for facts to answer the many questions that their families and many Americans have raised; and to lay a basis for assessing the accountability of institutions and officials of government.

THE SENATE SELECT COMMITTEE ON INTELLIGENCE AND HOUSE PERMANENT SELECT COMMITTEE ON INTELLIGENCE ADOPT THIS INITIAL SCOPE OF JOINT INQUIRY

Pursuant to section 5(a)(1) of Senate Resolution 400, 94th Congress, Rule 6 of the Rules of Procedure of the Senate Select Committee on Intelligence, Rule XI(1)(b) of the Rules of the House of Representatives, and Rule 9 of the Rules of Procedure of the House Permanent Select Committee on Intelligence, the two Committees have authorized an investigation, to be conducted as a Joint Inquiry, into the Intelligence Community's activities before and after the September 11, 2001 terrorist attacks on the United States. The Committees have undertaken this Joint Inquiry pursuant to their responsibility to oversee and make continuing studies of the intelligence activities and programs of the United States Government and all other authority vested in the Committees.

The purpose of this Joint Inquiry is—

(a) to conduct an investigation into, and study of, all matters that may have any tendency to reveal the full facts about—

(1) the evolution of the international terrorist threat to the United States, the response of the United States Government including that of the Intelligence Community to international terrorism, from the creation of the Director of Central Intelligence's Counterterrorist Center in 1986 to the present, and what the Intelligence Community had, has, or should have learned from all sources of information, including any terrorist attacks, or attempted ones, about the international terrorist threat to the United States;

(2) what the Intelligence Community knew prior to September 11 about the scope and nature of any possible attacks against the United States or United States interests by international terrorists, including by any of the hijackers or their associates, and what was done with that information;

(3) what the Intelligence Community has learned since the events of September 11 about the persons associated with those events, and whether any of that information suggests actions that could or should have been taken to learn of, or prevent, those events;

(4) whether any information developed before or after September 11 indicates systemic problems that may have impeded the Intelligence Community from learning of or preventing the attacks in advance, or that, if remedied, could help the Community identify and prevent such attacks in the future;

(5) how and to what degree the elements of the Intelligence Community have interacted with each other, as well as other parts of federal, state, and local governments with respect to identifying, tracking, assessing, and coping with international terrorist threats; as well as biological, chemical, radiological, or nuclear threats, whatever their source (such as the Anthrax attack of 2001)

(6) the ways in which the Intelligence Community's responses to past intelligence problems and challenges, whether or not related to international terrorism, have affected its counterterrorism efforts; and

(7) any other information that would enable the Joint Inquiry, and the Committees in the performance of their continuing responsibilities, to make such recommendations, including recommendations for new or amended legislation and any administrative or structural changes, or other actions, as they determine to be necessary or desirable to improve the ability of the Intelligence Community to learn of, and prevent, future international terrorist attacks; and

(b) to fulfill the Constitutional oversight and informing functions of the Congress with regard to the matters examined in the Joint Inquiry.

BROWNBACK-CORZINE AMENDMENT TO THE ENERGY BILL

Mr. BROWNBACK. Mr. President, I want to engage the Senator from New Jersey in a colloquy regarding our amendment, Senate amendment number 3239, which was adopted by the Senate and became Title XI of the final Senate energy bill. In particular, I would like to clarify the intended role of the Department of Commerce in implementing the greenhouse gas reporting system and registry that our amendment would create.

Mr. CORZINE. I believe the intent of the amendment in this regard is that the Department of Commerce would primarily be involved in developing measurement standards for monitoring of emissions, as well as verification technologies and methods to ensure the maintenance of a consistent and technically accurate record or emissions,

emission reductions and atmospheric concentrations of greenhouse gases for the database. This is clearly stated in Sections 1103(b)(2) and 1106(a)(2)(D) of the bill. Within the Department of Commerce, it is my intent that these functions would primarily be carried out by the National Institute of Standards and Technology, or NIST. Is this also the intent of the Senator from Kansas?

Mr. BROWNBACK. I concur with my colleague that NIST is the intended organization within the Department of Commerce that would primarily be responsible for carrying out the Department's role in implementing Title XI of the energy bill. I thank the Senator from New Jersey for joining me in this colloquy.

Mr. CORZINE. I thank the Senator from Kansas for his work on this important issue.

ADDITIONAL STATEMENTS

TOWN OF DUBLIN CELEBRATES 250TH ANNIVERSARY

• Mr. GREGG. Mr. President, I rise today in honor of the great town of Dublin, New Hampshire. This year, as our Nation observes the 226th anniversary of our independence, Dublin will celebrate the 250th anniversary of its founding. It is therefore timely and appropriate that we recognize this unique New Hampshire community.

Dublin's rich history is closely entwined with that of our country's. Its first settler was William Thornton whose brother, Matthew Thornton, was a delegate to the Continental Congress and one of the signers of the Declaration of Independence. In fact, Matthew Thornton, although he never lived there, was one of the original proprietors of what was then called Monadnock No. 3 but soon became known as Dublin after the Irish city. Although the ''winds are often strong.'' as described in the official history of Dublin, the air ''is pure and bracing'' and the location proved to be ideal. By the year 1775, the town's population had rapidly increased to 305 people. Many came from the Colony of Massachusetts seeking greater economic opportunities and were undoubtably drawn by the area's natural beauty, dominated most notably by Mount Monadnock.

As our country strived to build a government free of British control, so too did Dublin. In a tradition that continues to this day, the citizens elected Thomas Morse, Henry Strongman and Benjamin Mason to the Town's first Board of Selectmen. Of course, New Englanders, and New Hampshirites in particular, are known for their fierce independence. It is no surprise then that twenty-six Dublin residents fought in the American Revolution. At least four town residents were at the Battle of Bunker Hill—Jonathan Morse, Richard Gilchrist, Thomas Green and John Swan. Richard Gilchrist vividly demonstrated the ideals of courage and honor by carrying upon his back from the field of battle Thomas Green, who had been severely wounded in that fight. Jonathan Morse later served at the battles of Bennington, Ticonderoga and Monmouth. He was later described by a friend as being ''so humane and honest, so rough and ready that, had he lived to this time, he might have been President of the United States.'' I am sure that such a sentiment could describe many other past and present citizens of Dublin.

To this day, Dublin continues to be a vibrant community with a population of over 1400 people. Dublin is home to Yankee Magazine, which wonderfully chronicles New England's culture, and the Old Farmers Almanac. As a side note, I would point out that since it was first published in 1792, the Almanac has never given an incorrect weather forecast. Because of how this town perfectly embodies this way of life, it became a well-known summer resort for artists and families from around the country. One of the most famous visitors was Mark Twain who spent the summers of 1905 and 1906 here. His love of the town was clearly evident. His response to a reporter's question that ''Dublin is the one place I have always longed for, but never knew existed in fact till now'' best captures the special feeling Dublin has on those who live there and those who simply pass through its borders.

So, on this the 250th anniversary of Dublin, we salute its citizens and honor their accomplishments, their love of country and their overwhelming spirit of independence.•

WE THE PEOPLE

• Ms. CANTWELL. Mr. President, on May 4–6, 2002, students from Tahoma High School in Washington State joined more than 1,200 students from across the United States in Washington, D.C. to compete in the national finals of the We the People: The Citizen and the Constitution 2002 National Competition.

As a result of their hard work and preparation, the team from Tahoma High won an honorable mention award in the national finals, becoming one of just 22 schools from all across America to come away from the national finals with an award. I congratulate all the students who participated: Heather Aldrich, Laura Baily, Andy Bauer, Travis Beckett, Lance Bishop, Jonathan Bongard, Sheena Clark, Aimee Craig, Mike DeSisto, Casey Dillon, Kiran Garcha, Tyler Hawks, Katie Kennedy, Rebecca Kennedy, David Knotts, Alissa Loudiana, Julia Lowe, Ryan Marsh, Jamaica Morris, Michaela Soldano, Kellie Stendal, Stefanie Waldron, Emily Walters, Ryan Wells, and Jessica Woodell.

This competition marks the eighth consecutive year that students from Tahoma High School have represented the State of Washington at the national finals. I recognize the dedication of the Tahoma High School faculty, particularly Stephanie Davis, the team's advisor, as well as the hard work and commitment of the students who have made this tremendous accomplishment possible.

Successful participation in the We the People program requires students to achieve a high caliber of constitutional knowledge. During the three-day national competition, the students presented oral arguments on constitutional topics before a panel of judges. Their testimony was followed by a period of questioning by the judges, who probed the depth of their understanding and ability to apply their constitutional knowledge.

Again, I applaud the accomplishments of the Tahoma High School team. I am confident that their success in the national competition will prove to be a useful tool later in their lives as they continue to participate in the governance of our Nation.•

WOMAN OF MONTANA ESSAY WINNERS

• Mr. BURNS. Mr. President, I would like to congratulate the winners of the American Association of University Women ''Woman of Montana'' essay contest, Gina Young. Her essay is entitled ''Rehbein.'' I also congratulate Maureen Sullivan. Her essay is entitled ''Effie Dockstander Holmes: A Woman for All Seasons.''

The essays follow:

REHBEIN

When I think of a woman who has dedicated most of her life helping Montana citizens, I think of my grandmother, Mary Alice Rehbein. For fifty years, she has served the state of Montana in the field of public health. During her years of work and dedication, she has earned the respect of people all-over Montana, including myself. From her I have learned how to set goals, to accept the differences of others, and to be responsible for myself.

R represents responsibility. Mary Alice Rehbein was born in Jamestown, North Dakota, July 20, 1918, to Ed and Mary Louise Barnhart. She had only nine short years to learn the responsibilities and lessons of life from her mother. At the age of nine, Mary Alice lost her mother to breast cancer. After that tragic death, her father could not stand the loss and moved away from Jamestown leaving Mary Alice to be raised by very strict, practical, but loving grandparents. Her grandparents felt that an education was an absolute must. Mary Alice knew that an education was the only way she would be able to survive in the future.

E stands for her life-long education. Mary Alice Rehbein graduated from high school in 1937. She attended business college for two years while selling insurance. Mary Alice realized that she was not going to be very successful at this career because she was a woman. This was the time in Mary Alice's life that she needed to re-evaluate her career choice and money situation. She finally withdrew the last seventy-five dollars remaining of her mother's life insurance policy. Mary Alice found that she could enroll in nursing school for exactly that amount, so she jumped at the chance of a lifetime and

invested her last penny in her education. Mary Alice's lifetime of nursing and honors began upon the completion of her nursing degree in 1943.

H symbolizes Mary Alice Rehbein's various honors. She has been recognized and received numerous awards throughout her years of service. Some of her honors include Sidney's ''Woman of the Year'' award; the Montana State Department of Health's Public Health Nursing Award for Outstanding and Meritorious Work; an award from the Montana State Mental Health Association; an award from the National League of Nursing Board; and the Dr. Mary Souls Nursing Award, which is the highest honor bestowed on a nurse in Montana and North Dakota. Mary Alice has also held many prestigious offices. She served as a representative to the National League of Nursing Advisory Board for the Western Region of the United States; held the position of the vice-president for the State Nurses Association; and is currently the President of the Montana Nursing League and a member of the Governor's Advisory Board for Aging. Each honor and position has recognized her leadership and the services she has given to public health for the state of Montana. Mary Alice Rehbein is proud of her honors and offices, but she feels the greatest reward has been to provide beneficial health care to the citizens of the community.

B portrays how beneficial Mary Alice has been to people of Montana. She was the Richland County Health Nurse for forty-five years. During her years of working she saved lives, helped deliver babies, gave shots to patients for illness and immunizations, checked children's posture and teeth, administered medical attention to the rural areas with orders from the doctors, provided nursing care to schools, monitored blood pressures, and provided home health care for those in need. She has traveled to every state, with the exception of Maine and Alaska, as well as to hospitals in Australia, New Zealand, and Russia. In each of her expeditions she studied, shared information, and acquired knowledge about the availability and kinds of community health. Mary Alice Rehbein has enjoyed her nursing career.

E denotes all of her efforts and enjoyment. Mary Alice has spent a lifetime providing nursing service and teaching people about health care. Nothing has been more fulfilling than to see the joy of people, at any age, caring about their health, says Mary Alice, and to employ new nursing ideas.

I exemplifies the innovative nursing ideas Mary Alice has brought to Eastern Montana. Besides the general health program that Mary Alice Rehbein ran, she was responsible for the Alcohol and Drug Abuse program until it had funding of its own. She ran the monthly, blood pressure clinics for Richland County and was active in finding ways to provide immunization clinics to isolated residents. In the 1950's, she began encouraging the Mental Health professionals of Montana to provide services to people in outlying areas of Eastern Montana. She has been instrumental in providing home health care to many people who could not get or afford health care. In addition, she provided hospice care. Mary Alice says that nursing is one profession that will not be replaced with total technology, since people will always need ''hands on'' nursing care.

N depicts the profession of nursing. Mary Alice Rehbein is the oldest, insured, and licensed nurse in the state of Montana. After her numerous years devoted to helping the residents of Montana, she has retired as Richland County Public Health Nurse. In her free time she visits lonely people who do not have families to talk to, she looks in on people who need nursing care, she continues to stay up-to-date on the latest nursing trends, and she still makes time to take blood pressures in her small community.

Out of all of the women who have helped the state of Montana, Mary Alice Rehbein has been one of the most remarkable. She has dedicated her life to helping the people of Montana and has instilled in me the belief that the true treasure of life is a person's health. Therefore, I believe Mary Alice REHBEIN is one of the Great Montana Women.

EFFIE DOCKSTADER HOLMES, A WOMAN FOR ALL SEASONS

The door flew open after a sharp knock and a young man burst in. ''Effie, come quick! There's been a terrible accident.'' My grandmother, Effie Clark Dockstader Holmes, quickly gathered up her medical bag and some clean sheets and set out on a run with the young man. My grandma was a registered nurse, the original one woman QRU for Bigfork. Townsfolk came to Effie with all sorts of medical problems, especially for emergencies or accidents. Over the years Effie dispensed comfort, consolation and healing, saving lives and improving the quality of life for many Bigfork residents. Effie never failed to respond.

One tragic incident is still very much alive in her memory. ''The little girl just lay there. It didn't look good; it was very serious.'' The child had been accidentally run over by a family friend. My grandma could see that there was little she could do herself for the child's massive injuries. But it would be too late when an ambulance got to Bigfork. So Effie started to Kalispell with the little girl in her car. However the journey was short when the child died on the way to the hospital. My grandmother delivered the devastating news to the family. ''It was very hard, and I shouldn't have been the one to do it, but no one else wanted to . . . .'' My grandma received the Bigfork Citizen of the Year Award in recognition of her contributions to her community.

In 1917, my grandmother and her family left Kansas for their new home in Montana. The long, arduous trek in a Model-T Ford took almost a year. The Clarks homesteaded a parcel of land on the east shore of Flathead Lake. After attending grade school in Bigfork, Effie had to live with a family in Kalispell during the week while going to Flathead High School since the trip from Bigfork was too long to make each day.

My grandma went on to college at Sacred Heart School of Nursing in Spokane, Washington after high school. Bigfork held a dance at the Town Hall to celebrate the momentous event of Effie's departure for college. She was a trailblazer for her time. After graduation, she took a nursing position in Missoula, returning to her beloved Montana. When her Aunt Effie became seriously ill, my grandma quit her job to care for her aunt in Bigfork, staying on with her uncle after her aunt's death. Amazingly, my grandmother still lives in that same house on Electric Avenue where she took care of her Aunt Effie.

My grandmother was introduced to James Dockstader at a dance. When Effie taught Jim to dance, she had no idea this would be the man who would teach her the many lessons of love. My grandparents settled into a farming life, close to the earth and raised three children in Bigfork, each of whom still lives in the area with their families. My grandfather died from cancer on November 20, 1988 at home.

Few people get the chance to revisit their past and to choose the ''road not taken,'' but my grandma did. It all began when the day of Bigfork's Whitewater Festival in 1995 proved to be filled with shock, memories of a past romance, and the promise of true love rekindled.

My grandma recalls the day when Ernest Holmes swept her off her feet for the second time in amazingly vivid detail. Effie was standing outside her house in downtown Bigfork when a stranger asked if she knew Effie Clark. My grandmother replied, ''I'm Effie.'' ''I'm Prunie,'' Ernest responded, using his old high school nickname. Without hesitation, the two embraced repeatedly and began joyously reminiscing right on Electric Avenue. Their reunion continued over lunch.

From that day my grandma was a different person, happier and more full of life than I had ever seen her. This man had long before left a mark on my grandmother's life and heart. Prunie and Effie had been sweethearts when she attended high school in Missoula for one year while her father was working there. Effie returned to Bigfork when her father's job ended the next June. Effie and Prunie were pinned, going steady, and promised to remain true to one another despite the distance. However, an unfortunate misunderstanding broke the two apart, seemingly forever. Ernie was determined to mend the situation and get Effie back, making the long, difficult trip from Missoula to Bigfork in his Model T. However, my grandmother's mind was set and she refused even to come to the door and hear his explanation and apology. Her resolve led to a separation of sixty-six years that was finally bridged that Whitewater Day.

After years of raising their own families, Effie and Prunie were finally together again. A whirlwind romance rekindled their love and passion. My grandmother married Ernest Holmes on August 4, 1995, her 85th birthday, and I was the maid of honor! The day was beautiful, the church was filled to overflowing with friends, family and townsfolk, my grandmother was stunning, and it was one of the happiest days of both of our lives. My new grandfather spent five wonderful years with us before he died in April of 2000.

Sitting in her chair among the many dolls she has made and collected over the years, with antiques younger than she, my grandmother smiles and laughs with the ease of a child and the wisdom of experience. She has lived through much and seen great changes, learning from it all. Effie Dockstader Holmes is a treasure of Montana, a woman to be remembered always. An intelligent, independent woman who fought against the odds at a time when females usually stayed home, my grandmother is truly a modern pioneer woman. She melded the life of homemaker with the career of caretaker of the sick and injured, her only rewards the thanks of those she helped and the knowledge that she had made a difference.●

HEROES AMONG US

● Mr. KENNEDY. Mr. President, in 1997, the Boston Celtics established the Heroes Among Us program to honor outstanding individuals in New England who have made an overwhelming impact on the lives of others. The ''Heroes Among Us'' award is designed to honor and recognize members of society that stand tall in their commitment to their community. The extraordinary achievements of the honorees include: individual acts of courage, saving lives, sacrificing for others, overcoming obstacles to achieve their goals, and a lifelong commitment to bettering the lives of those around them. We have recognized those of all

ages and from all walks of life, including students, clergy, community leaders, non-profit founders, and even Nobel Prize and Academy Award winners.

At each home game during this 5-year span, the Boston Celtics and their fans have saluted the exemplary efforts of these citizens during a special in-game presentation on the team's legendary parquet floor. To date, more than 200 individuals have received the Heroes Among Us Award. We are all very proud of this program, which has become one of the most recognized and respected initiatives in the city of Boston.

On Friday, June 14, 2002 at 2:00 p.m., the Celtics will host the 4th Annual Heroes Among Us ceremony in the Great Hall at the Massachusetts State House. Heroes from the 2001–2002 season will attend the event, along with Heroes from past seasons. Boston Celtics players, legends, and front office staff will join dignitaries and politicians from all over New England to salute these special individuals.

The following outstanding community leaders have been honored this year:

The Massachusetts Urban Search and Rescue Task Force (Beverly, MA); Erin Rosen-Watson (Natick, MA); William Pease (Gardner, MA); Dawn McNair (Natick, MA); Francis Bok (Boston, MA); Billy Ketchen (Scituate, MA); Raymond Nunez (Lawrence, MA); Lynn Donohue (Marion, MA); Ralph True (Uxbridge, MA); Darin Conley (Uxbridge, MA); Jim Stevens (Uxbridge, MA); Paul Flaherty (Stoughton, MA); Bridget Shaheen (Lawrence, MA); Brian McLaughlin (North Easton, MA); Rachael Levy (Wayland, MA); The Ranieri Family (Bellingham, MA); Chris Curran (Carver, MA); Iris Rivera (Roxbury, MA); Yon Hanlon (Hanson, MA); Sandy Aiello (Waltham, MA); Agnes Lynch (Braintree, MA); Detective Lee Grasso (Melrose, MA); Danny Ricard (West Boylston, MA); Terri Pechner (Revere, MA); Steven Smith (Swampscott, MA); Raymond Piccinni (Marblehead, MA); John Gilpatrick (Hanover, MA); Irene Smalls (Boston, MA).

Frieda Garcia (Boston, MA); Julia Tripp (Randolph, MA); Terri Sarno (Ashland, MA); Dario Espino (Natick, MA); Matthew Gilman (Framingham, MA); Jennifer Dallaire (East Bridgewater, MA); Doreen Morrison (Brockton, MA); Catherine D'Amato (Boston, MA); Jennifer and Stuart Siedman (Wellesely, MA); Tony Lalicata (Reading, MA); Carie Miele (Acton, MA); Professor Charles Ogletree (Cambridge, MA); Peter Badavas (Brockton, MA); Chris Norwood (Brockton, MA); Mark Norwood (Brockton, MA); Alexandra Oliver-Davila (Roxbury, MA); Tony Richards (Dorchester, MA); Cam Neely (Lincoln, MA); Rosemary Bowers (Warwick, RI); The Ginley Family on behalf of Lt. John Ginley (Warwick, NY); Dr. Roseanna Means (Wellesley, MA); Rev. Dr. Gloria White Hammond (Boston, MA); Dana Laurendeau (Boston, MA); Darrin Dawley (Boston, MA); Eddie Andelman (Lynnfield, MA); Anthony Bibbo (Newton, MA); Liz Walker (Boston, MA); Robert Lewis, Jr. (Boston, MA); Judy and Jim Langmead (Walpole, MA); Clementina and Joseph Chery (Dorchester, MA).

We pay tribute to them for their service.●

TRIBUTE TO HATHAWAY & CLARK FUNERAL HOME

● Mr. BUNNING. Mr. President, I rise today to pay tribute to Hathaway & Clark Funeral Home of Louisville, KY. For over 100 years now, Hathaway & Clark Funeral Home has served the local community in a warm and caring manner.

Hathaway & Clark Funeral Home has been soulfully dedicated to serving the needs of the Louisville community since the early part of the 20th century. It is the oldest black-owned and operated funeral business in Louisville. The founder was a man by the name of James H. Hathaway. Mr. Hathaway officially opened the Hathaway mortuary on Burnett Avenue in the Fort Hill area in 1901. After Hathaway's death, his daughter and son-in-law, Columbia and Chester Clark, took over the business, adding Clark to the name.

In 1964, Hathaway & Clark built a new facility in the west end area at 2718 Virginia Avenue. In doing so, they became the first black Louisville funeral home to erect its own building.

Currently, Hathaway & Clark is operated by husband and wife duo, Lawrence and Violet Montgomery. Lawrence Montgomery, who currently serves as the company's president, has worked on and off at Hathaway for about fifty years. His wife Violet has been a full-time employee and secretary-treasurer since 1992. They both have worked extremely hard to build upon the foundation of service and professionalism that Hathaway & Clark was built on. During times of grief and sorrow, families can feel more secure knowing that Hathaway & Clark will be there to take care of all of their immediate needs. Many of their customers have been noted as saying how much they like and appreciate the warm feeling and atmosphere created by the staff and management of Hathaway & Clark.

We have all heard the old saying, ''nothing is inevitable except death and taxes.'' While, I am quite certain that no individual or group will ever make us feel good about paying our taxes, I do know that families in Louisville can put their loved ones peacefully to rest with the help of Hathaway & Clark. I ask that my fellow colleagues join me in thanking Hathaway & Clark for serving Kentucky families since 1901.●

IN RECOGNITION OF LANSING COMMUNITY COLLEGE'S SOFTBALL WORLD SERIES CHAMPIONSHIP WIN

● Mr. LEVIN. Mr. President, I ask that the Senate join me today in congratulating the Lansing Community College Stars softball team for its win at the National Junior College Athletic Association World Series Championship in Phoenix, AZ. This was Lansing's third straight trip to the World Series, and their first win.

The Stars' season was nothing short of stellar. The Lady Stars broke their 2001 team record for home runs by sending 83 out of the stadium this year. They also batted a .368 team batting average, the highest in the nation. Finishing the season ranked number two in the nation, the Lady Stars finished the season with 49 wins and just seven losses. In the three years of the Lansing Community College program, the team boasts an overall record of 142 wins and just 25 losses.

These statistics don't win a championship on their own, though. The Lady Stars had to battle through 100 degree temperatures and formidable opposition to win three games and the championship on the final day of the series. Great defense, solid pitching, and timely hitting coupled with an experienced ball club made third time the charm for Lansing.

This Championship win is a great accomplishment, and I trust that my Senate colleagues will join me in congratulating the Lansing Community College Lady Stars softball team on this commendable triumph. I wish them the best in repeating next year.

I ask that the names of the team members, their position, college year and high school be printed in the RECORD.

The material follows:

Monica Kingsley, Pitcher, Sophomore, Fowlerville, MI.

Amanda Hixson, Outfield/Infield, Sophomore, Lansing Everett, MI.

Amy Dollarhite, Outfield, Freshman, St. Johns, MI.

Kim Horanburg, Infield, Sophomore, Grand Ledge, MI.

Casey Gorman, Pitcher, Sophomore, Haslett, MI.

Larissa Kequom, Outfield, Sophomore, Charlotte, MI.

Nicole Beasley, Outfield, Freshman, Grand Ledge, MI.

Mary Ann Brooks, Catcher/Infield, Sophomore, East Jordan, MI.

Erin Curtice, Outfield, Sophomore, Grand Ledge, MI.

Bridge Hixson, Outfield, Freshman, Lansing Everett, MI.

Jennifer Olds, Pitcher/Infield, Sophomore, Suncoast, FL.

Sarah Paape, Infield, Freshman, Sandusky, MI.

Nicole Dashkovitz, Infield, Sophomore, Cadillac, MI.

Janet Russman, Infield, Sophomore, Portland St. Patrick, MI.

Kari Munson, Infield, Sophomore, Lansing Eastern, MI.

Jessica Pick, Catcher, Freshman, Lansing Eastern, MI.

Mary Mauro, Pitcher, Freshman, De Witt, MI.

Danett Waller, Catcher, Freshman, Morrice, MI.●

TRIBUTE TO DR. LAURISTON S. TAYLOR

● Mr. DOMENICI. Mr. President, I rise to pay tribute to a truly great American on the occasion of his 100th birthday.

Dr. Lauriston S. Taylor was born on June 1, 1902. Dr. Taylor (or Laurie as he likes to be called) is one of the major contributors to our knowledge of radiation safety, not only in the United States but worldwide as well.

Laurie published his first paper in 1922 while a student at Cornell and has contributed to radiation safety over a span of 80 years, publishing over 150 papers, and has written or contributed to over 16 books.

Laurie served as Chairman of the National Committee on Radiation Protection (NCRP), the organization he helped establish and led for nearly 50 years and the organization now Chartered by the U.S. Congress as the National Council of Radiation Protection and Measurements.

In addition, his accomplishments include serving as: President of the Health Physics Society, Chairman of the International Commission on Radiation Units and Measurements, President of the International Conference on Medical Physics, Chairman of the Civil Service Commission, and Special Assistant to the President of the National Academy of Sciences.

A few of the many awards bestowed upon Laurie include: The Presidential Bronze Star and the Medal of Freedom from the United States Air Force, The Gold Medal from the Royal Swedish Academy of Sciences, and The Janeway Medal from the American Radium Society.

It is with pleasure that I note that Dr. Taylor's decades of contributions to improving radiation safety throughout the World have been documented by the Health Physics Society in an edition of their international journal Health Physics, and their Newsletter.

Laurie is, indeed, a person for all seasons: teacher, mentor, scholar, leader and visionary.

I deeply appreciate all that Laurie Taylor has contributed to this Nation and the world. I invite my colleagues to join in wishing him a very happy 100th birthday.●

TRIBUTE TO JACQUELINE BEAN

● Mr. BURNS. Mr. President, today I recognize a very special woman from the State of Montana who has recently retired from the Burns Telecommunications Center. Jacqueline Bean has made a tremendous difference at the Burns Telecommunications Center during her tenure. Her level of influence in the telecommunications industry and Montana has been instrumental in promoting, maintaining and establishing a base to expand upon the Center and extend its longevity. I cannot tell you how many times Jacqueline stressed the need to ensure the center's long-term impact.

Jacqueline's commitment and loyalty to the Burns Telecommunications Center and to the goals I established have helped lead to the success of the Center. Jacqueline never lost sight of the vision I had in mind, to promote opportunities in education, healthcare, and business especially in rural States like Montana, to work for increased individual opportunity through telecommunications and support Montana telecommunications projects, involving cutting edge technology for education based distance learning programs, telemedicine initiatives, and e-commerce across secure computer networks in the global economy. Jacqueline put forth a whole-hearted effort to increase these opportunities for students, teachers, administrators, individuals, and employees across Montana by advancing the Burns Telecommunications Center and its mission.

Jacqueline has always gone above and beyond the call of duty. She is not only a woman I admire and respect, she is a close, personal friend and I want to extend my personal thanks for all of her support and effort on behalf of the Burns Telecommunications Center. I truly appreciate Jacqueline's loyalty, dedication and commitment and all that she has accomplished on behalf of the Burns Telecommunications Center. We bid farewell, but not good-bye, to a woman that has brought so much integrity to the Burns Telecommunications Center.●

HARLEM GLOBETROTTERS

● Mr. KYL. Mr. President, I note with pleasure that the Harlem Globetrotters basketball team was honored in April by the Arizona chapter of the National Conference for Community and Justice.

The world-renowned Harlem Globetrotters, who have made their home in Phoenix since 1995, have given joy to basketball fans in America and around the world for three quarters of a century. In over 20,000 games of basketball, played in some 115 countries, the team's stellar showmen and athletes have been ambassadors for their country and their sport. Especially impressive is the tenacity of owner and former player Mannie Jackson, who took a franchise on the wane and revived it. He and his athletes have given something of value to Arizonans, Americans, and basketball lovers everywhere.

Arizona is proud to be the home of the 21st century Globetrotters, recipients of a richly deserved humanitarian award.●

MESSAGES FROM THE PRESIDENT

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

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 2:56 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House of Representatives to the bill (S. 1372) to reauthorize the Export-Import Bank of the United States.

The message also announced that the House insists upon its amendment to the bill (S. 1214) to amend the Merchant Marine Act, 1936, to establish a program to ensure greater security for United States seaports, and for other purposes, and ask a conference with the Senate on the disagreeing votes of the two Houses thereon; and appoints the following Members as managers of the conference on the part of the House:

From the Committee on Transportation and Infrastructure, for consideration of the Senate bill and the House amendment, and modifications committed to conference: Mr. YOUNG of Alaska, Mr. COBLE, Mr. LOBIONDO, Mr. OBERSTAR, and Ms. BROWN of Florida.

From the Committee on Ways and Means, for consideration of sections 112 and 115 of the Senate bill, and section 108 of the House amendment, and modifications committed to conference: Mr. THOMAS, Mr. CRANE, and Mr. RANGEL.

The message further announced that the House has agreed to the following concurrent resolution, without amendment:

S. Con. Res. 117. Concurrent resolution to correct technical errors in the enrollment of the bill H.R. 3448.

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 36. Concurrent resolution urging increased Federal funding for juvenile (type 1) diabetes research.

The message further announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 2941. An act to facilitate the provision of assistance by the Department of Housing and Urban Development for the cleanup and economic redevelopment of brownfields.

H.R. 4073. An act to amend the Microenterprise for Self-Reliance Act of 2000 and the Foreign Assistance Act of 1961 to increase assistance for the poorest people in developing countries under microenterprise assistance programs under those Acts, and for other purposes.

H.R. 4466. An act to amend title 49, United States Code, to authorize appropriations for the National Transportation Safety Board for fiscal years 2003, 2004, and 2005, and for other purposes.

H.R. 4800. An act to repeal the sunset of the Economic Growth and Tax Relief Reconciliation Act of 2001 with respect to the expansion of the adoption credit and adoption assistance programs.

H.R. 4823. An act to repeal the sunset of Economic Growth and Tax Relief Reconciliation Act of 2001 with respect to the exclusion from Federal income tax for restitution received by victims of the Nazi Regime.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 2941. An act to facilitate the provision of assistance by the Department of Housing and Urban Development for the cleanup and economic redevelopment of brownfields; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 4073. An act to amend the Microenterprise for Self-Reliance Act of 2000 and the Foreign Assistance Act of 1961 to increase assistance for the poorest people in developing countries under microenterprise assistance programs under those Acts, and for other purposes; to the Committee on Foreign Relations.

H.R. 4466. An act to amend title 49, United States Code, to authorize appropriations for the National Transportation Safety Board for fiscal years 2003, 2004, and 2005, and for other purposes; to the Committee on Commerce, Science, and Transportation.

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 36. Concurrent resolution urging increased Federal funding for juvenile (Type 1) diabetes research; to the Committee on Health, Education, Labor, and Pensions.

MEASURES PLACED ON THE CALENDAR

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

S. 2578. A bill to amend title 31 of the United States Code to increase the public debt limit.

ENROLLED BILLS SIGNED

At 5:06 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

H.R. 1366. An act to designate the United States Post Office building located at 3101 West Sunflower Avenue in Santa Ana, California, as the ''Hector G. Godinez Post Office Building.''

H.R. 1374. An act to designate the facility of the United States Postal Service located at 600 Calumet Street in Lake Linden, Michigan, as the ''Philip E. Ruppe Post Office Building.''

H.R. 3448. An act to improve the ability of the United States to prevent, prepare for, and respond to bioterrorism and other public health emergencies.

H.R. 3789. An act to designate the facility of the United States Postal Service located at 2829 Commercial Way in Rock Springs, Wyoming, as the ''Teno Roncalio Post Office Building.''

H.R. 3960. An act to designate the facility of the United States Postal Service located at 3719 Highway 4 in Jay, Florida, as the ''Joseph W. Westmoreland Post Office Building.''

4486. An act to designate the facility of the United States Postal Service located at 1590 East Joyce Boulevard in Fayetteville, Arkansas, as the ''Clarence B. Craft Post Office Building.''

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC–7315. A communication from the Chairman of the Securities and Exchange Commission, transmitting, pursuant to law, the report of the Office of the Inspector General for the period October 1, 2001 through March 31, 2002; to the Committee on Governmental Affairs.

EC–7316. A communication from the Secretary of Labor, Chairman of the Board of the Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of the Office of the Inspector General for the period April 1, 2001 through September 30, 2001; to the Committee on Governmental Affairs.

EC–7317. A communication from the Chief Executive Officer, Corporation for National Service, transmitting, pursuant to law, the report of the Office of the Inspector General for the period September 30, 2001 through March 31, 2002; to the Committee on Governmental Affairs.

EC–7318. A communication from the Chairman of the Securities and Exchange Commission, transmitting, pursuant to law, the report of the Office of the Inspector General for Fiscal Year ending September 30, 2001; to the Committee on Governmental Affairs.

EC–7319. A communication from the Secretary of Labor, transmitting, pursuant to law, the report of the Office of the Inspector General for the period October 1, 2001 through March 31, 2002; to the Committee on Governmental Affairs.

EC–7320. A communication from the Chair of the Railroad Retirement Board, transmitting, pursuant to law, the report of the Office of the Inspector General for the period October 1, 2001 through March 31, 2002; to the Committee on Governmental Affairs.

EC–7321. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 14–364, ''Unemployment Compensation Trust Response Temporary Amendment Act of 2002''; to the Committee on Governmental Affairs.

EC–7322. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 14–365, ''Service Improvement and Fiscal Year 2000 Budget Support Temporary Amendment Act of 2002''; to the Committee on Governmental Affairs.

EC–7323. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 14–366, ''Bond Requirement for New Residential Property Construction on Unstable Soil Temporary Act of 2002''; to the Committee on Governmental Affairs.

EC–7324. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 14–367, ''Georgetown Project Temporary Amendment Act of 2002''; to the Committee on Governmental Affairs.

EC–7325. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 14–368, ''Bonus Depreciation Decoupling from the Internal Revenue Code Temporary Act of 2002''; to the Committee on Governmental Affairs.

EC–7326. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 14–369, ''Prompt Pay Act of 2002''; to the Committee on Governmental Affairs.

EC–7327. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 14–370, ''Uniform Custodial Trust Act of 2002''; to the Committee on Governmental Affairs.

EC–7328. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 14–371, ''Closing of a Portion of a Public Alley in Square 5228, S.O . 98–195 Act of 2002''; to the Committee on Governmental Affairs.

EC–7329. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 14–372, ''Closing of Edson Place, N.E., adjacent to Square 5080, S.O . 01–808 Act of 2002''; to the Committee on Governmental Affairs.

EC–7330. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 14–373, ''Procurement Practices Small Purchase Amendment Act of 2002''; to the Committee on Governmental Affairs.

EC–7331. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 14–375, ''Housing Notice Temporary Amendment Act of 2002''; to the Committee on Governmental Affairs.

EC–7332. A communication from the Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the State Department Delegation of Authority No. 245 of April 23, 2001 to allow the Export Import Bank to finance the sale of defense articles to Venezuela; to the Committee on Banking, Housing, and Urban Affairs.

EC–7333. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Revisions to the Export Administration Regulations as a Result of the September 2001 Missile Technology Control Regime (MTCR) Plenary Meeting'' (RIN0694–AC55) received on May 30, 2002; to the Committee on Banking, Housing, and Urban Affairs.

EC–7334. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Revisions and Clarifications to the Export Administration Regulations—Chemical and Biological Weapons Controls: Australia Group; Chemical Weapons Convention'' (RIN0694–AC62) received on May 30, 2002; to the Committee on Banking, Housing, and Urban Affairs.

EC–7335. A communication from the Vice Chairman of the Export-Import Bank of the United States, transmitting, pursuant to law, a report relative to a transaction evolving U.S. exports to the Dominican Republic; to the Committee on Banking, Housing, and Urban Affairs.

EC–7336. A communication from the President of the United States, transmitting, pursuant to law, a report relative to the continuation of emergency with respect to The Federal Republic of Yugoslavia (Serbia and Montenegro); to the Committee on Banking, Housing, and Urban Affairs.

EC–7337. A communication from the Comptroller of the Currency, Administrator of National Banks, transmitting, pursuant to law, the report of a rule entitled ''Assessment of Fees'' (12 CFR Part 8) received on May 30, 2002; to the Committee on Banking, Housing, and Urban Affairs.

EC–7338. A communication from the President of the United States, transmitting, pursuant to law, the periodic report on the National Emergencies with Respect to the Federal Republic of Yugoslavia (Serbia and Montenegro); to the Committee on Banking, Housing, and Urban Affairs.

EC–7339. A communication from the Under Secretary for Industry and Security, Department of Commerce, transmitting, pursuant

to law, a report on the imposition of foreign policy controls on certain dual-use chemical and biological items; to the Committee on Banking, Housing, and Urban Affairs.

EC–7340. A communication from the Director of the Office of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled ''Risk Based Capital Standards: Claims on Securities Firms'' (RIN3064–AC17) received on June 3, 2002; to the Committee on Banking, Housing, and Urban Affairs.

EC–7341. A communication from the Director, Office of Federal Housing Enterprise Oversight, transmitting, pursuant to law, the report of a rule entitled ''Corporate Governance'' (RIN2550–AA20) received on June 3, 2002; to the Committee on Banking, Housing, and Urban Affairs.

EC–7342. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: General Electric Company CF6–80E1A2 Turbofan Engines'' ((RIN2120–AA64) (2002–0249)) received on June 3, 2002; to the Committee on Commerce, Science, and Transportation.

EC–7343. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Airbus Model A319, A320, and A321 Series Airplanes'' ((RIN2120–AA64) (2002–0250)) received on June 3, 2002; to the Committee on Commerce, Science, and Transportation.

EC–7344. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Raytheon Aircraft Company Model 58P, 60, A60, B60, and 65–88 Airplanes'' ((RIN2120–AA64) (2002–0251)) received on June 3, 2002; to the Committee on Commerce, Science, and Transportation.

EC–7345. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Pratt and Whitney JT9–D Turbofan Engines'' ((RIN2120–AA64) (2002–0252)) received on June 3, 2002; to the Committee on Commerce, Science, and Transportation.

EC–7346. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: McDonnell Douglas Model MD–90–30 Airplanes'' ((RIN2120–AA64) (2002–0246)) received on June 3, 2002; to the Committee on Commerce, Science, and Transportation.

EC–7347. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Boeing Model 757 Series Airplanes'' ((RIN2120–AA64) (2002–0247)) received on June 3, 2002; to the Committee on Commerce, Science, and Transportation.

EC–7348. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: McDonnell Douglas Model DC–9–81 (MD–81), DC–9–82 (MD–82), DC–9–83 (MD–83), DC–9–87 (MD–87), MD–88, and MD–90–30 Airplanes'' ((RIN2120–AA64) (2002–0248)) received on June 3, 2002; to the Committee on Commerce, Science, and Transportation.

EC–7349. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Bombardier Model CL–600–2B19 Series Airplanes'' ((RIN2120–AA64) (2002–0243)) received on June 3, 2002; to the Committee on Commerce, Science, and Transportation.

EC–7350. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: McDonnell Douglas Model DC–9–81 (MD–81), DC–9–82 (MD–82), DC–9–83 (MD–83), and MD–88 Airplanes'' ((RIN2120–AA64) (2002–0244)) received on June 3, 2002; to the Committee on Commerce, Science, and Transportation.

EC–7351. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Boeing Model 747 Series Airplanes'' ((RIN2120–AA64) (2002–0245)) received on June 3, 2002; to the Committee on Commerce, Science, and Transportation.

EC–7352. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Rolls-Royce plc. Tay Model 650–15 and 651–54 Turbofan Engines'' ((RIN2120–AA64) (2002–0239)) received on June 3, 2002; to the Committee on Commerce, Science, and Transportation.

EC–7353. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: SOCATA–Groupe AEROSPATIALE Model TBM 700 Airplanes'' ((RIN2120–AA64) (2002–0240)) received on June 3, 2002; to the Committee on Commerce, Science, and Transportation.

EC–7354. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Raytheon Aircraft Company Beech Model C90 Airplanes'' ((RIN2120–AA64) (2002–0241)) received on June 3, 2002; to the Committee on Commerce, Science, and Transportation.

EC–7355. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: McDonnell Douglas Model DC–10–10, DC–10–10F, DC–10–15, DC–10–30, DC–10–30F, and DC–10–30F (KC10A and KDC–10) Airplanes'' ((RIN2120–AA64) (2002–0242)) received on June 3, 2002; to the Committee on Commerce, Science, and Transportation.

EC–7356. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Boeing Model 737–100, 200, 200C, 300, 400, and 500 Series Airplanes'' ((RIN2120–AA64) (2002–0256)) received on June 3, 2002; to the Committee on Commerce, Science, and Transportation.

EC–7357. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: General Electric Company CF6–80E1 Turbofan Engines'' ((RIN2120–AA64) (2002–0253)) received on June 3, 2002; to the Committee on Commerce, Science, and Transportation.

EC–7358. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Boeing Model 737–100, 200, 200C, 300, 400, and 500 Series Airplanes'' ((RIN2120–AA64) (2002–0254)) received on June 3, 2002; to the Committee on Commerce, Science, and Transportation.

EC–7359. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Boeing Model 747 Series Airplanes'' ((RIN2120–AA64) (2002–0255)) received on June 3, 2002; to the Committee on Commerce, Science, and Transportation.

EC–7360. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airspace Actions Admt. to Norton KS Class E Airspace Area'' ((RIN2120–AA66) (2002–0088)) received on June 3, 2002; to the Committee on Commerce, Science, and Transportation.

EC–7361. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures; Miscellaneous Amendments 47 Admt.'' ((RIN2120–AA65) (2002–0033)) received on June 3, 2002; to the Committee on Commerce, Science, and Transportation.

EC–7362. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures; Miscellaneous Amendments 28 Amdt.'' ((RIN2120–AA65) (2002–0034)) received on June 3, 2002; to the Committee on Commerce, Science, and Transportation.

EC–7363. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification of Class E Airspace, Newport, OR'' ((RIN2120–AA66) (2002–0089)) received on June 3, 2002; to the Committee on Commerce, Science, and Transportation.

EC–7364. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Admt. of Class E5 Airspace; Liberty, NC'' ((RIN2120–AA66) (2002–0090)) received on June 3, 2002; to the Committee on Commerce, Science, and Transportation.

EC–7365. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures; Miscellaneous Amendments 52 Admt. No. 3002'' ((RIN2120–AA65) (2002–0032)) received on June 3, 2002; to the Committee on Commerce, Science, and Transportation.

EC–7366. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Admt. of Honolulu Class E Airspace Area Legal Description'' ((RIN2120–AA66) (2002–0092)) received on June 3, 2002; to the Committee on Commerce, Science, and Transportation.

EC–7367. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace at Sharon, PA'' ((RIN2120–AA66) (2002–0091)) received on June 3, 2002; to the Committee on Commerce, Science, and Transportation.

EC–7368. A communication from the Chief of Regulations and Administrative Law,

United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Regatta Regulations; Annual Marine Events in the Eighth Coast Guard District'' ((RIN2115–AE46) (2002–0011)) received on June 3, 2002; to the Committee on Commerce, Science, and Transportation.

EC–7369. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Regatta Regulations: Western Branch, Elizabeth River, Portsmouth, VA'' ((RIN2115–AE46) (2002–0012)) received on June 3, 2002; to the Committee on Commerce, Science, and Transportation.

EC–7370. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Regulations; Siesta Drive Drawbridge, Gulf Intracoastal Waterway, Sarasota, Florida'' ((RIN2115–AE47) (2002–0048)) received on June 3, 2002; to the Committee on Commerce, Science, and Transportation.

EC–7371. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Regulations; Darby Creek, Pennsylvania'' ((RIN2115–AE47) (2002–0049)) received on June 3, 2002; to the Committee on Commerce, Science, and Transportation.

EC–7372. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Regulations; Gulf Intracoastal Waterway, Boca Grande, Charlotte County, Florida'' ((RIN2115–AE47) (2002–0050)) received on June 3, 2002; to the Committee on Commerce, Science, and Transportation.

EC–7373. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Regulated Navigation Areas; Chesapeake Bay Entrance and Hampton Roads, VA and Adjacent Waters'' ((RIN2115–AE84) (2002–0006)) received on June 3, 2002; to the Committee on Commerce, Science, and Transportation.

EC–7374. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Regulated Navigation Areas; Cape Fear River and Northeast Cape Fear River, Wilmington, North Carolina'' ((RIN2115–AE84) (2002–0007)) received on June 3, 2002; to the Committee on Commerce, Science, and Transportation.

EC–7375. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Raising the Threshold of Property Damage for Reports of Accidents Involving Recreational Vessels'' ((RIN2115–AF87) (2002–0001)) received on June 3, 2002; to the Committee on Commerce, Science, and Transportation.

EC–7376. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Safety/Security Zone Regulations; Boston Marine Inspection Zone and Captain of the Port Zone'' ((RIN2115–AA97) (2002–0082)) received on June 3, 2002; to the Committee on Commerce, Science, and Transportation.

EC–7377. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Permits for the Transportation of Municipal and Commercial Waste'' (RIN2115–AD23) received on June 3, 2002; to the Committee on Commerce, Science, and Transportation.

EC–7378. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Temporary Requirements for Notification of Arrival in U.S. Ports'' (RIN2115–AG24) received on June 3, 2002; to the Committee on Commerce, Science, and Transportation.

EC–7379. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Wearing of Personal Flotation Devices (PFDs) by Certain Children aboard Recreational Vessels'' (RIN2115–AG04) received on June 3, 2002; to the Committee on Commerce, Science, and Transportation.

EC–7380. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Inspection Under, and Enforcement of, Coast Guard Regulations for Fixed Facilities on the Outer Continental Shelf by Minerals Management Service'' (RIN2115–AG14) received on June 3, 2002; to the Committee on Commerce, Science, and Transportation.

EC–7381. A communication from the Attorney-Advisor, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Tire Pressure Monitoring Systems'' (RIN2127–AI33) received on June 3, 2002; to the Committee on Commerce, Science, and Transportation.

EC–7382. A communication from the Senior Regulatory Analyst, Transportation Security Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Imposition and Collection of Passenger Civil Aviation Security Service Fees'' (RIN2110–AA01) received on June 3, 2002; to the Committee on Commerce, Science, and Transportation.

EC–7383. A communication from the Deputy Chief, Regulations Division, Bureau of Alcohol, Tobacco and Firearms, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Distribution and Use of Denatured Alcohol and Rum'' (RIN1512–AB57) received on June 3, 2002; to the Committee on Finance.

EC–7384. A communication from the Chief of the Regulations Division, Bureau of Alcohol, Tobacco, and Firearms, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Delegation of Authority (Parts 44)'' (RIN1512–AC36) received on June 3 , 2002; to the Committee on Finance.

EC–7385. A communication from the Assistant Administrator for Human Resources and Education, National Aeronautics and Space Administration, transmitting, pursuant to law, the report of a nomination for the position of Deputy Administrator, received on June 3, 2002; to the Committee on Commerce, Science, and Transportation.

EC–7386. A communication from the Administrator, Federal Motor Carrier Safety Administration, Department of Transportation, transmitting, pursuant to law, the Administration's report on commercial motor vehicle border staffing standards; to the Committee on Commerce, Science, and Transportation.

EC–7387. A communication from the Secretary of Commerce, transmitting, pursuant to law, the annual report of the Visiting Committee on Advanced Technology of the National Institution of Standards and Technology (NIST) for 2001; to the Committee on Commerce , Science, and Transportation.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. BINGAMAN for the Committee on Energy and Natural Resources.

*Kyle E. McSlarrow, of Virginia, to be Deputy Secretary of Energy.

*Guy F. Caruso, of Virginia, to be Administrator of the Energy Information Administration.

By Mr. LEVIN for the Committee on Armed Services.

Army nomination of Brig. Gen. Kenneth L. Farmer, Jr.

Army nomination of Maj. Gen. Edward Soriano.

Army nomination of Lt. Gen. David D. McKiernan.

Marine Corps nominations beginning Col. Ronald S. Coleman and ending Col. Edward G. Usher III, which nominations were received by the Senate and appeared in the Congressional Record on September 5, 2001.

Marine Corps nomination of Maj. Gen. Richard L. Kelly.

Navy nomination of Rear Adm. (Ih) Mark M. Hazara.

Navy nomination of Capt. David J. Venlet.

Navy nomination of Rear Adm. Richard J. Naughton.

Navy nomination of Vice Adm. James W. Metzger.

Mr. LEVIN. Mr. President, for the Committee on Armed Services I report favorably the following nomination lists which were printed in the RECORDS on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

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

Air force nominations beginning Amy J. Altemus and ending Thomas F. Zimmerman, which nominations were received by the Senate and appeared in the Congressional Record on February 27, 2002.

Air Force nominations beginning Jorge Acevedo and ending Keith W. Zuegel, which nominations were received by the Senate and appeared in the Congressional Record on May 6, 2002.

Army nomination of Shawn E. Connors.

Army nomination of James E. Agnew.

Army nominations beginning Michael J. Hamilton and ending James W. Youker, which nominations were received by the Senate and appeared in the Congressional Record on May 22, 2002.

Army nominations beginning Robert T. Aarhus, Jr. and ending Scott C. Wright, which nominations were received by the Senate and appeared in the Congressional Record on May 22, 2002.

Marine Corps nomination of Jeffrey A. Knudson.

Navy nomination of George B. Parisi.

Navy nominations beginning Peter C. Bondy and ending Theodore G. Pacleb, which nominations were received by the Senate and appeared in the Congressional Record on May 22, 2002.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to

respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. BOND:

S. 2579. A bill to amend the Clean Air Act to limit access to off-site consequences analysis information in order to reduce the risk of criminal release from stationary sources, and for other purposes; to the Committee on Environment and Public Works.

By Mr. WELLSTONE:

S. 2580. A bill to amend title 49, United States Code, to require the National Transportation Safety Board to investigate all fatal railroad grade crossing accidents; to the Committee on Commerce, Science, and Transportation.

By Mr. MILLER:

S. 2581. A bill to conduct a study on the effectiveness of ballistic imaging technology and evaluate its effectiveness as a law enforcement tool; to the Committee on the Judiciary.

By Mr. LIEBERMAN:

S. 2582. A bill to require a report to Congress on a national strategy for the deployment of high speed broadband Internet telecommunications services, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. CORZINE (for himself and Mrs. CLINTON):

S. 2583. A bill to amend title 38, United States Code, to require the Secretary of Veterans Affairs in the management of health care services for veterans to place certain low-income veterans in a higher health-care priority category; to the Committee on Veterans' Affairs.

By Mr. ALLARD (for himself, Mr. MILLER, and Mr. CRAPO):

S. 2584. A bill to support certain housing proposals in the fiscal year 2003 budget for the Federal Government, including the downpayment assistance initiative under the HOME Investment Partnerships Act, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. CRAIG (for himself and Mr. CRAPO):

S. 2585. A bill to direct the Secretary of the Interior to disclaim any Federal interest in lands adjacent to Spirit Lake and Twin Lakes in the State of Idaho resulting from possible omission of lands from an 1880 survey; to the Committee on Energy and Natural Resources.

By Mr. SCHUMER (for himself and Mr. KYL):

S. 2586. A bill to exclude United States persons from the definition of ''foreign power'' under the Foreign Intelligence Surveillance Act of 1978 relating to international terrorism; to the Select Committee on Intelligence pursuant to section 3(b) of S. Res. 400, 94th Congress for a period not to exceed 30 days of session.

By Mr. MURKOWSKI (for himself and Mr. STEVENS):

S. 2587. A bill to establish the Joint Federal and State Navigable Waters Commission of Alaska; to the Committee on Energy and Natural Resources.

By Mrs. FEINSTEIN (for herself and Mrs. BOXER):

S. 2588. A bill to prohibit the exportation of natural gas from the United States to Mexico for use in electric energy generation units near the United states border that do not comply with air quality control requirements that provide air quality protection that is at least equivalent to the protection provided by requirements applicable in the United States; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. MURKOWSKI:

S. 2589. A bill to provide for the prohibition of snow machines within the boundaries of the ''Old Park'' within the boundaries of Denali National Park and Preserve, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. JEFFORDS (for himself, Mr. FRIST, Mr. BREAUX, and Mr. GREGG):

S. 2590. A bill to amend title IX of the Public Health Service Act to provide for the improvement of patient safety and to reduce the incidence of events that adversely effect patient safety; to the Committee on Health, Education, Labor, and Pensions.

By Ms. MIKULSKI (for herself, Ms. SNOWE, Mr. KENNEDY, Mr. GREGG, Mr. DODD, Mrs. HUTCHISON, Mrs. MURRAY, Ms. COLLINS, Mrs. BOXER, Mrs. FEINSTEIN, Ms. LANDRIEU, Ms. CANTWELL, Mrs. CLINTON, and Mrs. CARNAHAN):

S. 2591. A bill to reauthorize the Mammography Quality Standards Act, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. LANDRIEU (for herself, Mr. DEWINE, and Ms. STABENOW):

S. 2592. A bill to provide affordable housing opportunities for families that are headed by grandparents and other relatives of children, and for other purposes; to the Committee on Banking, Housing , and Urban Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. LEVIN (for himself, Ms. COLLINS, Mrs. CLINTON, Ms. CANTWELL, Mr. BAYH, Mr. CORZINE, Mr. SPECTER, Mr. SMITH of Oregon, Mr. INOUYE, Ms. LANDRIEU, Mr. BREAUX, Mr. TORRICELLI, Mr. BUNNING, Mr. AKAKA, Mr. HAGEL, Mr. CRAIG, Mr. DEWINE, Mr. DURBIN, and Mr. CAMPBELL):

S. Res. 281. A resolution designating the week beginning August 25, 2002, as ''National Fraud Against Senior Citizens Awareness Week''; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 170

At the request of Mr. REID, the name of the Senator from Wisconsin (Mr. KOHL) was added as a cosponsor of S. 170, a bill to amend title 10, United States Code, to permit retired members of the Armed Forces who have a service-connected disability to receive both military retired pay by reason of their years of military service and disability compensation from the Department of Veterans Affairs for their disability.

S. 442

At the request of Mr. CAMPBELL, the name of the Senator from South Carolina (Mr. THURMOND) was added as a cosponsor of S. 442, a bill to exempt qualified current and former law enforcement officers from State laws prohibiting the carrying of concealed firearms and to allow States to enter into compacts to recognize other States' concealed weapons permits.

S. 677

At the request of Mr. HATCH, the names of the Senator from North Dakota (Mr. CONRAD), the Senator from New York (Mr. SCHUMER), and the Senator from Nevada (Mr. REID) were added as cosponsors of S. 677, a bill to amend the Internal Revenue Code of 1986 to repeal the required use of certain principal repayments on mortgage subsidy bond financing to redeem bonds, to modify the purchase price limitation under mortgage subsidy bond rules based on median family income, and for other purposes.

S. 776

At the request of Mr. BINGAMAN, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. 776, a bill to amend title XIX of the Social Security Act to increase the floor for treatment as an extremely low DSH State to 3 percent in fiscal year 2002.

S. 841

At the request of Ms. SNOWE, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 841, a bill to amend title XVIII of the Social Security Act to eliminate discriminatory copayment rates for outpatient psychiatric services under the Medicare Program.

S. 913

At the request of Ms. SNOWE, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 913, a bill to amend title XVIII of the Social Security Act to provide for coverage under the medicare program of all oral anticancer drugs.

S. 1005

At the request of Mr. JEFFORDS, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 1005, a bill to provide assistance to mobilize and support United States communities in carrying out community-based youth development programs that assure that all youth have access to programs and services that build the competencies and character development needed to fully prepare the youth to become adults and effective citizens, and for other purposes.

S. 1016

At the request of Mr. BINGAMAN, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 1016, a bill to amend titles XIX and XXI of the Social Security Act to improve the health benefits coverage of infants and children under the medicaid and State children's health insurance program, and for other purposes.

S. 1038

At the request of Mr. JEFFORDS, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 1038, a bill to amend the

Internal Revenue Code of 1986 to improve access to tax-exempt debt for small nonprofit health care and educational institutions.

S. 1103

At the request of Mr. ROCKEFELLER, the name of the Senator from Minnesota (Mr. DAYTON) was added as a cosponsor of S. 1103, a bill to amend title 49, United States Code, to enhance competition among and between rail carriers in order to ensure efficient rail service and reasonable rail rates in any case in which there is an absence of effective competition, and for other purposes.

S. 1309

At the request of Mr. DOMENICI, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1309, a bill to amend the Water Desalination Act of 1996 to reauthorize that Act and to authorize the construction of a desalination research and development facility at the Tularosa Basin, New Mexico, and for other purposes.

S. 1339

At the request of Mr. CAMPBELL, the names of the Senator from Maine (Ms. COLLINS), the Senator from New Hampshire (Mr. GREGG), and the Senator from South Carolina (Mr. THURMOND) were added as cosponsors of S. 1339, a bill to amend the Bring Them Home Alive Act of 2000 to provide an asylum program with regard to American Persian Gulf War POW/MIAs, and for other purposes.

S. 1394

At the request of Mr. ENSIGN, the name of the Senator from Georgia (Mr. CLELAND) was added as a cosponsor of S. 1394, a bill to amend title XVIII of the Social Security Act to repeal the medicare outpatient rehabilitation therapy caps.

S. 1549

At the request of Mr. LIEBERMAN, the name of the Senator from Indiana (Mr. LUGAR) was added as a cosponsor of S. 1549, a bill to provide for increasing the technically trained workforce in the United States.

S. 1626

At the request of Mr. BINGAMAN, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 1626, a bill to provide disadvantaged children with access to dental services.

S. 1679

At the request of Mr. CONRAD, the names of the Senator from Louisiana (Ms. LANDRIEU) and the Senator from New Mexico (Mr. BINGAMAN) were added as cosponsors of S. 1679, a bill to amend title XVIII of the Social Security Act to accelerate the reduction on the amount of beneficiary copayment liability for medicare outpatient services.

S. 1840

At the request of Mr. COCHRAN, the name of the Senator from Vermont (Mr. JEFFORDS) was added as a cosponsor of S. 1840, a bill to amend title XVIII of the Social Security Act to remove the 20 percent inpatient limitation under the medicare program on the proportion of hospice care that certain rural hospice programs may provide.

S. 1851

At the request of Mr. BINGAMAN, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 1851, a bill to amend part C of title XVIII of the Social Security Act to provide for continuous open enrollment and disenrollment in Medicare+Choice plans and for other purposes.

S. 1934

At the request of Ms. MIKULSKI, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 1934, a bill to amend the Law Enforcement Pay Equity Act of 2000 to permit certain annuitants of the retirement programs of the United States Park Police and United States Secret Service Uniformed Division to receive the adjustments in pension benefits to which such annuitants would otherwise be entitled as a result of the conversion of members of the United Stats Park Police and United States Secret Service Uniformed Division to a new salary schedule under the amendments made by such Act.

S. 1995

At the request of Ms. SNOWE, the name of the Senator from Indiana (Mr. LUGAR) was added as a cosponsor of S. 1995, a bill to prohibit discrimination on the basis of genetic information with respect to health insurance and employment.

S. 2006

At the request of Mr. GRAHAM, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 2006, a bill to amend the Internal Revenue Code of 1986 to clarify the eligibility of certain expenses for the low-income housing credit.

S. 2025

At the request of Mr. HUTCHINSON, the names of the Senator from Georgia (Mr. MILLER) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. 2025, a bill to amend title 38, United States Code, to increase the rate of special pension for recipients of the Medal of Honor and to make that special pension effective from the date of the act for which the recipient is awarded the medal of Honor and to amend title 18, United States Code, to increase the criminal penalties associated with misuse or fraud relating to the Medal of Honor.

S. 2038

At the request of Mrs. CLINTON, the name of the Senator from Minnesota (Mr. DAYTON) was added as a cosponsor of S. 2038, a bill to provide for homeland security block grants.

S. 2067

At the request of Mr. BINGAMAN, the names of the Senator from Massachusetts (Mr. KERRY) and the Senator from Georgia (Mr. CLELAND) were added as cosponsors of S. 2067, a bill to amend title XVIII of the Social Security Act to enhance the access of medicare beneficiaries who live in medically underserved areas to critical primary and preventive health care benefits, to improve the Medicare+Choice program, and for other purposes.

S. 2135

At the request of Mr. BAUCUS, the names of the Senator from Maine (Ms. COLLINS), the Senator from Montana (Mr. BURNS), the Senator from Oklahoma (Mr. INHOFE), and the Senator from Hawaii (Mr. INOUYE) were added as cosponsors of S. 2135, a bill to amend title XVIII of the Social Security Act to provide for a 5-year extension of the authorization for appropriations for certain medicare rural grants.

S. 2211

At the request of Mr. HUTCHINSON, the name of the Senator from Georgia (Mr. MILLER) was added as a cosponsor of S. 2211, a bill to amend title 10, United States Code, to apply the additional retired pay percentage for extraordinary heroism to the computation of the retired pay of enlisted members of the Armed Forces who are retired for any reason, and for other purposes.

S. 2221

At the request of Mr. ROCKEFELLER, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 2221, a bill to temporarily increase the Federal medical assistance percentage for the medicaid program.

S. 2245

At the request of Mr. BURNS, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 2245, a bill to amend title 49, United States Code, to enhance competition between and among rail carriers, to provide for expedited alternative dispute resolution of disputes involving rail rates, rail service, or other matters of rail operations through arbitration, and for other purposes.

S. 2430

At the request of Mr. NICKLES, the name of the Senator from Alabama (Mr. SHELBY) was added as a cosponsor of S. 2430, a bill to provide for parity in regulatory treatment of broadband services providers and of broadband access services providers, and for other purposes.

S. 2480

At the request of Mr. LEAHY, the names of the Senator from South Dakota (Mr. JOHNSON) and the Senator from South Carolina (Mr. THURMOND) were added as cosponsors of S. 2480, a bill to amend title 18, United States Code, to exempt qualified current and former law enforcement officers from state laws prohibiting the carrying of concealed handguns.

At the request of Mr. HATCH, the name of the Senator from Oklahoma (Mr. NICKLES) was added as a cosponsor of S. 2480, supra.

S. 2490

At the request of Mr. SPECTER, his name was added as a cosponsor of S. 2490, a bill to amend title XVIII of the Social Security Act to ensure the quality of, and access to, skilled nursing facility services under the medicare program.

S. 2492

At the request of Mr. CLELAND, the name of the Senator from Idaho (Mr. CRAIG) was added as a cosponsor of S. 2492, a bill to amend title 5, United States Code, to require that agencies, in promulgating rules, take into consideration the impact of such rules on the privacy of individuals, and for other purposes.

S. 2512

At the request of Mr. HARKIN, the names of the Senator from Massachusetts (Mr. KENNEDY), the Senator from Oregon (Mr. WYDEN), and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of S. 2512, a bill to provide grants for training court reporters and closed captioners to meet requirements for realtime writers under the Telecommunications Act of 1996, and for other purposes.

S. 2528

At the request of Mr. DOMENICI, the name of the Senator from Louisiana (Mr. BREAUX) was added as a cosponsor of S. 2528, a bill to establish a National Drought Council within the Federal Emergency Management Agency, to improve national drought preparedness, mitigation, and response efforts, and for other purposes.

S. 2533

At the request of Mr. SMITH of Oregon, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 2533, a bill to amend title II of the Social Security Act to provide for miscellaneous enhancements in Social Security benefits, and for other purposes.

S. 2544

At the request of Mr. LEVIN, the name of the Senator from Ohio (Mr. VOINOVICH) was added as a cosponsor of S. 2544, a bill to amend the Federal Water Pollution Control Act to authorize the Administrator of the Environmental Protection Agency to make grants for remediation of sediment contamination in areas of concern, to authorize assistance for research and development of innovative technologies for such remediation, and for other purposes.

S. 2545

At the request of Mr. DOMENICI, the names of the Senator from Connecticut (Mr. LIEBERMAN) and the Senator from Florida (Mr. GRAHAM) were added as cosponsors of S. 2545, a bill to extend and improve United States programs on the proliferation of nuclear materials, and for other purposes.

S. 2569

At the request of Mrs. CLINTON, the name of the Senator from Ohio (Mr. VOINOVICH) was added as a cosponsor of S. 2569, a bill to award a congressional gold medal to Dr. Dorothy Height, in recognition of her many contributions to the Nation.

S. 2570

At the request of Ms. COLLINS, the name of the Senator from Alaska (Mr. MURKOWSKI) was added as a cosponsor of S. 2570, a bill to temporarily increase the Federal medical assistance percentage for the medicaid program, and for other purposes.

S. 2577

At the request of Mr. FITZGERALD, the name of the Senator from Florida (Mr. GRAHAM) was added as a cosponsor of S. 2577, a bill to repeal the sunset of the Economic Growth and Tax Relief Reconciliation Act of 2001 with respect to the exclusion from Federal income tax for restitution received by victims of the Nazi Regime.

S.J. RES. 10

At the request of Mr. KENNEDY, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S.J. Res. 10, a joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for women and men.

S. RES. 242

At the request of Mr. THURMOND, the names of the Senator from Alabama (Mr. SESSIONS), the Senator from California (Mrs. BOXER), and the Senator from New Hampshire (Mr. SMITH) were added as cosponsors of S. Res. 242, a resolution designating August 16, 2002, as ''National Airborne Day.''

S. RES. 270

At the request of Mr. CAMPBELL, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. Res. 270, a resolution designating the week of October 13, 2002, through October 19, 2002, as ''National Cystic Fibrosis Awareness Week.''

AMENDMENT NO. 3561

At the request of Ms. LANDRIEU, the names of the Senator from Mississippi (Mr. COCHRAN), the Senator from Mississippi (Mr. LOTT), the Senator from Georgia (Mr. CLELAND), the Senator from Georgia (Mr. MILLER), the Senator from Alabama (Mr. SESSIONS), and the Senator from Alabama (Mr. SHELBY) were added as cosponsors of amendment No. 3561 intended to be proposed to H.R. 4775, a bill making supplemental appropriations for the fiscal year ending September 30, 2002, and for other purposes.

AMENDMENT NO. 3562

At the request of Ms. COLLINS, her name was added as a cosponsor of amendment No. 3562 intended to be proposed to H.R. 4775, a bill making supplemental appropriations for the fiscal year ending September 30, 2002, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BOND:

S. 2579. A bill to amend the Clean Air Act to limit access to off-site consequences analysis information in order to reduce the risk of criminal release from stationary sources, and for other purposes; to the Committee on Environment and Public Works.

Mr. BOND. Madam President, today I am introducing a bill to help protect communities in Missouri and across the Nation from terrorist attack. Chemical plants in communities across America are perfect terrorist targets. Right now, the U.S. Government provides a virtual blueprint for attacks on these facilities to any member of the public who requests the information—on any terrorists frankly. The Community Protection From Chemical Terrorism Act will help protect communities from terrorists who would use sensitive information made public to destroy those communities.

There are 15,000 chemical facilities across the country. Facilities store and use potentially dangerous chemicals to make consumer products and keep us healthy. Chlorine, for example, is used by every family to whiten and brighten our clothes. Every child, every senior person, every family across America is able to drink clean water and avoid getting sick because of chlorine treatment.

However, we know that chlorine is a dangerous chemical if misused or abused. According to EPA, at least 123 plants each keep amounts of chemicals that if released, could form deadly vapor clouds that would put more than one million people in danger. A plant outside of Detroit projects that a rupture of one of its 90-ton rail cars of chlorine could endanger three million people. Even worse, an accident at a New Jersey plant in suburban New York City could cover a 14 mile radius affecting 12 million people.

Missouri is not spared from these dangers. In the Kansas City metropolitan area alone, there are over 100 plants filing reports to EPA on their potential chemical accidents.

I am holding back on the names and addresses of these facilities, but their identity and location is no secret to those who want to look. In fact, the law currently requires EPA to make this information available to the public. You do not even have to look, because the newspapers are publishing this information. Here is the front page of the Kansas City Star with a story ''Chemical Plants Ordered to Prepare for the Worst.'' The story describes how information on worst-case scenario accidents is publicly available to anyone who bothers to look.

The San Francisco Chronicle published a story entitled ''If All Hell Broke Loose.'' Here you see the newspaper not only describes the chemical facilities in Northern California, but provides a map of the location of the facilities and the radius of potential damage from a toxic release. This newspaper published not only the names and addresses of the facilities, but drew a map with their location and

the radius of destruction from a release. It helps the terrorists by showing just what radius of death and destruction would occur. This is the front page of a newspaper that is out there for anybody who wants to make a terrorist strike in San Francisco. This is published in May of 1999. I wonder, after September 11, they would still be so helpful.

The reason this is a problem is that this is exactly the type of information terrorists would use to plan and carry-out an attack. Families in suburban San Francisco and across the country have a bulls eye on their communities because terrorists can use this publicly available information to target their attacks.

By law, the government requires chemical facilities to report to the government the hazardous chemicals they have on site and then predict the worst-case scenario for an accident with those chemicals. These Offsite Consequence Analysis or OCA reports include the type of chemical, the conditions under which a worst-case accident would occur, the distance a toxic cloud of chemicals might travel, the environmental or public receptors such as hospitals, schools or national parks in danger's way, and the number of people who would be harmed by an attack.

According to the FBI, this publicly available chemical facility information provides a ''blueprint for potential terrorist attack.'' A DOJ report analyzing the threat from terrorists abusing OCA information says:

> The distance that a toxic cloud might travel, the numbers of people who might be harmed, and the environmental or public receptors that could be affected are precisely the types of factors that a terrorist weighs when planning an attack.

Chemical facilities are exactly the type of target terrorists would attack to create mayhem and destruction. According to DOJ:

> Certain types of facilities that are required to submit OCA information are preferred terrorist targets. Many such facilities exist in well-populated areas, where a chemical release could result in mass casualties and would result in widespread destruction.

In a chilling confirmation of this, copies of U.S. chemical trade publications were found in one of the cave holes where Osama bin Laden had hidden. They found it with the other rat infestations in December.

Terrorists would have little problem searching through government collected OCA. According to DOJ, this data provides ''one-stop shopping for refined targeting information, allowing terrorists or other criminals to select the best targets from among the 15,000 chemical facilities that have submitted OCA data.'' Indeed, accessing this publicly available information is easy. In a single afternoon, my staff was able to search and find the top ten facilities across my home state of Missouri where terrorist attacks would produce the greatest number of casualties. By the end of the day, my staff had the names of the facilities, their street address, the name of the vulnerable chemicals, the conditions under which a worst-case scenario release would occur, the radius of harm caused by the attack, any safety or mitigation measures plants might use to control the release, and the number of people in the affected area who could be hurt.

It was shocking to me that Federal law makes information which terrorists could use to destroy communities available to any member of the public.

The argument goes that communities want to know about dangerous chemicals used and stored in their neighborhoods. That is a legitimate desire. The law further intends that members of the public use this information to pressure chemical facilities to remove dangerous chemicals or change their ways so that neighboring communities are not in danger from an accidental release. That also is a very legitimate concern.

Unfortunately, the terrorist attacks of September 11th show us that times are not so simple anymore. The threat from terrorist attack now outweighs the benefits of making this information public. We should be concerned about chemical facilities in our communities. However, our greatest concern must be protecting those communities from terrorist attack.

In a different time, the environmental policy concerns of making worst-case scenario chemical accidental data available to the public might have outweighed the security threats to our communities. Sadly, those times have passed. According to the Department of Justice, OCA worst-case scenario data continues to present a security threat. The threat from terrorists using OCA worst-case scenario data is even greater after the September 11th terrorist attacks. DOJ believes that legislation is necessary to further limit public access to dangerous OCA information.

Unfortunately, the current law does not protect our communities from terrorist attack. Congress amended the law concerning OCA information in 1999. That legislation, entitled the Chemical Safety Information and Site Security Act reversed EPA plans to post OCA information on the Internet. However, the law left the task of establishing specific regulations for publicizing OCA information to EPA and DOJ. Admittedly, the last administration did its work before the terrorist attacks of September 11th. It was a different time then. A legitimate argument was made that environmental policy concerns outweighed the need to protect communities from terrorist attacks.

However, even the restrictions EPA and DOJ devised to limit access to sensitive OCA information were quickly overcome by advocacy groups. This story in the New York Times describes how environmental advocates put OCA disaster data on the Internet. The caption here is, ''Getting around a law intended to avoid helping terrorists.'' My staff used one of these sites to help them determine the communities in Missouri most at risk from a terrorist attack. This is not fair to the communities that wish to avoid terrorist attacks. Further restrictions are necessary to protect our communities from terrorist attack.

The legislation I propose today strikes the best balance between allowing the public to monitor the actions of the chemical industry and protecting individual communities from terrorist attack. Official users engaged in official protection activities will have unrestricted access to OCA information. However, my bill will allow members of the public to view OCA data on chemical facilities without knowing their specific name and location. This will allow advocates to continue watching and pressuring the chemical industry at-large to make safety improvements without placing specific communities at risk of terrorist attack. For those environmental advocates that wish to play a role in a given community, this legislation specifically expands local emergency planning committees to include members of local and national environmental organizations. I recognize that these groups have a role to play in making our communities safer and hope they will accept this invitation to join in formal community protection activities.

Communities have much to fear from terrorist attack. According to DOJ, the risk of terrorists attempting in the foreseeable future to cause an industrial chemical release is both real and credible. We must not help those terrorists who want to destroy our communities. I urge my colleagues to support the Community Protection From Terrorism Act and look forward to working with you on its passage.

I ask unanimous consent that the bill be appropriately referred.

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

By Mr. WELLSTONE:

S. 2580. A bill to amend title 49, United States Code, to require the National Transportation Safety Board to investigate all fatal railroad grade crossing accidents; to the Committee on Commerce, Science, and Transportation.

Mr. WELLSTONE. Mr. President, I rise today to introduce the Fatal Grade Crossing Accident Investigations Act. The bill would require the National Transportation Safety Board, NTSB, to investigate the facts, circumstances and causes of all accidents at railroad grade crossings in which there is a fatality or substantial property damage.

With this bill, we can correct an important gap in our efforts to reduce such accidents. Under current law, NTSB investigations of grade crossing accidents are undertaken only in select cases, as highway accident investigations. The bill would consider grade

crossing accidents instead to be railroad accidents, which under current law already must be investigated if there is a fatality or substantial property damage.

We need better information on fatal grade crossing accidents so we can do more to prevent unnecessary loss of life. According to National Railroad Administration Safety Statistics, more than 4,000 accidents per year occur at grade crossings. In 2000, 425 of these resulted in fatalities. Most fatalities occur at what are called passive grade crossings, those offering no warning or signal to a motorist of an oncoming train. Of Minnesota's more than 8,000 railroad grade crossings, three-fourths are passive crossings. The safety of such passive crossings is substantially dependent on such factors as physical layout and the adequacy of the view for drivers of approaching trains. To make good safety choices, communities, transportation agencies and departments at the local, state and federal levels need better information. That is one reason site-specific accident information is so necessary.

NTSB investigations are essential not only to prevent future accidents, through recommendations on operating rules such as speed limits, warning or separation devices, improved signaling, signage, improvements for driver visibility and increased enforcement of stop signs at passive crossings. But their investigations often are also the only means of addressing the role of railroads and their personnel in accidents.

This important issue has been brought to my attention by two passionate rail safety advocates in Minnesota, Lillian and Gerry Nybo. I have worked closely with the Nybos, who have been at the forefront of a national movement, ''Citizens Against Railroad Tragedies.'' Their 18-year-old son, Gerry, Jr., was killed three years ago this week at an unguarded rail grade crossing in Audubon Township in Becker County, Minnesota. He has just graduated from high school, and his life was full of promise. He friend Ryan Nelson was killed in the same accident. This legislation is needed to give families such as the Nybos, who have lost family members, the results of investigation into the facts and causes of these accidents. It is in memory of Gerry Nybo, Jr. that I introduce this legislation today.

My hope in introducing this bill is to give communities the information they need to improve safety at dangerous intersections. I urge my colleagues to support the bill, and I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 2580

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 ''Fatal Grade Crossing Accident Investigations Act''.

SEC. 2. GRADE CROSSING ACCIDENTS.

Section 1131(a)(1) of title 49, United States Code, is amended—

(1) in subparagraph (B), by striking '', including a railroad grade crossing accident,''; and

(2) in subparagraph (C), by inserting '', including a railroad grade crossing accident,'' after ''railroad accident''.

SEC. 3. EFFECTIVE DATE AND APPLICABILITY.

The amendments made by section 2 shall take effect on the date of the enactment of this Act and shall apply with respect to railroad grade crossing accidents that occur on or after that date.

By Mr. LIEBERMAN:

S. 2582. A bill to require a report to Congress on a national strategy for the deployment of high speed broadband Internet telecommunications services, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. LIEBERMAN. Mr. President, in 1943, the chairman of a famous American electronics company said, ''I think there is a world market for maybe five computers.'' Good guess. Industry has repeatedly exceeded expectations like that one, and helped the American economy as a whole exceed expectations

New questions are now reverberating from Silicon Valley to Pennsylvania Avenue. How do we catch the next great wave of innovation and ingenuity to unleash the next great boom of productivity and opportunity? How do we find new ways to translate our enormous technological prowess into real economic progress for the American people?

I rise today to introduce what I believe will be a roadmap to revitalization. It's premised on the extraordinary promise of high-speed Internet to help us return to high-intensity growth; by revolutionizing the way we communicate and live our lives. Its goal is to highlight the challenges we face in tapping the transformative potential of broadband technology, to spur agreement on a national strategy for accelerating its development and deployment, and ultimately to help bring on what we all hope will be the broadband boom.

Our country's last big boom was fueled by the most reliable, resilient, and renewable source of energy around: America's creative genius. Government paved the road, first with R&D funding, then in the 1990s with sound budget policies, but it was our innovation industries that made it happen. In fact, the information technology sector, which made up only 4 percent of GDP, was responsible for a remarkable 30 percent of all economic growth between 1995 and 2000.

Today, America's high-tech industries, which have survived the big bust that followed the big bang of the 1990s, haven't lost their edge. Information technology and the innovation economy, for example, are still among our greatest national resources. But as we've emerged from recession, many businesses across the country have been increasingly concerned about our recovery. How strong will it be? How long will it last?

Many in Washington have recognized that broadband can and must be a big part of the solution. But most policymakers have been focusing on short-term obstacles to the next small jump in speed. I think we need a larger and longer vision here. We need to look over the horizon and ask what it will take to usher in advanced broadband that will make speeds of 10 to 100 megabits per second available all across the country, so that we can truly unleash the tremendous economic potential of this technology.

The science fiction writer Arthur C. Clarke once said, ''Any sufficiently advanced technology is indistinguishable from magic.'' Well, the next generation Internet passes that test. It has the ability to levitate productivity, make millions of jobs appear, and transport our economy into the future. And there won't be any sleight of hand involved. Sometimes, there won't even be wires attached.

In education, for example, universities, school districts, and private companies have already started rolling out impressive applications of advanced broadband. We're not just talking about streaming video with questions sent through instant messenger. Broadband can transform the very nature of instruction, right at the time when schools need more flexible and more powerful learning tools to meet higher standards.

In healthcare, the possibilities are equally exciting: hospitals without walls, instantaneous remote monitoring of patient vitals, comprehensive informatics databases that are available to professionals everywhere. We even saw the first remote surgery pioneered last fall, when two surgeons in New York operated on a patient in Strasbourg, France.

Indeed, advanced broadband's ability to both increase economic opportunities and improve society in so many fields, from law to finance, from entertainment to agriculture, and from homeland defense to international defense, are just astounding.

These days, computing power is expanding at an incredible rate. But networking speed is way behind computing speed. Industry can't make the best use of the computing potential that's available without the pipes that bring it home to consumers and businesses—including and especially small businesses. While we have some good arteries, we don't have the capillaries to carry data all the way.

I stand here today to say that we in government can't let this potentially fertile field of technology lie fallow. We need to make the most of this moment, in which the high-speed Internet is on the cusp of catalyzing a quantum leap in our economy. Which is to say, we need to lead, and seed.

Unfortunately, the case for making broadband deployment a priority of a

national economic strategy has yet to be understood adequately by government. The broadband buck is still stuck on the government's desk, and with it, thousands of new opportunities and millions of new jobs. Decisions are piling up: on spectrum, competition, rights management, spam, privacy, child protection, and more. These are important issues that need to be resolved, and they need to be resolved comprehensively, with an overarching vision.

Last week I released a white paper entitled Broadband: A 21st Century Technology and Productivity Strategy and today I introduce the National Broadband Strategy Act of 2002. The white paper analyzes the challenges. The legislation will compel us to meet them, requiring the Administration to develop a national broadband strategy within six months of passage.

Taken together, and working in conjunction with insightful leaders and groups in the tech community, I am confident these measures can spark the development and implementation of a coherent, cross-agency strategy to eliminate obstacles, create incentives, and encourage industry innovation.

In the upcoming months, I'll follow up this report and legislation with proposals on how to reach truly advanced broadband, the speed I mentioned before, upwards of 10 megabits per second. There is no focus on this need now, and that's where government particularly needs to lead and seed.

The follow-up legislation I'll propose in the coming months will call on the FCC to develop a regulatory framework to meet the challenges of the next generation Net: propose tax credits for the deployment of advanced broadband, encourage research and development on advanced broadband infrastructure that will enable this technology to reach into all the corners and crevices of the country, and present a program to incentivize research and development on major applications in areas where government plays a central role, including education, healthcare, and e-government.

The public sector cannot and should not manage this effort. Our future will fortunately be in the hands of thousands of individual innovators. Nor should the government be choosing winners and losers. To benefit consumers, government must be pro-broadband, but technology neutral about how business gets there, by encouraging innovation and maximizing competition. Government must clear the path so that business innovators can march forward.

I urge my colleagues to join me in supporting this important piece of legislation. I request unanimous consent that the introductory materials to my whitepaper and the text of the bill be printed in the RECORD. I note to my colleagues that the full text of the whitepaper is available on my web site, http://lieberman.senate.gov.

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

S. 2582

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 ''National Broadband Strategy Act of 2002''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) The United States needs to develop a long-term investment and growth strategy that will restore the unprecedented gains in structural economic productivity with high employment growth experienced by the United States in the late 1990s.

(2) The gains in structural productivity with high employment growth in the late 1990s resulted from unprecedented investments in information and communication technology.

(3) It was the precipitous decline in these investments that took the United States economy into recession before September 11, 2001.

(4) The United States needs to focus on stimulating resurgence in these investments to regain vibrant growth in structural productivity and high employment growth.

(5) If productivity increases at the rate of 1.5 percent per year, the standard of living will double about every 46 years, or about every two generations. On the other hand, if productivity increases at the rate of 3 percent per year, the standard of living will double about every 23 years, or about every generation. This difference results from the so-called miracle of compounding. To take advantage of compounding, a long-term economic strategy for the United States must focus on structural productivity growth.

(6) Productivity growth has enabled American workers to produce 30 times as much in goods and services in 1999 as they produced in 1899, with only 5 times as many workers. This growth in productivity has increased the standard of living in the United States from $4,200 in 1899 to $33,740 in 1999 (expressed in 1999 dollars). Growth in structural productivity will bring about growth in wages and salaries, profits, and government tax receipts.

(7) The productivity gains of the United States in the late 1990s broke a 25-year trend. From the early 1970s to the mid-1990s, United States productivity grew sluggishly, at an annual rate of about 1.5 percent. During the final 5 years of the 20th Century, it grew at nearly double that rate.

(8) The high cyclical productivity growth the United States has experienced in 2001 and 2002 results for the most part from a reduction in employment and increased utilization of existing capacity.

(9) The United States needs a strategy to generate structural productivity growth arising from the development and deployment of new technology that enhances both efficiency and employment.

(10) The United States needs to prepare now for the retirement of the Baby Boom generation. If the United States does nothing regarding Social Security, it is estimated that by 2030 the annual shortfall between amounts in the Social Security Trust Fund and the amount required to meet obligations of the Fund will reach $814,000,000,000 (in 1999 dollars). The United States has approximately $7,4000,000,000,000 in obligations coming due, and it advisable to have our fiscal house in order, hopefully with no national debt, when these obligations must be paid. Restoring structural productivity and high employment growth is essential to ensure that the United States can honor these obligations.

(11) Making affordable, high speed broadband Internet connections of 10 Mbps-100 Mbps available to all American homes and small businesses has the potential to restore structural productivity and employment growth.

(12) High speed broadband Internet applications for voice, data, graphics, and video will revolutionize many aspects of life at home, school, and work. High speed broadband Internet will transform health care, commerce, government, and education. The benefits of a successful high speed broadband Internet deployment strategy to the quality of life and economy of the United States will be immeasurable.

(13) Traditionally, the United States is considered the world leader in the development and commercialization of new innovations and technologies. However, the United States lags far behind other countries in broadband deployment, including South Korea, Canada, and Sweden. By 2005, the United States is projected to fall to ninth place in broadband deployment, surpassed by Asian markets in Hong Kong and Singapore, the Scandinavian countries Denmark and Norway, and the Netherlands.

(14) The United States will need high speed broadband Internet for public health, education, and economic welfare, just as the United States now needs universal telephone service. High speed broadband Internet applications are capable of revitalizing the economy and solving countless problems for average Americans. The applications fall into the areas of e-education, e-health, e-commerce, e-government, and e-entertainment.

(15) The benefits that will arise from development and implementation of a national high speed broadband Internet strategy amply justify a priority for such a strategy. The Federal Government will act one way or another on many of the key policy issues affecting broadband deployment. The only question is whether it acts in accordance with a strategy, or piecemeal.

(15) Adopting a national strategy for broadband deployment is consistent with the strategies the United States has adopted to speed deployment of other essential infrastructure, including railroads, electric power, telephone service, and radio and television. Each of those technologies has been the focus of a national economic strategy. There is a consensus that the Northwest Ordinance, Morrill Land-Grant Act, and GI bill, and laws for transcontinental railroads, rural electrification, and the interstate highway system, embodied useful and successful strategies for the future of the United States.

(16) In facilitating high speed broadband Internet deployment, the United States should rely on markets and entrepreneurs and minimize the intrusion of government. Americans need to be creative and innovative when government acts to make sure that it provides value added.

(17) In crafting a comprehensive strategy to advance deployment of high speed broadband Internet, a broad range of policy options should be addressed, and the Administration needs to provide leadership in developing these options and establishing a priority among them.

SEC. 3. NATIONAL STRATEGY FOR HIGH SPEED BROADBAND INTERNET DEPLOYMENT.

(a) STRATEGY FOR INCREASING STRUCTURAL PRODUCTIVITY AND EMPLOYMENT GROWTH.—Not later than six months after the date of the enactment of this Act, the President shall submit to Congress a report setting

forth a strategy for the nation-wide deployment of high speed broadband Internet telecommunications services.

(b) ELEMENTS.—The report under subsection (a) shall include the following:

(1) A goal for the deployment of broadband telecommunications services nationwide, including a goal regarding the speeds necessary to facilitate applications needed to stimulate structural productivity and employment growth.

(2) A proposal for policies to foster and maintain competition among firms offering broadband telecommunications service, including competition to deploy high speed broadband Internet of 10 Mbps-100 Mbps.

(3) A proposal for incentives to enhance demand for high speed broadband Internet telecommunications service, including demand for purposes of serving Federal mission areas such as homeland security, distance learning, health, scientific collaboration, and electronic commerce.

(4) A proposal for incentives to facilitate and enhance the supply of high speed broadband Internet telecommunications service.

(5) A proposal to enhance global electronic commerce.

(6) A proposal for the optimal allocation of Federal Government resources on research and development regarding high speed broadband Internet telecommunications service, including recommendations for the allocation and prioritization of Federal funds.

(7) A proposal for the optimal allocation of spectrum in furtherance of the deployment of high speed broadband Internet telecommunications service.

(8) An assessment of various limitations to the deployment of high speed broadband Internet telecommunications service, including matters relating to taxation, privacy, security, spamming, content, intellectual property, and rights-of-way, and proposals for eliminating or alleviating such limitations.

(9) An assessment of the impact of the proposals under this subsection on structural productivity and employment growth in the United States and on the international economic competitiveness of the United States.

(10) Any other proposals or matters on the deployment of high speed broadband Internet telecommunications services that the President considers appropriate.

(c) FORM.—The report under subsection (a) shall include a draft proposal of any legislation required to implement the goal described in paragraph (1) of subsection (b), and of any of the proposals set forth under paragraphs (2) through (8) and (10) of that subsection (b).

BROADBAND: A 21ST CENTURY TECHNOLOGY AND PRODUCTIVITY STRATEGY

(From the Office of Senator Joseph I. Lieberman, May 2002)

Over one hundred and fifty years ago, a new technology emerged that grabbed the imaginations of the public and the purse strings of investors. It was a technology that promised to bring people closer together and to greatly stimulate the economy of that time. In order to succeed, that new technology required that the land be crisscrossed with a network upon which news could be carried and goods could be traded.

Bankers funded hundreds of startup companies that were built to take advantage of the new network. Investors clamored to purchase shares at rapidly rising prices. And then, after little more than a decade of overbuilding the infrastructure, it all fell apart as shares plunged 85% and hundreds of businesses and banks went under.

The technology was steam-driven railroad and this is the story told in the May 13th issue of Business Week. The analogies to the Information Technology boom of the 1990s are unmistakable and the lessons are invaluable. But the most important part of the story is what happened after the railroad bubble burst.

Within two decades, railroads were carrying four times as many people as they had at the height of the boom. The tracks were cleared, leaving the most solid companies and the best of the rail technologies to survive. According to W. Brian Arthur, an economist at the Santa Fe Institute, the survivors then developed new strategies that resulted in the industry's greatest growth and had the greatest impact on business and society of that time.

We now find ourselves in the same situation that the railroads were in as they developed their new strategies, except the technology is now broadband. It is clear that broadband will revolutionize business and society in our time, just as the railroads did in theirs. But it is also a confusing time, as many different interests emerge with many different agendas. The issues to be faced are many and they are complex. For some, there will be no easy answers. But it is time for us to have a national strategy that addresses these issues in a coherent and comprehensive manner.

My staff has assembled this report over the past ten months with extensive input from industry, academia, and government. It was no small undertaking and I particularly thank Skip Watts and Chuck Ludlam of my office. While there have been numerous bills offered in Congress dealing with isolated components of broadband policy, this report is the first to identify the full range of issues that must be considered as part of a national broadband strategy designed to stimulate economic expansion.

As the first in a series of legislative initiatives, I will introduce the National Broadband Strategy Act of 2002 next week. This bill highlights the need for a carefully planned national strategy to provide universal availability of broadband and to motivate research and advances in broadband applications and content. It calls upon the Administration to recommend a coherent, cross-agency national broadband strategy in a series of key government policy areas, to Congress.

I want to emphasize that while there is an ongoing competitive scramble to reach the lower broadband speeds, we need to also pay real attention to advanced broadband and to attaining those much higher speeds. The report's Executive Summary identifies four key elements that will be integral to advanced broadband deployment. The elements include an FCC regulatory plan, tax incentives, research on advanced infrastructure technology, and deployment of applications.

As with the railroads of the mid–1800s, broadband is now poised to whistle in a new period of economic growth. We must do all that we can to nurture this emerging technology and to stimulate the development of new killer applications in the fields of education, medicine, government, and science. Commerce and entertainment will not trail far behind. The tracks of rail are now the ''pipes'' of broadband.

EXECUTIVE SUMMARY

Broadband deployment must become a national priority. Major economic growth and productivity gains can be realized by making affordable high-speed broadband Internet connections—which are already enjoyed by many universities and large businesses—widely available to American homes, schools, and small businesses.

In a soft economic climate with limited prospects for near-term recovery, broadband deployment is a necessary condition for the restoration of capital spending in the information technology sector. Such investments were the critical drivers of the non-inflationary growth that characterized the late 1990s. Broadband, which can play a pivotal role in encouraging investments in information technology, has the potential to transform education, health care, government, entertainment, and commerce.

Of course, embracing broadband as a vehicle for economic growth raises the question, ''How fast is fast enough for truly advanced emerging applications?'' The telecom, cable, and satellite industries are now providing Internet access at speeds typically less than 1.5 megabits per second (Mbps). A review of existing and likely technologies, however, suggests that we have only achieved the first level of broadband speeds. On the foreseeable horizon are technologies that offer advanced broadband speeds of 10 Mbps in the near-term, and 100 Mbps in the medium-term. A national strategy needs to focus on this advanced broadband opportunity. Arguably, it will be at these advanced speed ranges that the greatest benefits from broadband will come.

A successful strategy to accelerate the deployment of broadband will lead to immeasurable benefits to the quality of life and economy of the American people. But a successful strategy must encompass various issues in a comprehensive and coherent manner, and the debate must not become mired in any one debate. What we need is a sensible, intelligent approach that addresses the full range of issues within the context of an interrelated framework, not the piecemeal process that has brought us to the present confusion and controversies.

This strategy must recognize a truth that sometimes becomes lost in the multiplicity of debates over such issues as the regulation of telephone and cable companies. What is overlooked—and must be recognized—is that demand will drive the next phase of broadband expansion. Strong demand from consumers, smaller businesses, and even big businesses that currently have high-speed Internet connectivity, will produce a cycle of innovation and growth. But demand, in turn, requires that applications of real value be developed. It requires, in other words, ''killer applications'' that justify, in the minds of consumers, the price of progressively faster broadband connections.

The private sector will need to invest hundreds of billions of dollars before widespread broadband access becomes a reality. Government nevertheless has an important role to play as broadband suppliers face novel challenges in the areas of Internet privacy, security, spam, copyright protection, spectrum allocation, and rights-of-way. It is vital that, in these and other areas, government remain ''technology-neutral'' and that competition between the delivery technologies exist alongside competition within the technologies. This will allow the best and most cost-effective delivery systems to emerge, meeting the varied needs of different people and different regions across this diverse country.

There are, however, many ways that government, through a national strategy, can accelerate the life cycle of development and competition for emerging broadband technologies. It can do so by stimulating both the demand and supply side of broadband deployment. On the demand side, government should lead the way in generating demand by expanding e-government services to the public and to businesses, and by supporting the development of broadband tools for e-education and e-healthcare. E-entertainment

and e-commerce will be quick to take advantage of the expanded services, and renewed economic growth will surely follow. On the supply side, government can consider such tools as tax credits, loans, and grants for a wide variety of research, deployment, and broadband utilization activities.

As the first in a series of legislative initiatives, Senator Lieberman will introduce the National Broadband Strategy Act of 2002. This bill highlights the need for a coherent and comprehensive national strategy for providing widespread availability of broadband and for motivating research and advances in broadband applications and content. Because broadband implementation has been piecemeal, and stalled in significant part because numerous government agencies have failed to act quickly in deciding a wide range of broadband issues now pending before them, the bill calls upon the Administration to recommend a coherent, cross-agency national broadband strategy in a series of key government policy areas.

Parallel to that, and focusing on how we will get to truly advanced broadband speeds (in the range of 10 Mbps and 100 Mbps), Senator Lieberman will introduce over the next few months a series of substantive pieces of legislation addressing four key elements integral to a national strategy for advanced broadband deployment. The key elements are:

(1) FCC Regulatory Framework: Direct the FCC to explore all of the broadband deployment and delivery technology options to enable us to reach advanced broadband speeds. Retaining technological neutrality, the FCC will be asked to develop the regulatory framework to enable and implement a plan to deploy this advanced Internet capability.

(2) Tax Credits: Establish tax credits and incentives for a range of advanced broadband deployment and broadband utilization efforts. These could include credits for infrastructure deployment, equipment implementation, employee utilization, installation in atypical settings, and innovative applications.

(3) Advanced Infrastructure R&D: Ensure that fundamental R&D issues are tackled in a coordinated manner to overcome the scientific and technological barriers to advanced widespread broadband deployment. The U.S. has already established successful interagency and interdisciplinary initiatives under the National Information Technology Research & Development Program to advance critical IT technologies. We must leverage our existing expertise in these programs to resolve fundamental obstacles to effective broadband deployment and hasten the next generation of technologies. A cooperative R&D program, including government, industry and universities, will be critical to advanced broadband.

(4) Application R&D and Deployment: Require federal agencies to undertake R&D and promote the development and availability of major applications in areas where government plays a central role, including e-education, e-medicine, e-government, e-science and homeland security. This could stimulate demand for broadband and promote bridging of the digital divide consistent with the missions of government agencies. And the government should lead by example in moving to expand opportunities for broadband-based e-commerce in federal procurement, bidding, and contracting.

While time and technology will not stop, and our nation's eventual transformation into a broadband society will occur regardless of what steps are taken today, it is ours to choose whether we will be dragged into the next digital age resisting change, or whether we lead others into a new era of economic promise. If we are to take control of our future, we must begin by harnessing the power of broadband as a necessary tool for navigating a world increasingly defined by the speed with which information changes and grows.

By Mr. CORZINE (for himself and Mrs. CLINTON):

S. 2583. A bill to amend title 38, United States Code, to require the Secretary of Veterans Affairs in the management of health care services for veterans to place certain low-income veterans in a higher health-care priority category; to the Committee on Veterans' Affairs.

Mr. CORZINE. Mr. President, I rise today along with Senator HILLARY RODHAM CLINTON to change the way the Veteran's Administration defines low-income veterans by taking into account variations in the cost of living in different parts of the country. The Corzine-Clinton legislation would make the Veteran's Equitable Resource Allocation just that: Equitable.

More specifically, this bill would replace the national income threshold for consideration in Priority Group 5, currently $24,000 for all parts of the country, with regional thresholds defined by the Department of Housing and Urban Development. This simple but far-reaching proposal would help low income veterans across the country afford quality health care and ensure that Veterans Integrated Service Networks or VISNs receive adequate funding to care for their distinct veterans populations.

Our Nation's veterans have made great sacrifices in defense of American freedom and values, and we owe them a tremendous debt of gratitude. The United States Congress must ensure that all American veterans, veterans who have sweated in the trenches to defend liberty, have access to quality health care.

In 1997, Congress implemented the Veterans Equitable Resource Allocation system, or VERA, to distribute medical care funding provided by the VA. The funding formula was established to better take into account the costs associated with various veteran populations. Unfortunately, the VERA formula that was created fails to take into account regional differences in the cost of living, a significant metric in determining veteran healthcare costs. This oversight in the VERA formula dangerously shortchanges veterans living in regions with high costs of living and elevated health expenses.

To allocate money to the Veterans' Integrated Service Networks, VISNs, VERA divides veterans into seven priority groups. Veterans who have no service-connected disability and whose incomes fall below $24,000 are considered low income and placed in Priority Group 5, while veterans whose incomes exceed this national threshold and qualify for no other special priorities are placed in Priority Group 7c.

Using a national threshold for determining eligibility as a low-income veteran puts veterans living in high cost areas at a decided disadvantage. In New Jersey, HUD's fiscal year 2002 standards for classification as ''low-income'' exceed $24,000 per year in every single county. And some areas exceed the VA baseline by more than 50 percent. Similarly, HUD's ''low-income'' classification for New York City is set at $35,150 and for Nassau and Suffolk Counties, at $40,150.

As a result, regions that have a high cost of living, like VISN 3, which encompasses substantial portions of New Jersey and New York, tend to have a reduced population of Priority Group 5 veterans and an inflated population of Priority Group 7c veterans.

The fundamental inequity of the VERA formula is apparent when you consider that VERA allocations do not take into account the number of veterans classified in Priority Group 7c. With the costs associated with veterans in Priority Group 7c not considered as part of the VERA allocation, and with high cost of living areas possessing inflated populations of Priority Group 7c vets, high cost regions must provide care to thousands of veterans without adequate funding.

This additional financial burden on VISNs with large populations of veterans in Priority Group 7c has had a tremendous impact on VISN 3. Since FY 1996, VISN 3 has experienced a decline in revenue of 10 percent. As a result of the tremendous shortfall in the VISN 3 budget, the VA cannot move forward with plans to open clinics in various locations, including prospective clinics in Monmouth and Passaic Counties. Consequently, veterans in VISN 3 are forced to wait for unreasonably long periods to receive medical care and travel long distances to existing clinics.

Furthermore, miscategorizing which vets qualify as Priority Group 5 unjustifiably reduces access to medical care for thousands of veterans. Under existing rules, veterans placed in Priority Group 7c must provide a copayment to receive medical care at a VA medical facility; Veterans placed in Priority Group 5 receive medical care free of charge. Under the existing framework, low-income vets in high cost areas are often inappropriately placed in Priority Group 7c, and are forced to provide a copayment.

Recent studies by both the Rand Institute and the General Accounting Office identify this flaw in the VERA formula and recommend a geographic means test like the one provided in our legislation to improve the allocation of resources under VERA. Such a test would ensure that the VERA formula allocation better reflects the true costs of VA healthcare in the various VISNs in the United States.

Our legislation would make a simple adjustment to the VERA formula to account for variations in the cost of living in different regions. The bill would help veterans in high cost areas afford VA health care and guarantee that VISNs across the country receive

adequate compensation for the care they provide.

I hope my colleagues will join Senator CLINTON and me in supporting this important bill, and I ask unanimous consent that the text of the legislation be printed in the RECORD.

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

S. 2583

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

SECTION 1. DEPARTMENT OF VETERANS AFFAIRS HEALTH CARE PRIORITY FOR CERTAIN LOW-INCOME VETERANS BASED UPON REGIONAL INCOME THRESHOLDS.

(a) CHANGE IN PRIORITY CATEGORY.—Section 1705(a) of title 38, United States Code, is amended—

(1) in paragraph (5)—

(A) by inserting ''(A) who are'' after ''Veterans'';

(B) by inserting ''and'' after ''through (4)''; and

(C) by inserting before the period at the end the following: '', or (B) who are described in section 1710(a)(3) of this title and are eligible for treatment as a low-income family under section 3(b) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)) for the area in which such veterans reside, regardless of whether such veterans are treated as single person families under paragraph (3)(A) of such section 3(b) or as families under paragraph (3)(B) of such section 3(b)'';

(2) by striking paragraph (7); and

(3) by redesignating paragraph (8) as paragraph (7) and in that paragraph by striking ''paragraph (7)'' and inserting ''paragraph (5)(B)''.

(b) CONFORMING AMENDMENT.—Section 1710(f)(4) of such title is amended by striking ''section 1705(a)(7)'' and inserting ''section 1705(a)(5)(B)''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 2, 2002.

Mrs. CLINTON. Mr. President, I rise today, along with Senator CORZINE, to introduce legislation to remedy the gross disparity in the distribution of Federal dollars to provide health care services to our nation's veterans around the country.

The source of the gap is a formula that does not sufficiently take into account the needs of all facilities, effectively unfairly penalizing states in the Northeast and Midwest. And New York has lost tens of millions of dollars as a result. The bill we're introducing today would provide increased funding for networks in high-cost of living areas, like New York and New Jersey, and help low-income veterans afford quality health care.

In 1997, to repair geographic inequities in the distribution of VA allocations, the Federal government put in place the Veterans Equitable Resource Allocation, VERA, system. As I noted in a letter I sent to VA Secretary Anthony Principi on this issue in March, the VERA formula was intended to better meet the needs of the large number of veterans who flocked to the South. As a General Accounting Office, GAO, report released in February 2002 makes clear, however, the 6-year-old formula has resulted in disparities and cutbacks in health services for veterans in the Northeast and Midwest. Veterans' hospitals in these regions lost a staggering $921 million.

The VERA formula is flawed for a number of reasons. First, the formula, which is based on the number of veterans, does not take into account the differences in various patient health care needs within different networks. As the GAO report states, the formula ''excludes about one-fifth of VA's workload in determining each network's allocation.'' These are veterans who do not have service-related disabilities and whose incomes fall within a low-priority range, called ''Priority 7''.

Although this group is considered a low-priority, these individuals represent a growing percentage of the veteran population who seek care at VA facilities. From fiscal year 1996 through fiscal year 2001, the number of veterans with incomes within this range increased from 4 percent to 22 percent of the total caseload. However, the formula has not been adjusted to reflect the dramatic increase in these ''Priority 7'' cases, leaving many networks without the resources to meet the growing demand.

Further, the formula does not accurately reflect the higher cost of medical care in the Northeast. Because VA hospitals in New York City, and Nassau and Suffolk counties are situated in a high cost of living area, they tend to have an inflated number of Priority Group 7 veterans. VA health networks in high cost regions provide care to thousands of veterans without sufficient funding to do so. Additionally, taking into account the regional cost of living would relieve many Priority 7 veterans of the burden of making a copayment.

Finally, the number of veterans treated nationally over the last several years rose 47 percent, with all VA networks contributing to that increase. As I noted to Secretary Principi, a rise in patient caseloads spread across the health network should dictate an equitable distribution of funding. The GAO's recommendations can be reduced to one simple goal: ''comparable resources for comparable workloads.'' Any delay in fixing this formula, the GAO stated, means that approximately $200 million in veterans' health funding annually would be allocated unjustly.

One of my State's newspapers, the Poughkeepsie Journal, reported that Secretary Principi agreed with the GAO's assessment of the formula but wanted to conduct another study of hospital workloads and patient needs before taking action. I strongly believe sufficient time has already been devoted to studying this issue. I urge Secretary Principi to take specific actions now to carry out the recommendations outlined in the GAO's report.

The courageous service and sacrifice of our Nation's veterans in defense of our nation and our democratic values should never be forgotten. Fulfilling our promise to provide for their health care needs is an important part of the enduring bond that we share. I urge my colleagues to support our legislation to remedy this unfair formula so that all of our nation's veterans have access to the health services they deserve.

By Mr. ALLARD (for himself, Mr. MILLER, and Mr. CRAPO):

S. 2584. A bill to support certain housing proposals in the fiscal year 2003 budget for the Federal Government, including the downpayment assistance initiative under the HOME Investment Partnerships Act, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. ALLARD. Mr. President, I rise to introduce the American Dream Downpayment Act, which will help thousands of families achieve the American Dream of homeownership. The rate of homeownership in the United States has risen steadily over the past few years. However, for many working families, low-income families, women-headed households, minorities, urban dwellers and young families the dream of homeownership remains elusive.

While Americans enjoy the world's greatest opportunities for becoming homeowners, only 46 percent of African-American and Hispanic families own their homes as compared to 74 percent of non-Hispanic whites who own their homes. For many of these families, the biggest barrier to homeownership is their inability to afford downpayment requirements and closing costs.

To help eliminate the gaps in homeownership achievement, I am introducing the American Dream Downpayment Act. This legislation will help 40,000 families annually, focusing on low-income families who are first-time homebuyers. The American Dream Downpayment Fund will provide communities across America with $200 million in grants to help homebuyers with the downpayment and closing costs.

The American Dream Downpayment Fund, which will be administered as a part of HUD's existing HOME Investment Partnerships Program, HOME, will make more than 400 State and local governments eligible to receive the $200 million in grant funding to help more families achieve the American Dream of homeownership.

The positive effects of homeownership exist on many levels: homeownership has public benefits in the form of neighborhood stability, individual benefits in the form of the financial rewards that come from the appreciation of equity in a home over time, and personal benefits that stem from the satisfaction of attaining a goal, the pride of ownership, and a greater sense of security. In addition to these affirmative impacts of homeownership, the Homeownership Alliance released findings of a study revealing that children living in owned homes had nine percent higher achievement in mathematics and

seven percent higher achievement in reading.

I look forward to working with my colleagues in the Senate on the American Dream Downpayment Act. I believe this legislation will be critical in helping more families achieve the American Dream of homeownership.

I ask unanimous consent the text of the bill be printed in the RECORD.

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

S. 2584

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 ''American Dream Downpayment Act''.

SEC. 2. DOWNPAYMENT ASSISTANCE INITIATIVE UNDER HOME PROGRAM.

(a) DOWNPAYMENT ASSISTANCE INITIATIVE.—Subtitle E of title II of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12821) is amended to read as follows:

''Subtitle E—Other Assistance

''SEC. 271. DOWNPAYMENT ASSISTANCE INITIATIVE.

''(a) GRANT AUTHORITY.—The Secretary may make grants to participating jurisdictions to assist low-income families to achieve homeownership, in accordance with this section.

''(b) ELIGIBLE ACTIVITIES.—

''(1) IN GENERAL.—Grants made under this section may be used only for downpayment assistance toward the purchase of single family housing by low-income families who are first-time homebuyers.

''(2) DEFINITION.—For purposes of this subtitle, the term 'downpayment assistance' means assistance to help a family acquire a principal residence.

''(c) HOUSING STRATEGY.—To be eligible to receive a grant under this section for a fiscal year, a participating jurisdiction shall include in its comprehensive housing affordability strategy submitted under section 105 for such year, a description of the use of the grant amounts.

''(d) FORMULA ALLOCATION.—

''(1) IN GENERAL.—For each fiscal year, the Secretary shall allocate any amounts made available for assistance under this section for the fiscal year in accordance with a formula, established by the Secretary, that considers a participating jurisdiction's need for and prior commitment to assistance to homebuyers.

''(2) ALLOCATION AMOUNTS.—The formula referred to in paragraph (1) may include minimum and maximum allocation amounts.

''(e) REALLOCATION.—

''(1) IN GENERAL.—Except as provided in paragraph (2), if any amounts allocated to a participating jurisdiction under this section become available for reallocation, the amounts shall be reallocated to other participating jurisdictions in accordance with the formula established pursuant to subsection (d).

''(2) EXCEPTION.—If a local participating jurisdiction failed to receive amounts allocated under this section and is located in a State that is a participating jurisdiction, the funds shall be reallocated to the State.

''(f) APPLICABILITY OF OTHER PROVISIONS.—

''(1) IN GENERAL.—Except as otherwise provided in this section, grants made under this section shall not be subject to the provisions of this title.

''(2) APPLICABLE PROVISIONS.—In addition to the requirements of this section, grants made under this section shall be subject to the provisions of title I, sections 215(b), 218, 219, 221, 223, 224, and 226(a) of subtitle A of this title, and subtitle F of this title.

''(3) REFERENCES.—In applying the requirements of subtitle A referred to in paragraph (2)—

''(A) any references to funds under subtitle A shall be considered to refer to amounts made available for assistance under this section; and

''(B) any references to funds allocated or reallocated under section 217 or 217(d) shall be considered to refer to amounts allocated or reallocated under subsection (d) or (e) of this section, respectively.

''(g) ADMINISTRATIVE COSTS.—Notwithstanding section 212(c), a participating jurisdiction may use funds under subtitle A for administrative and planning costs of the jurisdiction in carrying out this section, and the limitation in section 212(c) shall be based on the total amount of funds available under subtitle A and this section.

''(h) FUNDING.—

''(1) FISCAL YEAR 2002.—This section constitutes the subsequent legislation authorizing the Downpayment Assistance Initiative referred to in the item relating to the 'HOME Investment Partnerships Program' in title II of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2002 (Public Law 107–73; 115 Stat. 666).

''(2) SUBSEQUENT FISCAL YEARS.—There is authorized to be appropriated to carry out this section $200,000,000 for each of fiscal years 2003 through 2006.''.

(b) RELOCATION ASSISTANCE AND DOWNPAYMENT ASSISTANCE.—Subtitle F of title II of the Cranston-Gonzalez National Affordable Housing Act is amended by inserting after section 290 (42 U.S.C. 12840) the following:

''SEC. 291. RELOCATION ASSISTANCE AND DOWNPAYMENT ASSISTANCE.

''The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 shall not apply to downpayment assistance under this title.''.

SEC. 3. REAUTHORIZATION OF SHOP PROGRAM.

Section 11(p) of the Housing Opportunity Program Extension Act of 1996 (42 U.S.C. 12805 note) is amended by striking ''such sums as may be necessary for fiscal year 2001'' and inserting ''$65,000,000 for fiscal year 2003 and such sums as may be necessary for fiscal year 2004''.

SEC. 4. REAUTHORIZATION OF HOPE VI PROGRAM.

(a) AUTHORIZATION OF APPROPRIATIONS.—Section 24(m)(1) of the United States Housing Act of 1937 (42 U.S.C. 1437v(m)(1)) is amended by striking ''$600,000,000'' and all that follows through ''2002'' and inserting the following: ''$574,000,000 for fiscal year 2003''.

(b) SUNSET.—Section 24(n) of the United States Housing Act of 1937 (42 U.S.C. 1437v(n)) is amended by striking ''September 30, 2002'' and inserting ''September 30, 2003''.

By Mr. CRAIG (for himself and Mr. CRAPO):

S. 2585. A bill to direct the Secretary of the Interior to disclaim any Federal interest in lands adjacent to Spirit Lake and Twin Lakes in the State of Idaho resulting from possible omission of lands from an 1880 survey; to the Committee on Energy and Natural Resources.

Mr. CRAIG. Mr. President, today I introduce this bill, Spirit Lake and Twin Lakes Omitted Lands Act of 2002 to help resolve a land ownership problem that affects over 400 private property owners and homeowners located around Spirit Lake and Twin Lakes in Kootenai County, ID.

In 1880, a public land survey prepared under contract with the General Land Office, grossly misrepresented portions of the actual lakeshore of the two lakes. The surveys show the meander lines along the lakes up to one-half mile away from their actual location. The errors were not discovered until recently. Over the years, the shorelines of these popular lakes have become heavily developed and property owners have purchased their property and held it in good faith ownership. Most of the property owners affected by this situation have a chain of title that goes back over 100 years. Due to the inaccuracy of the original government survey, county officials have expressed concern regarding their inability to approve and regulate new developments, surveys, permits, etc. The Bureau of Land Management, the responsible Federal agency, has determined that it has no interest in the affected land and wishes only to remove the cloud on the titles.

Under current federal law the Bureau of Land Management (BLM) would be required to conduct a resurvey to properly describe the land. Much of this land would then become ''omitted land'' and would revert to federal ownership. Landowners who already paid fair market value for the land would then have to re-purchase it, along with paying a $50 application fee, and paying for the appraisal, survey, and conveyance costs.

Obviously, this is not an acceptable solution and does not provide the most equitable benefit to the public, so Senator CRAPO and I are introducing this legislation. A companion bill is being offered in the House of Representatives by Mr. OTTER. This legislation will authorize funds for the BLM to resurvey the land and direct the BLM to issue disclaimers of interest to all of the affected property owners. This is the only acceptable solution and one that keeps the landowners whole.

I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 2585

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

SECTION 1. FINDINGS AND PURPOSE.

(a) FINDINGS.—The Congress finds the following:

(1) The meander lines in the original surveys by John B. David, deputy surveyor, of two lakes in the State of Idaho, Spirit Lake, formerly known as Lake Tesemini, located in T. 53 N., R. 4 W., Boise Meridian, and Twin Lakes, formerly known as Fish Lake, located in T. 52 N. and T. 53 N., R. 4 W., Boise Meridian, do not reflect the current line of ordinary high water conditions.

(2) All lands adjacent to the original meander lines have been patented.

(b) PURPOSE.—The purpose of this Act is to direct the Secretary of the Interior to issue a recordable disclaimer of interest by the

United States to any omitted lands or lands lying outside the record meander lines in the vicinity of the lakes referred to in subsection (a).

SEC. 2. DEFINITIONS.

In this Act:

(1) RECORDABLE DISCLAIMER OF INTEREST.—The term ''recordable disclaimer of interest'' means a document recorded in the county clerk's office or other such local office where real property documents are recorded, in which the United States disclaims any right, title, or interest to those lands found lying outside the recorded meander lines of the lakes referred to in section 1(a)(1), including omitted lands, if any.

(2) OMITTED LANDS.—The term ''omitted lands'' means those lands that were in place on the date of the original surveys referred to in section 1(a)(1) but were not included in the survey of the township and the meander lines of the water body due to gross error or fraud by the original surveyor.

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

SEC. 3. SURVEYS.

The Secretary shall—

(1) conduct a survey investigation of the conditions along the lakeshores of Spirit Lake and Twin Lakes in the townships referenced in section 1(a); and

(2) after the completion of the survey investigation, resurvey the original meander lines along the lakeshores, using the results of the survey investigation.

SEC. 4. DISCLAIMER OF INTEREST IN LANDS ADJACENT TO SPIRIT LAKE AND TWIN LAKES, IDAHO.

Upon acceptance and approval of the surveys under section 3 by the Secretary, the Secretary shall—

(1) prepare a recordable disclaimer of interest with land descriptions, using the lot or tract numbers of the omitted lands, if any, and lands lying outside the record meander lines, as shown on the survey plats; and

(2) record such recordable disclaimer of interest simultaneously with the filing of the surveys.

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to the Secretary $400,000 to carry out this Act. Funds appropriated to carry out the purposes of this Act may be available without fiscal year limitation.

By Mr. MURKOWSKI (for himself and Mr. STEVENS):

S. 2587. A bill to establish the Joint Federal and State Navigable Waters Commission of Alaska; to the Committee on Energy and Natural Resources.

Mr. MURKOWSKI. Mr. President, I rise today to introduce a bill that will help rectify a long-standing problem that adversely affects an array of citizens, landowners, and government entities in Alaska. The Alaska Navigable Waters Commission legislation will create a joint Federal-State commission to establish a process to facilitate determinations of the navigable status of lakes, rivers, and streams in Alaska. This is a vital step in determining the ownership of the riverbanks and submerged lands.

Under the Equal Footing Doctrine and the Submerged Lands Act, every state gains title to the submerged lands that underlie navigable waterways within its borders upon entering the Union. Or, I should say, is supposed to gain title. For decades now, the State of Alaska has been in the unique position of having unresolved navigability determinations for tens of thousands of waterways around the state. This leaves not only the ownership status in limbo but causes unnecessary jurisdictional problems and headaches. This is an intolerable position for Alaskans.

In fact, since Alaska became a State in 1959, only 13 of its more than 22,000 rivers have been determined to be navigable, and the status of well over one million lakes has been left in question. The only recourse available to the State has been to pursue litigation against the United States, a time-consuming, expensive, and unwarranted requirement.

To date, the Federal Government has been unwilling to sit down with the State and make these determinations, even though for the vast majority of these waterways, no reasonable person could disagree as to the navigability of the waters under well-established legal standards.

I want to stress to my colleagues that this bill does not change in any way the legal criteria for navigability determinations. Those have been well settled in a body of Federal case law, led by the Gulkana decision, that stands undisturbed by this legislation. What the bill does is create a joint, Federal-State body to engage in dialogue that will help to resolve these long-standing disputes, and bring Alaska the same legal rights enjoyed by its 49 sister States.

Creating a joint commission to resolve thorny Federal-State issues is not a novel concept. In 1971, the Congress and the State of Alaska created a joint commission to assist in the land-use planning process created under the Alaska Native Claims Settlement Act. This process streamlines communication between the State and Federal governments, and creates an infrastructure for ongoing negotiation over difficult issues. It also obviates the need for litigation over the status of those waterways where agreement can be reached. I think we all can agree that anything that reduces the need for litigation is a good thing.

The Alaska legislature has considered companion legislation, introduced by the Senate President, Rick Halford, and the Speaker of the Alaska House, Brian Porter. That legislation has now been approved by both houses of the legislature. We should enact Federal legislation so that we may join the State of Alaska in seeking to rectify the problem.

I encourage my colleagues to support this bill. Under the Equal Footing Doctrine, Alaska is supposed to enjoy the same rights and privileges as all other states. This bill is another important step in making that national principle a reality.

By Mrs. FEINSTEIN (for herself and Mrs. BOXER):

S. 2588. A bill to prohibit the exportation of natural gas from the United States to Mexico for use in electric energy generation units near the United States border that do not comply with air quality control requirements that provide air quality protection that is at least equivalent to the protection provided by requirements applicable in the United States; to the Committee on Banking, Housing, and Urban Affairs.

Mrs. FEINSTEIN. Mr. President, I rise today to introduce legislation to protect those living along the California-Mexican border from harmful power plant emissions.

This bill, which Congressman DUNCAN HUNTER is also introducing today in the House of Representatives, will prevent power plants built in Mexico from using natural gas from the United States, unless firms operating these plants agree to comply with California's air pollution standards.

Currently there are two new power plants planned for Mexicali, Mexico, a city right across the border from Imperial County, California. Imperial County is the region in Southern California impacted most by pollution in Mexico. And since the county has some of the worst air quality in the United States and one of the highest childhood asthma rates in the State, I believe these new plants must meet California emission standards.

One of the Mexicali plants, which is being built by Sempra Energy, will have pollution mitigation technology to minimize the impact of air pollution on the residents of the Imperial Valley. However, the other plant, to be built by InterGen, will not.

I am introducing this legislation today to make sure any plant that comes online along the California-Mexican border meets the same air quality standards as plants in California.

The residents of Imperial County and the entire Southern California region deserve nothing less.

I have heard from many constituents in Southern California concerned about the InterGen plant and local officials in Imperial County are adamantly opposed to the InterGen plant because the company has refused to install pollution control devices on all four operating units.

This legislation will ensure energy plants along the border employ the best technology available to control pollution and protect the public health for residents of Southern California and other border regions in a similar situation.

The bill will prohibit energy companies from exporting natural gas from the United States for use in Mexico unless the natural gas fired generators south of the border meet the air standards prevalent in the United States. This will effectively cut power plants off from their natural gas supply if they do not meet higher emissions standards.

This legislation will not constrain power plants that were put online prior

to January 1, 2002. It will apply to plants built after the new year and projects that come online in the future.

This bill will only apply to power plants within 50 miles of the U.S.-Mexican border.

And the legislation will only apply to power plants that generate more than 50 megawatts of power. We do not want to block any moves to replace dirty diesel back-up generators with cleaner natural-gas fired small power sources.

The bill calls for collaboration between the Secretary of Commerce and the Administrator of the Environmental Protection Agency to determine if a power plant is in compliance with relevant emission standards.

I support the development of new energy projects for California because I believe we need to bring more power online. However, I do not believe the fact that we need more power in California should allow companies to take advantage of this need and use it as an excuse to devote less attention to clean air and public health.

It is not unreasonable to ensure that companies making money in the California energy market meet strict environmental standards. This legislation is meant to strike a balance between promoting new sources of energy south of the border and protecting the environment throughout the border region. It is not a final resolution of these cross-border issues, but I believe it is a good first step.

By Mr. MURKOWSKI:

S. 2589. A bill to provide for the prohibition of snow machines within the boundaries of the ''Old Park'' within the boundaries of Denali National Park and Preserve, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. MURKOWSKI. Mr. President, today I am introducing legislation to resolve the issue of snowmobile access in Denali National Park in my home State of Alaska.

Denali National Park and Preserve encompasses just under 5 million acres in the interior of Alaska, including North America's highest mountain, 20,320-foot Mount McKinley. Large glaciers of the Alaska Range, caribou, Dall sheep, moose, grizzly bears and timber wolves live within this great landscape.

The original Mt. McKinley National Park was created on February 26, 1917 and additional acreage was added in 1922 and 1932, bringing the park size to 1.9 million acres. In September of 1978 a separate Denali National Monument was proclaimed. In 1980, Congress enacted the Alaska National Interest Lands Conservation Act, ANILCA. ANILCA incorporated Mt. McKinley National Park and the National Monument to create the 4.7, plus million acre Denali National Park and Preserve.

Section 1110(a) of ANILCA, mandates motorized vehicle access for the purpose of engaging in traditional activities in specific conservation system units. However, the National Park Service recently redefined ''traditional use,'' and instead ordered the ''old Mt. McKinley National Park closed to snowmobiles, which common sense dictates are motorized vehicles.

For the past two years,this closure has been before the Federal Courts in Alaska in litigation filed by the International Snowmobile Manufactures Association and the Alaska State Snowmobilers Association against the Department of the Interior and the National Park Service.

A few months ago, the plaintiffs dismissed their suit against the Government, and, with the approval of the Department of Justice, both parties are seeking a more reasoned legislative solution to address the access issue once and for all.

This legislation provides such a solution, it addresses snowmobile access in the 1.9 million acre ''Old Park'' by permanently excluding approximately 1.5 million acres north of the Alaska Range from snow machine access while reaffirming the applicability to Section 1110(a) access for this actibviey in approximately 400,000 acres south of the Alaska Range. In short, this solution eliminates conflict between the various user groups, and the many issues relating to wildlife and natural resource protection.

I thank the Alaska State Snowmobile Association, Inc. and the International Snowmobile Manufactures Association, for their actions to dismiss the legal challenge involving the used of snow machines in Denali National Park and Preserve. I look forward to working with the Associations; the Department of the Interior; the National Park Service; my colleagues on both sides of the Capitol; as well as other interested parties, for their assistance in developing environmentally and scientifically sound decisions and solution that will achieve both reasonable access and protection for the wildlife and valuable natural resources found in this outstanding unit of the National Park System.

I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 2589

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

SECTION 1. SNOWMOBILE CLOSURE.

(a) Notwithstanding any other provision of law, those portions of Denali National Park and Preserve depicted as ''Area A'', within the exterior boundaries of the former Mt. McKinley National Park, on map numbered 222 and entitled Denali National Park and Preserve, dated ''revised 1999'', shall not be considered a conservation system unit for the purposes of access by snowmachines pursuant to Section 1110(a) of Public Law 96–487 nor subject to the Departmental regulations implementing that subsection.

(b) The Statement of Finding, dated June 2000; the Environmental Assessment, revised June 6, 2000; the Finding of No Significant Impact, dated June 6, 2000; and the regulations promulgated by the National Park Service on June 19, 2000 that are codified at 36 Code of Federal Regulations 13.63(h)(1)–(3), all relating to the closure of portions of Denali National Park and Preserve to snowmobile use, are hereby revoked, and the use of snow machines shall be permitted within ''Area B'' as depicted on the map referenced in subsection (a).

By Mr. JEFFORDS (for himself, Mr. FRIST, Mr. BREAUX, and Mr. GREGG):

S. 2590. A bill to amend title IX of the Public Heath Service Act to provide for the improvement of patient safety and to reduce the incidence of events that adversely effect patient safety; to the Committee on Health, Education, Labor, and Pensions.

Mr. FRIST. Mr. President, I am pleased to join today with my colleagues Senators JEFFORDS, BREAUX, and GREGG in introducing crucial legislation, the Patient Safety and Quality Improvement Act.

Each year, as many as 98,000 people in the United States die as a result of medical errors. More Americans die each year from medical errors than from breast cancer, AIDS, or motor vehicle accidents. As a physician who has taken the Hippocratic oath ''To do no harm,'' the status quo is simply unacceptable. As the Institute of Medicine wrote in its landmark 1999 report, To Err is Human: ''[I]t is simply not acceptable for patients to be harmed by the same health care system that is supposed to offer healing and comfort.''

The legislation we are introducing today will go a long way toward preventing many of these tragedies. Although a variety of patient safety initiatives are underway in the private sector as well as within the Department of Health and Human Services, and in the states, Congress has an important role to play in reinforcing, encouraging, and enhancing these efforts.

The major contribution of this legislation is to foster an open, collaborative environment where doctors, nurses, and other health professionals can share information freely and analyze it thoroughly. Health care providers should not be punished for trying to learn from their mistakes, reduce medical errors, and improve the quality of care they deliver to patients.

As a physician and a scientist, I know first hand about the enormous complexities of medicine today and the intricate system in which providers deliver care. I also recognize the need to examine medical errors closely in order to determine where the system has failed patients, and how it can be improved. Yet, adequate protections do not exist today to foster this type of learning and improvement environment. For example, hospitals currently rely upon Mortality and Morbidity Conference to share information about medical errors that occur with respect to individual patients. Unfortunately, because these conferences are focused

on events involving individual patients within a single hospital, it is impossible to address system-wide quality and safety problems that may exist across hospital systems and within broader communities. Fear of litigation is the primary barrier to sharing and analyzing information that could save lives and improve treatment within the broader health care community.

We have seen this type of non-punitive reporting model work to vastly improve safety in other situations. In 1975, the Federal Aviation Administration established the Aviation Safety Reporting System, ASRS, to encourage pilots, controllers, flight attendants, mechanics, and the public to voluntarily report actual or potential discrepancies and deficiencies involving the safety of aviation operations. Because this information was widely shared and analyzed, the ASRS helped to significantly improve aviation safety in the United States. The risk of dying in a domestic jet flight decreased from one in two million in 1967 to 1976 to only one in eight million in the 1990s.

The Institute of Medicine, as well as many experts who have testified before Congress during the past few years, have strongly recommended that Congress provide the same type of legal protections for information gathered and reported to improve health care quality and increase patient safety. Without these protections, patient safety improvements will continue to be hampered by fears of retribution and recrimination. If we are to change the health care culture from ''name, shame, and blame'' to a culture of safety and continuous quality improvement, we must provide these basic protections.

In extending these protections, we have tried to encourage widespread voluntary error reporting while continuing to allow access to medical records and other information that should be available to patients for litigation or other purposes. Protecting data reported to a certified patient safety reporting system does not mean that such information cannot be obtained through other avenues if it is important to securing redress for harm. At the same time, information generated by this new reporting system designed specifically to reduce errors and broadly benefit patients should not become fodder for increased litigation. Moreover, the legislation expressly allows for patient safety information to be disclosed in the context of a disciplinary proceeding or criminal case where it is 1. material to the proceeding; 2. within the public interest; and 3. not available from any other source.

I want to thank Senators JEFFORDS, BREAUX, and GREGG for their support, and input into this legislation. I look forward to working with them, Senator KENNEDY, and my other colleagues in both the House and Senate, to pass legislation that will advance patient safety efforts.

I also value the leadership of the Bush Administration on this critical issue. The Administration's efforts to improve patient safety are underscored by the commitment, support and direct involvement of both Secretary Thompson of the Department of Health and Human Services and Secretary O'Neill of the Department of Treasury in helping to shape this legislation.

Americans take pride in offering the most advanced medical care in the world. A bounty of new devices, new treatments, and new techniques offer the hope of living longer and healthier than ever before. Yet, medical mistakes continue to take thousands of lives and cost billions of dollars each year. We must not let the miracle of modern medicine be extinguished by medical errors. This bill will make the changes in culture and communications that are needed to increase the safety of America's health care system, and improve the quality of care delivered to America's patients.

Mr. JEFFORDS. Mr. President, I am happy to have the opportunity today to speak on the vital issue of patient safety and medical errors, and to introduce legislation that will ensure better health care for all Americans. In 1999, the Institute of Medicine published a classic reference book titled To Err is Human, which reported that hospital medical errors contribute to approximately 100,000 deaths a year.

This troubling statistic has been verified by research done by the Commonwealth Foundation and reviewed by articles in the Journal of the American Medical Association, the Annals of Internal Medicine, and the New England Journal of Medicine. This statistic shows that medical errors are a more common cause of death than motor vehicle accidents or breast cancer, and it puts medical errors as the eighth leading cause of death in the United States.

This is totally unacceptable and it need not be occuring at all. Today, I am pleased to introduce legislation with my colleagues Senators FRIST, BREAUX, and GREGG, the ''Patient Safety and Quality Improvement Act,'' that will put us on the path to correcting these medical errors.

The ''Patient Safety and Quality Improvement Act'' lays the groundwork for preventing these unnecessary deaths and injuries. Only by providing a framework through which medical errors can be reported and analyzed will we be able to make changes, strengthen and improve our health-care system and reduce morbidity and mortality.

Since the 106th Congress, the Senate Health, Education, Labor, and Pensions Committee has held five hearings on this important issue. The testimony given during these hearings reflected an overwelling agreement with the IOM report and the ''Patient Safety and Quality Improvement Act,'' acts upon the IOM's findings and recommendations

Key elements of To Err is Human call for improvements in patient safety by developing a learning, rather than a punitive environment; legal protections of privacy and privilege that would foster care systems to be reviewed and appropriate collaborations to occur in developing and implementing patient safety improvement strategies.

Our legislation addresses all of these concerns. Currently, adequate legal protections and a non-punitive environment do not exist to foster the exchange of information and the analysis that is needed to deal with the complex issues of improving patient safety. Our measure creates opportunities for higher standards of continuous safety improvement, and encourages a new culture of patient safety dialogue to insure that safety information will be shared voluntarily and that appropriate collaboration and analysis will occur. It can not be overly stress that an environment where information, data, process, and recommendations enjoy legal protection and privilege it is essential to any safety organization.

These are the key elements of what the ''Patient Safety and Quality Improvement Act'' will do. It promotes a ''culture of safety'' in our health care system by providing for the legal protection of information reported voluntarily for the purposes of quality improvement and patient safety. It creates incentives for creating voluntary reporting systems that are non-punitive and promote learning. It recognizes that to be effective, these systems must have the buy-in, trust, and cooperation of the health care providers. It recognizes the Agency for Healthcare Research and Quality (AHRQ) as the leader in patient; safety for funding research and for dissemination of information learned about improving patient safety; and finally, it complements many ongoing patient safety initiatives in the public and private sector.

Finally, I want to point out what the bill does not do: It does not change existing remedies available to injured patients or limit a patient's access to their medical record; it does not ''shield'' or put patient information that is otherwise available beyond the reach for the purposes of disciplinary, civil or criminal proceedings; it does not change current regulatory processes or add new regulatory requirements; and it does not create mandatory, punitive reporting systems.

Our bill enjoys widespread endorsement by over 40 hospital, patient, doctor, and consumer advocacy organizations, and this degree of support underscores the broad appeal and essential nature of this proposed legislation. It is my strong desire that this bill receive the prompt attention that the issue clearly deserves.

All of us are justifiably proud of our hospital system and the wonders of medicine and technology. But we can no longer ignore the well documented incidence of medical errors, which waste needed medical resources and

cause excessive medical complications and unacceptable loss of life. Without attention to this matter, it is reasonable to expect that thousands of innocents will suffer unnecessarily in our hospitals. We simply must not allow this to happen.

By Ms. MIKULSKI (for herself, Ms. SNOWE, Mr. KENNEDY, MR. GREGG, Mr. DODD, Mrs. HUTCHISON, Mrs. MURRAY, Ms. COLLINS, Mrs. BOXER, Mrs. FEINSTEIN, Ms. LANDRIEU, Ms. CANTWELL, Mrs. CLINTON, and Mrs. CARNAHAN):

S. 2591. A bill to reauthorize the Mammography Quality Standards Act, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Ms. MIKULSKI. Mr. President, I rise today to introduce the Mammography Quality Standards Reauthorization Act of 2002. This important bipartisan bill will continue a valuable program that helps save women's lives. I am proud that my good friend, Senator SNOWE, and other colleagues have joined on a bipartisan basis to introduce this legislation.

Mammography is not perfect, but it is the best screening tool we have now. Mammograms must be as safe and accurate as possible. A mammogram is worse than useless if it produces a poor-quality image or is misinterpreted. That's why I have fought over the last 10 years to make them even better.

The Mammography Quality Standards Act, MQSA, that I authored has improved the quality of mammograms in this country over the last 10 years. MQSA has brought facilities nationwide into compliance with Federal quality standards. Before MQSA, tests were misread, women were misdiagnosed, and people died as a result of sloppy work. This year Congress must reauthorize the Mammography Quality Standards Act, because women must continue to have safe, quality mammograms. Until there are more effective screening tools, mammography is still the front line against breast cancer.

Ten years ago before the Mammography Quality Standards Act, MQSA, first became law, there was an uneven patchwork of standards for mammography in this country. Image quality of mammograms varied widely. The first rule of all medical treatment is: Above all things, do no harm. And a bad mammogram can do real harm by leading a woman and her doctor to believe that nothing is wrong when something is. The result can be unnecessary suffering or even a death that could have been prevented. That is why this legislation is so important.

What MQSA does is require that all facilities that provide mammograms meet key safety and quality-assurance standards in the area of personnel, equipment, and operating procedures. Before the law passed, tests were misread, women were misdiagnosed, and people died as a result of sloppy work. Since 1992, MQSA has been successful in raising the quality of mammography services that women receive.

What are these national, uniform quality standards for mammography? Well, facilities are required to use equipment designed specifically for mammography. Only radiological technologists can perform mammography. Only qualified doctors can interpret the results of mammography. Facilities must establish a quality assurance and control program to ensure reliability, clarity and accurate interpretation of mammograms. Facilities must be inspected annually by qualified inspectors. Finally, facilities must be accredited by an accrediting body approved by the Secretary of Health and Human Services.

MQSA also ensures that women receive direct written notification of their mammogram results. Women will not assume that ''no news is good news'' when this is not always the case. They know what their results are, so that they can get any follow up care they need.

The bill that I am introducing today extends the successful MQSA program for another five years. It also allows the Secretary of Health and Human Services to issue a temporary certificate to a mammography facility if certain conditions have prevented the facility from completing the reaccreditation process before its certificate expires. What does this mean? If a facility acquires new mammography equipment and this prevents the facility from meeting reaccreditation time frames, the facility could get a temporary certificate that would allow it to continue to perform mammograms for up to 45 days. The temporary certificate can only be issued if the facility's accreditation body has issued a 45-day accreditation extension. This will provide protection in the law, so that in certain circumstances a mammography facility will not have to close its doors when its certificate expires before it is reaccredited.

This bill also brings to bear the expertise of the Institute of Medicine and the General Accounting Office to further improve MQSA and provide Congress with expert recommendations to consider during the next reauthorization of MQSA.

I look forward to working with my colleagues to reauthorize this important program this year. Last year, an estimated 192,200 women were diagnosed with breast cancer in this country and about 39,600 women died from breast cancer. Early detection and treatment are essential to reducing breast cancer deaths. I urge my colleagues to cosponsor this important bill, and I look forward to its enactment this year.

By Ms. LANDRIEU (for herself, Mr. DEWINE, and Ms. STABENOW):

S. 2592. A bill to provide affordable housing opportunities that are headed by grandparents and other relatives of children, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Ms. LANDRIEU. Mr. President, I am sure that each and every member of the United States Senate, if asked, could share fond memories of times they spent with their grandparents. I know that for me many of my most memorable childhood memories were spent with my grandmother and grandfather. Summer vacations, Christmas dinners and school recitals were all the more special because Grandma or Grandpa were there. Grandparents are always there to share words of wisdom and windows to the past with their grandchildren. They provide unconditional love and support to parents and their children as they prepare to become our Nation's next generation.

Today, over 4 million grandparents in America are doing more than attending birthday parties and buying their grandchild's first bicycle. The US Census bureau reports that over 4 million grandparents are serving as a full time parent to their grandchildren. In my own State, Louisiana, over 150,000 grandparents are filling these roles. Many of these children have parents who have died, are in prison, or are suffering from substance abuse or mental illness. Others have been taken out of abusive homes. These ''grandfamilies'' come in all shapes and sizes. Some live in rural areas, some live in cities, others in suburbs. They come from all races, ethnicities and social status and they live in every single State in the Nation.

Grandparents raising children face many barriers, especially if they do not have legal custody of the children, as is the case with a large portion of these caregivers. Most of these grandparents were at a point in their life when the major decisions faced by their peers are surrounding prescription drug coverage and retirement plans. Instead, these seniors are faced with questions about homework, the cost of baby formula and diapers, and where to find safe and affordable housing big enough for the whole family. While this bill does not address all of these barriers, it does attempt to address the critical need for affordable housing.

These families often live in small apartments, assisted living communities or houses that are not suitable for the children they care for. If the grandparent is living in public senior housing, where children are disallowed, they are often subject to eviction if the children are discovered. Furthermore, if a housing development is constructed for seniors, these apartments are often not ''child proofed'' and there are often no places for the children to play safely. If these grandparents can afford to move to housing that is more suitable for the children, they are often forced to give up some of the amenities

that improve an elderly person's quality of life, such as ramps and bathroom rails.

Many programs throughout the Nation have tried to address the need to provide safe and affordable housing for these families. One program, Grandfamilies House, in Massachusetts provides 26, two, three and four bedroom apartments that come equipped with the safety features needed by the older and younger residents it hopes to serve. In addition, they provide on site services to residents, including support groups, exercise programs and a before and after school program. This program is serving as a model to other communities that are hoping to create such an environment for their intergenerational families. There are many localities that have begun the process of implementing programs like the Grandfamilies House in: Baltimore, MD; Buffalo, NY; Chicago, IL, Detroit, MI, Nashville, TN; New York City, NY; Cleveland, OH and Philadelphia, PA.

This bill would allow these programs to grow and prosper as well as encouraging other public and private partners to engage in developing these types of programs. Specifically, this bill authorizes the Secretary of the Housing and Urban Development to provide grants under a demonstration program that would be targeted toward meeting the housing and service needs of grandparent headed households. Furthermore, it clarifies key sections of federal housing law to ensure that grandparents raising grandchildren are able to access the federal assistance provided under federal housing programs. Finally, it directs the Secretary of HUD to provide specialized training to HUD personnel focused on grandparent-headed and relative-headed families.

With 4 million children living solely with grandparents or other relatives, safe and affordable housing for these families is a concern that must be addressed. This is a simple and cost efficient way to begin to address this important question. I would like to thank my colleagues, Senator DEWINE and Senator STABENOW, for their support of this legislation. I urge my colleagues to join us in support of this bill and hope that it will become law this year.

STATEMENTS ON SUBMITTED RESOLUTIONS

SENATE RESOLUTION 281—DESIGNATING THE WEEK BEGINNING AUGUST 25, 2002, AS ''NATIONAL FRAUD AGAINST SENIOR CITIZENS AWARENESS WEEK''

Mr. LEVIN (for himself, Ms. COLLINS, Mrs. CLINTON, Ms. CANTWELL, Mr. BAYH, Mr. CORZINE, Mr. SPECTER, Mr. SMITH of Oregon, Mr. INOUYE, Ms. LANDRIEU, Mr. BREAUX, Mr. TORRICELLI, Mr. BUNNING, Mr. AKAKA, Mr. HAGEL, Mr. CRAIG, Mr. DEWINE, Mr. DURBIN, and Mr. CAMPBELL) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 281

Whereas perpetrators of mail, telemarketing, and Internet fraud frequently target their schemes at senior citizens because seniors are often vulnerable and trusting people;

Whereas, as victims of such schemes, many senior citizens have been robbed of their hard-earned life savings and frequently pay an emotional cost, losing not only their money, but also their self-respect and dignity;

Whereas perpetrators of fraudulent schemes against American seniors often operate outside the United States, reaching their victims through the mail, telephone lines, and the Internet;

Whereas the Deceptive Mail Prevention and Enforcement Act increased the power of the United States Postal Service to protect consumers against those who use deceptive mailings featuring games of chance, sweepstakes, skill contests, and facsimile checks;

Whereas the Postal Inspection Service responded to 66,000 mail fraud complaints, arrested 1,691 mail fraud offenders, convicted 1,477 such offenders, and initiated 642 civil or administrative actions in fiscal year 2001;

Whereas mail fraud investigations by the Postal Inspection Service in fiscal year 2001 resulted in over $1,200,000,000 in court-ordered and voluntary restitution payments;

Whereas the Postal Inspection Service, in an effort to curb cross-border fraud, is involved in 3 major fraud task forces with law enforcement officials in Canada, namely, Project Colt in Montreal, The Strategic Partnership in Toronto, and Project Emptor in Vancouver;

Whereas consumer awareness is the best protection from fraudulent schemes; and

Whereas it is vital to increase public awareness of the enormous impact that fraud has on senior citizens in the United States, and to educate the public, senior citizens, their families, and their caregivers about the signs of fraudulent activities and how to report suspected fraudulent activities to the appropriate authorities: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week beginning August 25, 2002, as ''National Fraud Against Senior Citizens Awareness Week''; and

(2) requests the President to issue a proclamation calling on the people of the United States to observe the week with appropriate activities and programs to—

(A) prevent the purveyors of fraud from victimizing senior citizens in the United States; and

(B) educate and inform the public, senior citizens, their families, and their caregivers about fraud perpetrated through mail, telemarketing, and the Internet.

Mr. LEVIN. Mr. President, I rise today to submit a resolution designating the week beginning August 25, 2002, as ''National Fraud Against Senior Citizens Awareness Week.'' This legislation will bring increased awareness to mail, Internet and telemarketing schemes that frequently target elderly Americans. These schemes rob America's seniors not only of their hard-earned savings, but also of their self respect and dignity. Recognizing that increased awareness, especially on the part of seniors, their families and caregivers, is the best defense, this resolution highlights the efforts being made to protect our nation's elderly.

Last June, the Permanent Subcommittee on Investigations held two days of hearings that focused on the growing problem of Internet, mail and telemarketing fraud. The Subcommittee found that in this age of international communications, foreign countries have unfortunately become a major point of origin for lottery, sweepstakes, and advance-fee-for-loan scams that prey upon Americans through telemarketing. Worse yet, the Subcommittee found that such schemes often specifically target the elderly, who are often the most vulnerable and least able to afford being defrauded.

Last year, alone, the U.S. Postal Inspection Service, USPIS, responded to 66,000 mail fraud complaints, arrested nearly 1700 mail fraud offenders, and convicted nearly 1500 such offenders. Moreover, mail fraud investigations resulted in over $1.2 billion in court-ordered restitution and voluntary restitution payments.

The USPIS has joined with the Senior Action Coalition, a grassroots multi-agency organization, to develop a national multi-media fraud prevention campaign. The campaign will include public service announcements as well as newspaper advertisements, mailing inserts and poster displays. Designating National Fraud Against Senior Citizen Awareness Week will highlight these efforts and help reach a wide segment of the elderly population and those who care for them.

I would like to thank Senator SUSAN COLLINS for cosponsoring this legislation as well as all of the other original cosponsors. I hope the rest of my colleagues will consider cosponsoring this resolution and that we can enact it well before the August recess so we can commemorate the week for the first time this year.

Ms. COLLINS. Mr. President, I join Senator LEVIN in submitting a resolution that will designate the week of August 25, 2002, as National Fraud Against Senior Citizens Awareness Week. This designation of this week will increase public awareness of mail, Internet and telemarketing schemes that target elderly Americans. It is through increased awareness on the part of seniors, their families, and their caregivers that such schemes, which rob seniors not only of their hard-earned savings but of their dignity and self respect, can best be prevented.

This kind of fraud, unfortunately, is pervasive. Last year alone, the U.S. Postal Inspection Service responded to 66,000 mail fraud complaints, arrested nearly 1,700 mail fraud offenders, and secured nearly 1,500 convictions.

The elderly are often especially vulnerable, and they are frequently among the least able to afford being defrauded. The AARP, the National Association of Attorneys General, and the Federal Trade Commission have estimated that 85 percent of the victims of telemarketing fraud are age 65 or older.

During hearings of the Permanent Subcommittee on Investigations that I chaired last June on mail, Internet and telemarketing fraud, several elderly witnesses testified about how they had been defrauded of thousands of dollars and the resulting hardships caused by the loss of their life savings.

Mrs. Ann Hersom of Acton, for example, testified that her 80-year-old husband, formerly a successful businessman, had fallen prey to devious telemarketers and clever mail solicitations. She estimated that he lost $20,000 to these schemes, and described how devastating these losses had been to their family.

The telemarketing fraud industry is a highly mobile, sophisticated racket that very often involves ''boiler rooms'' in which hundreds of people make high pressure calls, sometimes 16 hours a day, seven days a week. These fraudulent telemarketers often gear their pitches to elderly citizens living alone and fearful of not having sufficient funds for their remaining years. In fact, it appears that some unscrupulous telemarketers may select their elderly victims by using lists to target those who have recently placed a spouse in a nursing home. Thus, the friendship and compassion these telemarketers appear to offer come when the elderly are particularly vulnerable to such enticements.

Foreign countries have unfortunately become a source of entry for lottery, sweepstakes and advance-fee-for-loan scams that prey upon Americans through direct mail and telemarketing. According to Federal Trade Commission figures, U.S. consumers filed nearly 13,000 complaints against foreign companies during calendar year 2001. Similarly, the dollar value of losses reported by consumers against these companies is nearly $25 million. In the first quarter of 2002, U.S. consumers have filed nearly 7,000 complaints against foreign companies.

How do we fight such fraud? The first line of defense against mail, Internet and telemarketing fraud is to promote public awareness of the dangers of such crimes, the types of schemes in which criminals are likely to engage, and what consumers can do to report fraudulent overtures and help law enforcement officials catch up with the con artists.

National Fraud Against Senior Citizens Week is designed to do just that. During the week of August 25, 2002, the U.S. Postal Inspection Service, together with the Senior Action Coalition, a grassroots multi-agency organization based in Pittsburgh, will launch a national multi-media fraud prevention campaign. The campaign will be kicked off with events in Washington, DC, Maine, and elsewhere.

The campaign will include radio and television public service announcements by national spokesperson Betty White. On Sunday, August 25, announcements in newspapers will run in the 13 states that recorded the most complaints of fraud by seniors, including Maine. Poster displays highlighting the problem and what seniors and their caregivers can do to protect themselves and report fraud will be displayed in post office lobbies and other public areas, and mailers are planned to be sent to seniors. Designating National Fraud Against Senior Citizens Awareness Week will help reach a wide segment of America's elderly and those who care for them with the time-honored advice of: ''If it sounds too good to be true, it probably is too good to be true.''

AMENDMENTS SUBMITTED AND PROPOSED

SA 3580. Mr. CLELAND submitted an amendment intended to be proposed by him to the bill H.R. 4775, making supplemental appropriations for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table.

SA 3581. Ms. LANDRIEU (for herself, Mr. BREAUX, and Mr. HARKIN) submitted an amendment intended to be proposed by her to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3582. Mrs. BOXER submitted an amendment intended to be proposed by her to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3583. Mr. KENNEDY (for himself, Mr. SMITH of Oregon, Mrs. BOXER, Mr. DODD, Mr. REID, Mrs. MURRAY, and Mr. DURBIN) proposed an amendment to amendment SA 3570 proposed by Mr. REID to the bill (H.R. 4775) supra.

SA 3584. Ms. STABENOW (for herself and Mr. LEVIN) submitted an amendment intended to be proposed by her to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3585. Ms. STABENOW (for herself and Mr. LEVIN) submitted an amendment intended to be proposed by her to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3586. Mr. BOND submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3587. Mr. BOND (for himself and Mr. DURBIN) submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3588. Mr. NICKLES submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3589. Mr. KOHL submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3590. Mr. HOLLINGS (for himself, Mr. BREAUX, and Mr. LOTT) submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3591. Mr. BIDEN (for himself, Mr. CARPER, Mr. TORRICELLI, and Mr. CORZINE) submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3592. Mr. BAYH (for himself, Ms. MIKULSKI, and Mr. SARBANES) submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3593. Mr. MCCONNELL submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3594. Mr. REED submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3595. Mr. REED submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3596. Mr. SPECTER submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3597. Mr. WARNER (for himself, Mr. HELMS, Mr. MILLER, Mr. HATCH, Mr. KYL, Mr. BROWNBACK, Mr. ALLEN, Mr. ENSIGN, Mr. HUTCHINSON, Mr. CRAIG, Mr. SHELBY, Mr. HAGEL, Mr. CRAPO, and Mr. FRIST) submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3598. Mrs. CLINTON submitted an amendment intended to be proposed by her to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3599. Mrs. CLINTON (for herself and Mr. SCHUMER) submitted an amendment intended to be proposed by her to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3600. Mr. TORRICELLI (for himself and Mr. CORZINE) submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3601. Mr. TORRICELLI (for himself and Mr. CORZINE) submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3602. Mr. TORRICELLI submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3603. Mr. TORRICELLI submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3604. Mr. SPECTER submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3605. Mr. SPECTER submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3606. Mr. SPECTER submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3607. Mr. BUNNING submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3608. Mr. KENNEDY (for himself, Mr. SMITH of Oregon, Mrs. BOXER, Mr. DODD, Mr. REID, Mrs. MURRAY, Mr. DURBIN, and Mr. REED) proposed an amendment to the bill H.R. 4775, supra.

SA 3609. Mr. DOMENICI (for himself and Mr. BINGAMAN) submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3610. Mr. DOMENICI (for himself and Mr. BINGAMAN) submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3611. Mr. THOMPSON (for himself and Mr. FRIST) submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3612. Ms. COLLINS (for herself, Mr. NELSON of Nebraska, Mr. SMITH of Oregon, Mr. HUTCHINSON, and Mr. MURKOWSKI) submitted an amendment intended to be proposed by her to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3613. Ms. COLLINS submitted an amendment intended to be proposed by her to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3614. Mr. WYDEN (for himself, Mr. SMITH of Oregon, and Mrs. MURRAY) submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3615. Mr. DASCHLE submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3616. Mr. BYRD submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3617. Mr. REED submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3618. Mr. REED submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3619. Mr. REED submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3620. Mr. REED submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3621. Mr. REED submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3622. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3623. Mr. WELLSTONE submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3624. Mr. WELLSTONE submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3625. Mr. COCHRAN submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3626. Mr. BOND (for himself and Mr. DURBIN) submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3627. Mr. BYRD (for himself and Mr. STEVENS) submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3628. Mr. BAUCUS (for himself, Mr. BURNS, and Mr. BINGAMAN) submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3629. Ms. LANDRIEU (for herself and Mr. BREAUX) submitted an amendment intended to be proposed by her to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3630. Ms. LANDRIEU (for herself and Mr. BREAUX) submitted an amendment intended to be proposed by her to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3631. Mr. KYL (for himself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3632. Mr. KYL (for himself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3633. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3634. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3635. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3636. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3637. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3638. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3639. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3640. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3641. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3642. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3643. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3644. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3645. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3646. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3647. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3648. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3649. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3650. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3651. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3652. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3653. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3654. Mr. SESSIONS (for himself and Mr. HUTCHINSON) submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3655. Mr. NICKLES submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3656. Mr. MCCONNELL submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3657. Mr. KOHL submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3658. Mr. HARKIN submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3659. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3660. Mr. GRAMM submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3661. Mr. GRAMM submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3662. Mr. GRAMM submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3663. Mr. GRAMM submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3664. Ms. SNOWE (for herself and Ms. COLLINS) submitted an amendment intended to be proposed by her to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3665. Mr. STEVENS submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3666. Mr. STEVENS submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3667. Mr. STEVENS submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3668. Mr. STEVENS (for himself and Mr. CAMPBELL) submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3669. Mr. KERRY (for himself and Mr. CLELAND) submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3670. Mr. REID (for himself and Mr. KYL) submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3671. Mr. REID (for himself and Mr. INHOFE) submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3672. Mr. CLELAND submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3673. Mr. REID (for himself and Mr. GREGG) submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3674. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3675. Mrs. CLINTON (for herself and Mr. SCHUMER) submitted an amendment intended to be proposed by her to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3676. Mr. LEAHY (for himself and Mr. MCCONNELL) submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3677. Mr. LEAHY (for himself and Mr. MCCONNELL) submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3678. Mr. LEAHY (for himself and Mr. MCCONNELL) submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3679. Mr. LEAHY (for himself and Mr. MCCONNELL) submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3680. Mr. LEAHY (for himself and Mr. MCCONNELL) submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3681. Mrs. CLINTON (for herself and Mr. SCHUMER) submitted an amendment intended to be proposed by her to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3682. Mr. KOHL submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3683. Mr. SCHUMER (for himself and Mrs. CLINTON) submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3684. Mr. DOMENICI submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3685. Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3686. Mr. DOMENICI submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3687. Mr. GREGG (for himself and Ms. CANTWELL) proposed an amendment to the bill H.R. 4775, supra.

SA 3688. Mr. DORGAN submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3689. Mr. DORGAN submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3690. Mr. AKAKA submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3691. Mr. BYRD (for himself, Mr. STEVENS, and Mrs. MURRAY) submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3692. Mr. BYRD (for himself, Mr. STEVENS, and Mrs. MURRAY) submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3693. Mr. BYRD (for himself, Mr. STEVENS, and Mrs. MURRAY) submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3694. Mr. BYRD (for himself, Mr. STEVENS, and Mrs. MURRAY) submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3695. Mr. BURNS (for himself, Mr. BAUCUS, and Mr. ENZI) submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3696. Mr. LEAHY (for himself and Mr. MCCONNELL) submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3697. Mr. LEAHY (for himself and Mr. MCCONNELL) submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3698. Mr. LEAHY (for himself and Mr. MCCONNELL) submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3699. Mr. JEFFORDS (for himself and Mr. SMITH of New Hampshire) submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3700. Mr. SMITH of Oregon submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3701. Mr. STEVENS submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3702. Mr. STEVENS submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3703. Mr. MCCAIN (for himself and Mr. FEINGOLD) submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3704. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3705. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3706. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3707. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3708. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3709. Mr. INHOFE (for himself and Mr. NICKLES) submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3710. Mr. BROWNBACK (for himself, Mr. GRAMM, Mr. HELMS, Mr. FITZGERALD, and Mr. INHOFE) submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3711. Mr. GRAMM submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3712. Mr. GRAMM submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3713. Mr. GRAMM submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3714. Mr. GRAMM submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3715. Mr. LEAHY (for himself and Mr. MCCONNELL) submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3716. Mr. LEAHY (for himself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3717. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3718. Mr. DOMENICI (for himself and Mr. BINGAMAN) submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3719. Mr. DOMENICI (for himself and Mr. BINGAMAN) submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3720. Mr. FRIST (for Mr. HELMS (for himself, Mr. FRIST, Mr. KERRY, Mr. WARNER, Mr. DEWINE, Mr. SMITH of Oregon, and Mr. BIDEN)) submitted an amendment intended to be proposed by Mr. FRIST to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3721. Mr. FRIST (for Mr. HELMS (for himself, Mr. FRIST, Mr. KERRY, Mr. WARNER, Mr. DEWINE, Mr. SMITH, of Oregon, and Mr. BIDEN)) submitted an amendment intended to be proposed by Mr. FRIST to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3722. Mr. FRIST (for Mr. HELMS (for himself, Mr. FRIST, Mr. KERRY, Mr. WARNER, Mr. DEWINE, Mr. SMITH of Oregon, and Mr. BIDEN)) submitted an amendment intended to be proposed by Mr. FRIST to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3723. Mr. FRIST (for Mr. HELMS (for himself, Mr. FRIST, Mr. KERRY, Mr. WARNER, Mr. DEWINE, Mr. SMITH of Oregon, and Mr. BIDEN)) submitted an amendment intended to be proposed by Mr. FRIST to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3724. Mr. FRIST (for Mr. HELMS (for himself, Mr. FRIST, Mr. KERRY, Mr. WARNER, Mr. DEWINE, Mr. SMITH of Oregon, and Mr. BIDEN)) submitted an amendment intended to be proposed by Mr. FRIST to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3725. Mr. FRIST (for Mr. HELMS (for himself, Mr. FRIST, Mr. KERRY, Mr. WARNER, Mr. DEWINE, Mr. SMITH of Oregon, and Mr. BIDEN)) submitted an amendment intended to be proposed by Mr. FRIST to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3726. Mr. DEWINE (for himself and Mr. CLELAND) submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3727. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3728. Mr. KENNEDY (for himself, Ms. COLLINS, and Ms. LANDRIEU) submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3729. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3730. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3731. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3732. Mr. DURBIN (for himself, Mr. SPECTER, Mr. LEAHY, Mr. DEWINE, Mr. KERRY, Mr. KENNEDY, Mrs. BOXER, Mr. SARBANES, Mrs. FEINSTEIN, Ms. MIKULSKI, Mrs. CLINTON, Mr. DODD, Mr. LIEBERMAN, Mr.

TORRICELLI, Mr. LEVIN, Mr. SCHUMER, and Ms. LANDRIEU) submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3733. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3734. Mr. CRAIG submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3735. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3736. Ms. SNOWE submitted an amendment intended to be proposed by her to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3737. Mr. ENZI (for himself, Mr. GRASSLEY, and Mr. HAGEL) submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3738. Mr. ENZI (for himself, Mr. GRASSLEY, and Mr. HAGEL) submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3739. Ms. LANDRIEU (for herself and Mr. BREAUX) submitted an amendment intended to be proposed by her to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3740. Mr. HOLLINGS submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3741. Mr. SCHUMER (for himself and Mrs. CLINTON) submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3742. Mrs. CLINTON (for herself and Mr. SCHUMER) submitted an amendment intended to be proposed by her to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3743. Mrs. CLINTON (for herself and Mr. SCHUMER) submitted an amendment intended to be proposed by her to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3744. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3745. Mr. SARBANES (for himself and Ms. MIKULSKI) submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3746. Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3747. Mr. GRAHAM (for himself and Mr. NELSON of Florida) submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3748. Mr. GRAHAM (for himself and Mr. NELSON of Florida) submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3749. Mr. GRAHAM (for himself and Mr. NELSON of Florida) submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3750. Mr. ALLEN submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3751. Mr. BURNS submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3752. Mr. SMITH of New Hampshire submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3753. Mr. SMITH of New Hampshire submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3754. Mr. HUTCHINSON submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3755. Mr. HUTCHINSON submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3756. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3757. Mr. HOLLINGS submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3758. Mr. MILLER submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3759. Mr. HATCH (for himself, Ms. MIKULSKI, and Mr. KENNEDY) submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3760. Mr. REID (for himself and Mr. INHOFE) submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3761. Mr. HATCH submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3762. Mr. CONRAD submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3763. Mr. DOMENICI submitted an amendment intended to be proposed by him to the bill H.R. 4775, supra; which was ordered to lie on the table.

SA 3764. Mr. DASCHLE (for himself and Mr. CONRAD) proposed an amendment to the bill H.R. 4775, supra.

SA 3765. Mr. SANTORUM proposed an amendment to amendment SA 3764 proposed by Mr. DASCHLE (for himself and Mr. CONRAD) to the bill (H.R. 4775) supra.

SA 3766. Mr. CRAIG submitted an amendment intended to be proposed by him to the bill H.R. 4755, to designate the facility of the United States Postal Service located at 204 South Broad Street in Lancaster, Ohio, as the ''Clarence Miller Post Office Building''; which was ordered to lie on the table.

NOTICE

Incomplete record of Senate proceedings. Except for concluding business which follows, today's Senate proceedings will be continued in the next issue of the Record.

ORDERS FOR THURSDAY, JUNE 6, 2002

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Thursday, June 6; that immediately following the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour be deemed to have expired, the time for the two leaders be reserved for their use later in the day; and there be a period for morning business until 10:30 a.m., with Senators permitted to speak for up to 10 minutes each, with the first half of the time under the control of the Democratic leader or his designee and the second half of the time under the control of the Republican leader or his designee; that at 10:30 a.m. the Senate resume consideration of the Supplemental Appropriations Act, with 30 minutes of debate equally divided between the chairman and ranking member of the Appropriations Committee, or their designees, prior to the vote on cloture on the act; further, that Senators have until 10:30 a.m. to file second-degree amendments to the Supplemental Appropriations Act, and that the live quorum with respect to the cloture motion filed earlier today be waived.

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

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 6:33 p.m., adjourned until Thursday, June 6, 2002, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate June 5, 2002:

CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

CAROLYN W. MERRITT, OF ILLINOIS, TO BE CHAIRPERSON OF THE CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD FOR A TERM OF FIVE YEARS, VICE PAUL L . HILL, JR.

CAROLYN W. MERRITT, OF ILLINOIS, TO BE A MEMBER OF THE CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD FOR A TERM OF FIVE YEARS, VICE PAUL L. HILL, JR.

DEPARTMENT OF STATE

JAMES IRVIN GADSDEN, OF MARYLAND, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF ICELAND.

JOHN RANDLE HAMILTON, OF NORTH CAROLINA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF GUATEMALA.

MICHAEL KLOSSON, OF MARYLAND, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF CYPRUS.

LARRY LEON PALMER, OF GEORGIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF HONDURAS.

RANDOLPH BELL, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, FOR THE RANK OF AMBASSADOR DURING HIS TENURE OF SERVICE AS SPECIAL ENVOY FOR HOLOCAUST ISSUES.

ASIAN DEVELOPMENT BANK

PAUL WILLIAM SPELTZ, OF TEXAS, TO BE UNITED STATES DIRECTOR OF THE ASIAN DEVELOPMENT BANK, WITH THE RANK OF AMBASSADOR, VICE N. CINNAMON DORNSIFE, RESIGNED.

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS ASSISTANT SURGEON GENERAL/CHIEF OF THE DENTAL CORPS, UNITED STATES ARMY AND FOR APPOINTMENT TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 3039:

To be major general

BRIG. GEN. JOSEPH G. WEBB JR., 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS PERMANENT PROFESSOR, UNITED STATES MILITARY ACADEMY, UNDER TITLE 10, U.S.C., SECTION 4333(B):

To be lieutenant colonel

MICHAEL J. MEESE, 0000

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

STEVEN A. BEYER, 0000
MATTHEW L. MURPHY, 0000
JASON K. PSALTIDES, 0000
JAMES F. ROTH, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

JAY A. JUPITER, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major

ANDREW D. MAGNET, 0000

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

BERNARD COLEMAN, 0000
LARRY D. FOSTER, 0000
CHARLES E. JACKSON, 0000
EDELTRAUD K. LAMAR, 0000
HARRY E. MEADE, 0000
ROY I. NOMEY JR., 0000
JERRY D. PARKER, 0000
JOSEPH G. SCHMITZ, 0000
MICHAEL A. STONE, 0000

In the Navy

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

BARNEY R BARENDSE, 0000
CHRISTINE BOLTZ, 0000
DENISE M BOREN, 0000
PATRICIA H CRADDOCK, 0000
SAMUEL E DIXON, 0000
MARY K JACKSON, 0000
DENNIS L JEPSEN, 0000
JAMES E KOHL, 0000
REBECCA J MCCORMICKBOYLE, 0000
DENISE S MCDOWELL, 0000
KAREN T MCKINSEY, 0000
JOSEPH F MURRAY, 0000
HELEN V PEARLMAN, 0000
FAYE M PYLES, 0000
MARIE S SENZIG, 0000
NANCY A SIMMONS, 0000
KATHERINE A SURMAN, 0000
SHEILA M WEIBERT, 0000
KRISTIANE M WILEY, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

MICHAEL J BOOCK, 0000
MARTIN J EVANS, 0000
JONATHAN E FINK, 0000
ERIC E GEISER, 0000
ALAN G KAUFMAN, 0000
MARK D LAWTON, 0000
FREDERICK D MITCHELL, 0000
MOIRA D MODZELEWSKI, 0000
DANIEL E OTOOLE, 0000
RAUL A F PEDROZO, 0000
MICHAEL I QUINN, 0000
MICHAEL A WATERS, 0000
ALEXANDER W WHITAKER IV, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

STEPHEN T AHLERS, 0000
WILLIAM K ALEXANDER, 0000
JOHN K BAIRD, 0000
MARK F BERNIER, 0000
MARK E BROUKER, 0000
RODERICK L CLAYTON, 0000
LEE L CORNFORTH, 0000
MU YING H DOW, 0000
ANDREW T ENGLE, 0000
CARROLL D FORCINO, 0000
SCOTT E FOSTER, 0000
RUFUS E GODWIN, 0000
CELIA H HORTON, 0000
GRAHAM D ININNS, 0000
PATRICIA W IRELAND, 0000
DAVID B MILLER, 0000
DONNA M MURDOCH, 0000
PAUL R SCHRATZ JR., 0000
RICHARD F STOLTZ, 0000
KERRY R THOMPSON, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

DANIEL C ALDER, 0000
CHARLES F BAXTER JR., 0000
MONTE L BIBLE, 0000
DAVID A BRADSHAW, 0000
HARPREET S BRAR, 0000
ANTHONY J CAMEROTA, 0000
FRANK J CARLSON, 0000
RONALD F CENTNER, 0000
FRANK A CHAPMAN, 0000
SUSAN L CHITTUM, 0000
LAUREL B S CLARK, 0000
BRUCE COHEN, 0000
WALTER J COYLE, 0000
CRAIG L CUPP, 0000
MICHAEL J CURRAN, 0000
DAVID L DAUGHERTY, 0000
MURRAY S DONOVAN, 0000
TERRENCE X DWYER, 0000
RICHARD C EDWARDS, 0000
DANIEL R ELIZONDO, 0000
SCOTT D FLINN, 0000
MICHAEL J FRANCIS, 0000
KEVIN L GALLAGHER, 0000
SCOTT J GRAHAM, 0000
THOMAS M GUDEWICZ, 0000
TERRY A HARRISON, 0000
ROBERT E HERSH, 0000
BRIANA M HILL, 0000
MARK P HONIG, 0000
PETER A JOHNSTONE, 0000
KELLY S KEEFE, 0000
RANDALL KELLEY, 0000
KERRY J KING, 0000
KENNETH D KLIONS, 0000
JOHN J LEE, 0000
PETER E LINZ, 0000
ERIC R LOVELL, 0000
PAUL A LUCHA, 0000
RANDALL C MAPES, 0000
MARTIN MCCAFFREY, 0000
MICHAEL C MCCARTHY, 0000
SCOTT K MCCLATCHEY, 0000
ROBERT J MENDEZ, 0000
BRUCE C MENELEY, 0000
BRIAN P MONAHAN, 0000
VERNON D MORGAN, 0000
MICHAEL MULDOON, 0000
CHRISTOPHER L OLCH, 0000
JOHN C OLSEN, 0000
JOHN S PARRISH, 0000
JEFFERY W PAULSON, 0000
PAUL PEARIGEN, 0000
PABLO D PIZARRO, 0000
CRAIG C POWELL, 0000
TERRY L PUCKETT, 0000
RAYMOND M PUMAREJO, 0000
EDWARD V ROSS JR., 0000
JOSEPH E SARACHENE, 0000
ANN R SECORD, 0000
WYATT S SMITH, 0000
ROBERT J SUCSY, 0000
THOMAS K TANDY III, 0000
GARY A TANNER, 0000
STEVEN M TEMERLIN, 0000
JON K THIRINGER, 0000
GEORGE G ULRICH, 0000
AMY G WANDEL, 0000
LYNN E WELLING, 0000
JERRY W WHITE, 0000
HENRY C WONG, 0000
EDWARD A WOODS, 0000
ERIC J ZINTZ, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

ALAN T BAKER, 0000
HAROLD W BURRELL, 0000
WILLIAM F CUDDY JR., 0000
JOHN S EVANS, 0000
JAMES R FISHER JR., 0000
BRIAN F KELLY, 0000
RONNIE C KING, 0000
DAVID G KLOAK, 0000
PETER W MCGEORY, 0000
DALE W PARKER, 0000
MARK L TIDD, 0000
DOUGLAS J WAITE, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

MICHAEL L BLOUNT, 0000
DAVID M BOONE, 0000
DAVID M BURNES, 0000
FRANCIS P CASTALDO, 0000
MASON CRUM, 0000
DAVID L FLEISCH, 0000
PAUL T FULIGNI, 0000
KATHERINE L GREGORY, 0000
APRIL F HEINZE, 0000
HUGH R HEMSTREET, 0000
KEVIN A LINDSEY, 0000
BARRY K LOVELESS, 0000
GERALD R MANLEY, 0000
ROGER M NATSUHARA, 0000
MICHAEL J OCONNOR, 0000
ERIC S ODDERSTOL, 0000
ROBERT P WALDEN, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVAL RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

JAMES T. CONEN, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVAL RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

JOSEPH D. CALDERONE, 0000
JOHN M. HACKWORTH, 0000
JOHN D. HENDERSON, 0000
MICHAEL J. INOUYE, 0000
ARNOLD C. JOHNSON, 0000
RONALD M. KLOSE, 0000
RICHARD A. WILLIAMS, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVAL RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

TIMOTHY G. ALBERT, 0000
DAVID E. BEARDMORE, 0000
JAMES E. CAMPBELL II, 0000
FRANKLIN B. CARVER, 0000
NANCY J. CATHEY, 0000
JOHNNY L. DODD, 0000
JANICE M. STACYWASHINGTON, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVAL RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

WARREN WOODWARD RICE, 0000
MARK J. SAKOWSKI, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVAL RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

BARBARA S. BLACK, 0000
PAUL T. BROERE, 0000
THOMAS A. CORWIN, 0000
ROBERT A. GANDOLA, 0000
DANIEL J. NEUMANN, 0000
DAVID A. OBRIEN, 0000
JOHN H. WATTS, 0000
DOUGLAS D. WRIGHT, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

MICHAEL R. BONNETTE, 0000
DAVID C. PHILLIPS, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

JOSE R ALMAGUER, 0000
DEAN A BEATTY, 0000
GEORGE J BINGHAM, 0000
DAVID A BITONTI, 0000
MICHAEL R BRENYO, 0000
NATHANIEL C BRYANT, 0000
THOMAS A CADE, 0000
DANIEL G EHRICH, 0000
BYRON C ESCOE, 0000
PAUL W GERHARDT, 0000
JAMES H GHERARDINI JR., 0000
LYNDA D GROSSMAN, 0000
GARY J HAMMOND, 0000
RICHARD A JORALMON, 0000
JAMES V KEENAN, 0000

RANDALL W KULNIS, 0000
JOHN P LABANC, 0000
JOHN J LAUTEN JR., 0000
THOMAS M LEIENDECKER, 0000
WILLIAM J LEONARD, 0000
CLARA Y LLODRA, 0000
JAMES C MARTIN, 0000
JOHN L MCGINLEY, 0000
ALICE P MORAN, 0000
BLAINE E MOWREY, 0000
JOHN H MUMFORD, 0000
TOM R NEIHART, 0000
LEE E NIEMEYER, 0000
STEPHEN M PARKER, 0000
JOHN P PIERCE JR., 0000
MATTHEW W POMMER JR., 0000
PAUL D REAGAN, 0000
DAVID N RICKEY, 0000
DEBRA M RYKEN, 0000
TIMOTHY J SHEA, 0000
THOMAS R SPRADLIN, 0000
LOREN J STEENSON, 0000
KENNETH M STINCHFIELD, 0000

CONFIRMATIONS

Executive nominations confirmed by the Senate June 5, 2002:

FOREIGN SERVICE NOMINATIONS BEGINNING STEPHAN WASYLKO AND ENDING CHARLES KESTENBAUM, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 20, 2002.

FOREIGN SERVICE NOMINATIONS BEGINNING SUZANNE K. HALE AND ENDING MAURICE W. HOUSE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 20, 2002.

FOREIGN SERVICE NOMINATIONS BEGINNING GARY V. KINNEY AND ENDING JAMES E. STEPHENSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 20, 2002.

EXTENSIONS OF REMARKS

HONORING EUGENE N. BALL UPON HIS RETIREMENT

HON. TOM DAVIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 2002

Mr. TOM DAVIS of Virginia. Mr. Speaker, I would like to take this opportunity to pay tribute to Mr. Eugene N. Ball, upon his retirement from the Pentagon Federal Credit Union after nearly 25 years of distinguished and dedicated service.

Mr. Ball was born and raised in Waterloo, IA. He served for 20 years in the United States Army in various command and staff assignments including as a Transportation Corp officer. Following his retirement from the Army's active service in 1963, Ball went to work as Chief of Finance in the Department of the Army. In 1967 he joined the Department of Defense, Per Diem Travel and Transportation Allowance Committee. Fifteen years later, in February 1982, he was detailed to the office of the Deputy Assistant Secretary of Defense (Logistics and Material Management), with the responsibility of organizing and leading an Interagency Team to implement changes in Federal travel policies and practices, as directed by the President.

Ball has been active in the Credit Union movement for over a quarter century. He was first elected to the Board of Directors of Pentagon Federal Credit Union in 1975, and subsequently served as Secretary from 1977–1978, Vice President from 1978–1982, and President since 1982. During his tenure on the Board he has been Chairman of the Marketing and Education, and Nominating Committees.

In June 1984, under Ball's direction, the Pentagon Federal Credit Union formed three holding companies to provide management information, software, and insurance services.

Based on his leadership at the credit union, contributions to other credit unions and credit union organizations, professional development and education, and community service, Mr. Ball was awarded the DEF 1999 Director of the Year honor by CUES. He is revered as a remarkable leader by his colleagues, and is renowned for his dedication to teamwork.

Mr. Ball is also known by all of his Credit Union colleagues for his generosity. From dressing up as Santa Claus for the credit union's Christmas party to serving on the board of several prominent organizations, Mr. Ball is involved in nearly all Credit Union activities, as he is in his Northern Virginia community. He is very active in his church at all levels, serving as chairman of the board of trustees and leading Sunday school discussions. He is a member, and past President, of the Advisory Council for the Lupus Foundation of Greater Washington and has served as president of the National Cherry Blossom Festival. These, along with his many other acts of selflessness, both for the Pentagon Federal Credit Union and for his community, make Ball worthy of his title amongst those who know him, "A Role Model of Humanity."

Mr. Speaker, in closing, I wish the very best to Mr. Ball as he is recognized for service to his community and to the Pentagon Federal Credit Union. During his twenty-five years of service, he certainly has earned his recognition, and I call upon all of my colleagues to join me in applauding his tenure.

THE CHILD SUPPORT REINVESTMENT ACT OF 2002

HON. ROBERT T. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 2002

Mr. MATSUI. Mr. Speaker, today I am offering a bill to modify the way in which penalties are imposed on states that are attempting to comply with child support system computer automation requirements.

Child support automation penalties provided an effective and necessary impetus for my home state of California to make important changes in their child support program. But, now these penalties have become an obstacle to meeting the objectives of the revamped system and should be modified.

The Child Support Reinvestment Act would do two important things. First, it would change the base year that the penalty is calculated on. This would remove the disincentive for states to increase investments in their child support program because these increases would no longer be reflected in the calculation of the penalty. Second, the bill would allow increasing amounts of these penalties to be reinvested in the child support program if the state increases spending by specified percentages.

My bill is supported by the National Women's Law Center and the Center for Law and Social Policy. In addition, ACES, the Association for Children for Enforcement Support, and the California Chapter of the National Organization for Women is supporting this legislation. Mr. Speaker, I would like to include the letters of support from these organizations in the record.

California has made significant strides and is on target to have a fully automated child support system in 2005. They have also invested considerable money in improving collections and customer service. Last year, California collected $2 billion in child support, sending two-thirds of this money directly to families. This progress, however, is being jeopardized by ongoing and increasing federal penalties. Unfortunately, it is the children in families who receive child support that suffer. My bill would correct this problem.

THE ASSOCIATION FOR CHILDREN FOR ENFORCEMENT OF SUPPORT, INC.,
Toledo, OH, June 4, 2002.

Hon. ROBERT MATSUI,
Rayburn House Office Building,
Washington, DC.

DEAR REPRESENTATIVE MATSUI: The Association for Children of Support (ACES) would like to offer its support for your proposed modifications to the current calculation of child support automation penalties. Your legislation, the Child Support Reinvestment Act of 2002, would remove the disincentive to states, like California, to invest additional dollars in their child support system. The penalties imposed on the child support program in California were necessary and provided the encouragement needed by the state to change the system. We believe that California's significant progress, increasing collection rates, and improved customer service warrant reasonable changes in the child support computer automation statute. Particularly, we support your bill, because it would change the way penalties are calculated by redefining the penalty base to avoid penalizing the sate for their increased investment in the child support program. We also support the provision that would permit the reinvestment of a portion of the penalties in the child support system.

ACES believes that it is mothers and children who ultimately suffer if the bill is not enacted. Thank you for your leadership.

Sincerely,

GERALDINE JENSEN,
President, Association for Children for Enforcement of Support.

NATIONAL ORGANIZATION FOR WOMEN,
Sacramento, CA, May 14, 2002.

Hon. WILLIAM M. THOMAS,
Chair, House Ways and Means Committee,
Washington, DC.

DEAR CONGRESS MEMBER THOMAS: The California National Organization for Women (CANOW) urges you to help alleviate a situation which, if left unmitigated, will lead to injury of thousands of California's families. We are asking for your help in easing the penalties imposed upon California because of missed deadlines on child support automation.

The penalties imposed upon the child support program in California were necessary and acted as a catalyst for change in the system. In 1999, California's child support system faced a major reform. Since the change, policies in the state are innovative and collections are on the rise. Customer service efforts have improved tenfold and greater efforts to reduce automation problems have resulted in record high collections in some counties. These heroic efforts were made in response to the public scrutiny of state child support policies and procedures. Public scrutiny of the system resulted directly from imposition of federal penalties. Therefore, the penalties served their purpose and change has resulted.

Now that California has revamped its child support system and is spending nearly $1 billion to automate, child support penalties are becoming obstructive. Because of the penalty structure, the state is being penalized for spending more money to improve child support. Instead, we need the penalty system to be flexible—at least allowing penalties to serve the purpose of motivating positive change rather than imposing punishment just because it was observed and although it no longer makes sense.

If we allow the penalty structure to remain as is, we will see a loss of these newly gained services. The new child support department will lose too many resources as money from the program is siphoned to pay penalties. Mothers and children will be the ultimate

losers as less effort is put into collecting and enforcing child support. CANOW supports a policy that would establish a penalty base that does not increase when more money is spent by the state to improve the program. Also, CANOW believes that an allowance for reinvestment of the penalty dollars to improvement of child support enforcement is a worthwhile venture.

Please help CANOW to alleviate the potential suffering of millions by restoring equity to the child support automation computer penalty structure. Current economic times demand that we rethink the effects of punitive measures from years past.

Sincerely,

MELANIE SNIDER,
CANOW Legislative Advocate.

CENTER FOR LAW AND SOCIAL POLICY AND NATIONAL WOMEN'S LAW CENTER,

March 5, 2002.

Hon. WILLIAM THOMAS,
U.S. Representative, Committee on Ways and Means, Longworth House Office Building, Washington, DC.

DEAR CHAIRMAN THOMAS: The Center for Law and Social Policy and the National Women's Law Center support the State of California's request for modifications in the computer penalties incurred by the state—and we support reform of the child support distribution rules—in order to continue the significant progress that California has made in recent years to improve its child support program and get more child support to families.

As explained in more detail below, we recommend a change in the way penalties are calculated, by redefining the penalty base to avoid penalizing California for having increased its investment in its child support program. We also support a change that would permit California to reinvest in its child support program the computer penalties incurred by the state because of its delay in implementing a statewide system under the Family Support Act of 1998 (FSA). We believe that California's progress in restructuring its child support program and implementing a new generation of computer technology are unique circumstances that justify reasonable modifications in the FSA computer penalty statute. However, we do not support forgiveness or waiver of the penalty, nor do we support reinvestment of child support penalties incurred for reasons other than noncompliance with FSA computer requirements.

We also hope you will cosponsor S. 916 and S. 918, which would reform child support distribution rules, simplify California's systems development, and get more child support to former and current welfare families. We urge you to get help get child support distribution reform passed this year.

Modifying Computer Penalties

In 1998, Congress enacted an alternative computer penalty in lieu of withdrawing full federal funds from state TANF and child support programs for states that fail to meet child support computer system deadlines. The statute creates an alternative penalty available to states making good faith to comply with the automated system requirements and submitting a corrective action plan. The penalties escalate over time: the first year penalty is 4 percent of federal child support matching funds; the second year penalty is 8 percent; the third year penalty is 16 percent; the fourth year penalty is 25 percent, and the fifth and subsequent years' penalty is 30 percent. The percentage is applied to the ''penalty base'': the amount payable to the state in the previous year as federal reimbursement for state administrative expenditures in the child support program (the 66% federal match). Thus, a state like California that substantially increased its investment in the child support program each year faces not only escalating percentages, but an increasing penalty base.

We each provided extensive technical assistance to the House Committee on Ways and Means as it developed the penalty language. The specific intent of the alternative penalty was not to punish noncompliant states, but instead to spur those states to address political issues within the states that were impeding system development. Congress did not anticipate that states would incur penalties for more than three or four years. To date, all but two states, California and South Carolina, have received or requested certification of Family Support Act systems compliance.

Although California is not yet in compliance, it responded to the alternative penalty in the way intended by Congress. After Congress adopted the alternative penalty, the California legislature restructured the state child support program by (1) creating an independent state child support agency, (2) reorganizing the program at the county level, (3) engaging in an ambitious top-to-bottom review of child support policies and practices, (4) revamping its computer development and procurement plans, and (5) substantially increasing state funding levels. We think these changes are producing positive and enduring results for families. However, because California has not yet completed its computer system, it will continue to face computer penalties for several years to come.

We support two changes in the alternative penalty applicable to FSA system requirements. First, we agree with California that the statutory definition of the base unintentionally penalizes the state for increased investments in the child support program. As the state puts more money into the program, the penalty base and penalty increase. We think the base should be adjusted to reflect a fixed year.

Second, we support a change that would allow the state to reinvest the penalty in its child support program in a fair and reasonable way. Given California's strenuous efforts to improve its child support program since enactment of the alternative penalty, we think it is counterproductive to continue to withdraw penalty funds from the program, particularly at a time when state budgets are experiencing severe shortfalls. Several studies establish a direct link between child support program performance and adequate finding levels. We are particularly concerned that California's system development decisions could be compromised if the state is required to continue to pay its substantial penalties to the federal government.

Child Support Distribution Reform

It is also important that California have the authority to avoid programming existing distribution rules in the development of its new system. Problems with automating complicated rules have been cited by federal and state administrators as a cause of system development delays and costs. And one expert, Policy Studies, Inc., estimates that once the rules are implemented, 6 to 8 percent of all child support program costs—up to $360 million per year—are spent maintaining them.

About half of the support arrears collected for families who have left welfare are not paid to the families, but instead are kept by the government as reimbursement for welfare costs. By paying the support to families, distribution reform would help families make the transition off of welfare and stay off. Research from the Wisconsin pass-through demonstration finds that when child support directly benefits their children and is not kept by the government, fathers are more willing to establish paternity and pay support for their children.

We urge you support both California penalty relief and distribution reform this year.

Sincerely,

VICKI TURETSKY,
Senior Staff Attorney,
Center for Law and Social Policy.

JOAN ENTMACHER,
Vice President, Family Economic Security,
National Women's Law Center.

IN RECOGNITION OF AGNES GUND

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 2002

Mrs. MALONEY of New York. Mr. Speaker, I rise to pay tribute to Agnes Gund on the occasion of the 34th Annual Museum of Modern Art Party in the Garden. Ms. Gund's extraordinary contributions to The Museum of Modern Art and the art community have made contemporary art accessible to countless people. It is a pleasure to pay tribute to this great educator, activist and philanthropist.

Ms. Gund has been a trustee of The Museum of Modern Art (MOMA) since 1976, and has served as President since 1991. Throughout that time, she has worked to expand the museum's services to a larger, more diverse public and has led MOMA to prominence both as a major tourist attraction and a standard-bearer for cultural institutions everywhere.

An advocate for arts education, she founded the Studio in a School Association in 1971, a program that places artists as teachers in New York City public schools. For her pioneering work in this innovative program, she received the Doris C. Freeman Award from the City of New York and the New York State Governor's Arts Award in 1988. With the Studio in a School program, Ms. Gund forged a new partnership between professional artists and public schools and introduced children to the joys of creative expression.

For her outstanding commitment to the 'excellence, growth, support and availability of the arts in the United States', Ms. Gund was awarded the prestigious 1997 National Medal of Arts by President Clinton. One of 11 recipients of the nation's highest award for achievement in the arts in 1997, she was the only patron of the arts to receive such recognition. Ms. Gund also received the College Art Association Women in the Arts award in 1996 and was elected as a fellow to the American Academy of Arts and Sciences in 1995.

As an eminent leader of the arts community, Ms. Gund was recognized as one of Crain's 75 Most Influential Women in Business in 1996, and has received four honorary doctorates throughout her career. She has also devoted time to public service, particularly in issues surrounding AIDS research, arts programs and education, and has served as a benefactor to museums, art organizations, social and environmental groups and women's issues.

Ms. Gund is bringing MOMA into the 21st century with a $1 billion expansion. The museum has taken the bold step of moving to Queens while the massive building project is underway. Prior to the move, she initiated a

series of revolutionary exhibits, MOMA 2000, mixing genres and blending mediums of expression to encourage visitors to take a new look at MOMA's collection.

A prominent collector of postwar art, Ms. Gund grew up surrounded by art and as a young women became one of the foremost collectors of modern painters, eventually amassing 400 works of art. Generous with her collection, she has given some of her most important pieces to museums. After the birth of her 4 children, she returned to school and received a master's degree in art history. Ms. Gund has been a lifelong champion of the arts, and has succeeded in sharing her passion with the American people.

In recognition of these outstanding achievements, I ask my colleagues to join me in honoring Agnes Gund. Ms. Gund's generous spirit, devotion to arts education and love of creative genius will continue to benefit our nation for generations.

TRIBUTE TO BASEBALL GREAT LARRY DOBY

HON. DONALD M. PAYNE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 2002

Mr. PAYNE. Mr. Speaker, it is a great honor to rise today to recognize a legend in baseball history, Larry Doby, on the occasion of the dedication of the Larry Doby Baseball Field in Eastside Park in Paterson, New Jersey.

Larry Doby has made history as the first African American to play in the American League when he joined the Cleveland Indians in 1947, and finished his career as a member of the Baseball Hall of Fame. Always an exceptional athlete, Larry Doby grew up in Paterson, New Jersey participating in four Varsity sports: baseball, football, basketball, and track. At this poignant start to his career he was an ''All State'' athlete in three out of his four competitive sports, displaying his clear athletic ability at an early age.

Larry Doby was an inspiring power-hitting center fielder and a key member of the Indian's pennant winners in 1948 and 1954. Preceding his breaking the color line with the Indians, Doby also starred with the Negro National League's Newark Eagles taking them to win the 1946 Negro League World Series. In later years, Doby was a nine time All-Star player, leading the American league twice in homers. Since the culmination of his baseball career, Doby has worked within his community, establishing a basketball league in Paterson, New Jersey for young people within the school system, grades six through nine.

My first visit to the Baseball Hall of Fame in 1998 was for Larry Doby's induction ceremony, which I was pleased to attend because of my great respect for him. As a youngster growing up in Newark I looked forward to seeing him play at Rupert Stadium from 1942–43 and 1946–47, in the years surrounding his military experience. His career exemplifies what can be done with hard work and determination, having risen through prejudice and poverty to becoming a world-renowned athlete. He serves as a role model to all young people and especially to those aspiring athletes in our home state of New Jersey.

Mr. Speaker, I know that my colleagues here in the United States House of Representatives join me today in recognizing this great athlete and his innumerable contributions to society and send their very best wishes to him for a healthy and prosperous future.

2002 SUPPLEMENTAL APPROPRIATIONS ACT FOR FURTHER RECOVERY FROM AND RESPONSE TO TERRORIST ATTACKS ON THE UNITED STATES

SPEECH OF

HON. JOSEPH CROWLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 23, 2002

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R 4775) making supplemental appropriations for further recovery from and response to terrorist attacks on the United States for the fiscal year ending September 30, 2002, and for other purposes:

Mr. CROWLEY. Mr. Chairman, I rise in strong support of the amendment offered by my colleague, Mr. MORAN, to prevent the potential bankruptcy of the Nation's 6th largest and the eastern seaboard's second largest airline, US Airways.

As the representative of New York's LaGuardia Airport, I know how important the preservation of this airline is, not only to the traveling public, but to the men, women and children in my district.

Following the events of September 11, our Nation's airlines took a tremendous financial hit, resulting in the dismissal of approximately 100,000 airline employees. As members of Congress, we felt we needed to do something to stop the bleeding. To that end, we passed a $15 billion aid package to save America's airline industry. This package included $10 billion in loan guarantees. Not recommendations, but guarantees.

Now in one fell swoop, the commitments made by Congress have been undermined by a select few members of this House without the consultation or consent of a majority of the members. US Airways has dedicated itself to preparing documentation, including a new business plan, with contributions from its employees, communities and vendors, which should be finalized later this month to meet the imposed deadline. US Airways has followed the law in good-faith, expending money and energy, to meet the requirements set out by the Loan Stabilization Board, the Department of Transportation and the Office of Management and Budget. For Congress to suspend this line of credit and arbitrarily suspend the loan guarantee program runs counter to Airline Stabilization Act that President Bush signed into law just six months ago.

This is not just about saving an airline; this is about protecting the livelihood of 40,000 American families. We must do everything we can to live up to our commitments, and stand by the hard working airline employees and their families during this difficult time.

Therefore, I urge all my colleagues to support this amendment.

2002 SUPPLEMENTAL APPROPRIATIONS ACT FOR FURTHER RECOVERY FROM AND RESPONSE TO TERRORIST ATTACKS ON THE UNITED STATES

SPEECH OF

HON. BART STUPAK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 23, 2002

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 4775) making supplemental appropriations for further recovery from and response to terrorist attacks on the United States for the fiscal year ending September 30, 2002, and for other purposes:

Mr. STUPAK. Mr. Chairman, I move to strike the last word. What I say tonight, I am sure has already been said by other Democrats over the past two days . . . because this fight is not over a procedure, but rather over principles and beliefs that we Democrats believe in and are willing to fight for today, tonight and tomorrow—as long as it takes.

We believe you must be honest with the American people. No gimmicks, no tricks, no procedural shenanigans. A straight up and down vote.

Be honest with the American people. If this Republican resolution passes, we as a nation will be $300 billion more in debt this year and $200 to $300 billion more each year for the next nine years.

In this resolution, the Republican leadership has hidden from the American people the second largest debt increase in our nation's history—$750 billion!—and they will raid the Social Security Trust Fund to pay for it, because the Republican leadership has maxed out our country's credit card! I stand on the floor tonight in full support of our troops fighting terrorism here and abroad. House Democrats are fully committed to winning the war on terrorism and once again making America safe from harm.

Unfortunately, House Republicans are using the war to pass a dangerous and cynical provision that allows the federal government to break its own spending limit and take hundreds of billions of dollars from the Social Security Trust Fund!

America can be strong militarily without becoming weak economically.

The Republicans are hoping they can escape today's debate without leveling with the public; they have driven the nation back into deficit and now plan to raid the Social Security Trust Fund to pay for other programs.

Democrats are staunchly opposed to this plan. Democrats support a responsible budget that makes needed investments in national security, protects Social Security and Medicare, and does not burden our children and grandchildren with an enormous national debt.

We can defeat terrorism without destroying Social Security. Democrats stand on the principle of a responsible, honest and bipartisan budget; protecting and strengthening Social Security; and ensuring that we meet our obligations today so that our children are not burdened with debt.

We should have an economic summit between the president, Republicans and Democrats. Let's come together to address the national debt without this sham of a resolution

the Republican leadership has presented to the American people!

We should learn from the American people. I received a letter today with these cards, made in Janie Tavener's kindergarten class. The letter says: ''Dear Mr. Stupak. My daughter's kindergarten class made a poster that we made into this card. I am proud that they have already learned the Pledge of Allegiance, and they are learning to be proud Americans. Sincerely, Nancy Stanwick.''

Democrats are standing up for Mrs. Tavener's kindergarten class we won't saddle these children with a huge debt. We won't leave them with this GOP credit card.

Democrats will leave them with Principles and Beliefs. We will tell them to stand up for what they believe in, and not to rely on or fall for gimmicks or tricks when it comes to our fiscal responsibility! Let's stand with these kids! Vote no on this supplemental appropriations.

RECOGNIZING CONSTITUENT SURVEY RESULTS FROM COLORADO

HON. BOB SCHAFFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 2002

Mr. SCHAFFER. Mr. Speaker, today I rise to speak about Colorado's Fourth Congressional District and the opinions of the constituents I serve concerning the direction of their country. I would like to share with you the thoughts of thousands of citizens from Eastern Colorado by reporting the results of an opinion survey I sent to each household.

Among its several questions, the survey asked, ''What is the single most important issue facing our country today?'' Respondents came back with a host of answers including preserving social security, a strong national defense, our country's moral deterioration, and the lack of immigration law enforcement.

Unsurprisingly, an overwhelming majority of Colorado's Fourth Congressional District constituents believe tax relief and education are the two most important issues facing American families today. In separate questions, they voiced opinions citing problems and solutions to these tough issues.

With regards to education, parents cited the need for parental involvement and school choice, smaller classroom sizes, more direct school funding to reach the classroom, eliminating drugs and violence in schools, and more local control. While the answers were varied, the message is the same: Parents expect quality and choice in their children's education, and deservingly feel as though they should get the most for their tax dollars by decreasing the bureaucracy that currently exists.

Eastern Coloradans are also concerned with the burden of taxes and are interested in reform. Last year I fought to repeal the death tax and marriage penalty taxes along with many other tax-relief provisions in the bill signed by President Bush. However, due to an unfortunate Senate amendment, these taxes will be increased again in 2011. This is an unfair and punitive measure, and the people of Colorado expect these provisions to be made permanent.

As has always been the case since first being elected to the Congress, my constituents expect me to vote to balance the federal budget, provide needed tax relief, increase parent choice in education, eliminate government waste, and save Social Security. Coloradans believe they should keep more of their hard-earned money for themselves and their children's futures, and thus I will continue to fight for this just cause.

Mr. Speaker, I would also like to point out Fourth District Coloradans, more than two-to-one, oppose partial birth abortions and overwhelmingly oppose any restriction on Second Amendment gun rights. In addition, they also are concerned about our providing care for the elderly and veterans.

Finally, national defense and protection against terrorism are repeated concerns. The tragic events of September 11th were not only aimed at our financial and political centers, but more importantly the freedom Americans enjoy and the values we espouse. Dedication to family and love of community are displayed in these responses, and all Coloradans I serve demand no less than personal protection.

Mr. Speaker, I am grateful for the opinion survey responses I received. I consider this valuable input and commend these results to our colleagues. The voice of the people is the cornerstone of our political system and I encourage all Americans to share their opinions to their elected officials.

TRIBUTE TO REVEREND JAMES SCHALKHAUSER

HON. MIKE ROGERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 2002

Mr. ROGERS of Michigan. Mr. Speaker, Reverend James Schalkhauser accepted the appointment as the Lansing Fire Department's first chaplain in February 1973. Throughout the past 29 years, he has maintained his full-time position as senior pastor at Bethlehem Lutheran Church in Lansing. Juggling both commitments has often taken him away from his family in order to meet the needs of others.

Throughout his tenure, Reverend Schalkhauser has provided countless hours of counseling and advice to the Lansing firefighters on family matters, marital challenges or other personal issues. He has always been available with a listening ear, friendship and advice.

In 1990, Reverend Schalkhauser was a founding member of the Capitol Area Critical Incident Stress Management (CACISM) team. This group is comprised of professional counselors and clergy formed for the purpose of providing critical incident stress services to local firefighters, police officers, and EMS providers following a traumatic event.

The 29 years of service Reverend Schalkhauser has provided the Lansing firefighters will never be forgotten. On behalf of my constituents of Michigan's Eighth Congressional District, I am pleased to honor him in Congress in recognition of his official retirement on June 18.

PERSONAL EXPLANATION

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 2002

Mr. McDERMOTT. Mr. Speaker, I was unable to be in Washington, DC today because I was attending a memorial service for Marc Lindenberg. Mr. Lindenberg was the dean at the University of Washington's Daniel Evans School of Public Affairs. Throughout his life, he was a passionate and potent leader in international relief work. Those that knew him, or were touched by his work, will truly miss Mr. Lindenberg, but we find solace knowing that the legacy he leaves behind will endure.

Mr. Speaker, I missed six votes.

Had I been able to vote, I would have voted in support of: H.R. 4800, H.R. 4823, H.R. 4466, H.R. 3983, H.R. 4073, and H.R. 2941.

PAYING TRIBUTE TO ROBBY SHELTON

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 2002

Mr. McINNIS. Mr. Speaker, I would like to take this opportunity to congratulate a young student from my district, Mr. Robby Shelton. His hard work and dedication have been rewarded with the great honor of being named to the All-USA College Academic Team for undergraduate students who have made a significant impact on society. Robby has not only overcome his challenges with deafness, but he has met the hurdles that were put before him. I would like to commend him for his determination and self-sacrifice in achieving this honor. He is certainly a well deserving recipient of this award, and I am honored to bring forth his accomplishments before this body of Congress and this nation.

Robby is a student at the University of Denver, where he has made remarkable strides in medical technology. He is well known on campus and throughout the nation for being extraordinarily gifted in science and its applications. By the end of his sophomore year, Robby had finished his senior honors thesis. His next big project, with the help of the Denver Police Department, was to use cancer diagnostic instruments to perform DNA tests on police suspect blood samples. His project was a great success and his invention produced results faster and cheaper than other available method. After the devastating September 11 attacks on the Pentagon and the World Trade Center, the U.S. Department of Justice looked to Robby to aid his country and it citizens in the monumental task of identifying the victims of the attacks. Robby was up to the challenge, and he worked day and night in preparation for the assignment.

Mr. Speaker, the innovation and commitment demonstrated by Robby Shelton certainly deserves the recognition of this body of Congress, and this nation. Robby's achievements serve as a symbol to aspiring science students and for anyone facing adversity. The recognition that Robby has received is proof that hard work, determination, and a passionate pursuit of your goals can lead to great

rewards and success. Congratulations Robby, and good luck in your future endeavors. You are a future leader in this country, and I, on behalf of this nation, thank you for all that you have done thus far and look forward to seeing what you will undoubtedly achieve in the future.

HONORING WHALEY CHILDREN'S CENTER

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 2002

Mr. KILDEE. Mr. Speaker, I rise today to congratulate the Whaley Children's Center for the presentation of an endowment garden. There will be a ceremony to unveil the garden on June 5, in my hometown of Flint, Michigan.

Whaley Children's Center was the dream of Robert J. Whaley to honor the memory of his son, Donald M. Whaley. Robert Whaley conceived the idea for a home that would support the social, emotional, and physical growth of neglected and homeless children. His original idea was to provide a place where the children could live until they reached maturity. In 1924 under the control of the vestry of St. Paul's Episcopal Church, the Whaley Foundation was organized. Under the direction of its first president, Charles S. Mott, and the guidance of the Child Welfare League of America, the memorial home was built in 1926. Today the focus of care is to nurture the child and restore the youngster to a family setting.

Over the past seven decades the Whaley Children's Center has cared for more than 7,500 children. It has four group homes within the community that care for 6 children each between the ages of 5 and 12. On it's main campus Whaley provides additional care for 24 other children. To achieve the goal of effectively placing a child with a family, the staff work closely with both the families and the children. Whether it is with the original family, foster parents, or if the children are being adopted, special attention is given to ensure a smooth transition and a successful placement. The purpose is to maintain a positive influence on the children so that they can grow to be contributors within the community.

The Whaley Children's Foundation has added many new facilities and programs since the conception of the children's memorial home. In 1955 a recreational facility was built with a gym, classrooms, and a craft room on the campus. In 1977 the Foundation was one of the few who offered a treatment foster care program with a specially trained family. During that same year an educational facility was built that had five new classrooms, a meeting room, and several offices. In 1982 Whaley's Special Needs Adoption program was started. In 1984 a board of directors was established to take over daily control of the Foundation. Since then they have expanded their fundraising efforts through the Whaley golf outing, the ''World's Greatest Office Party'', and a ''Whaley of an Auction.''

Their newest project was made possible by the ideas and direction of the board members to build a garden to recognize those who have worked with the neglected children in the past, present, and future. To thank the contributors of the Whaley Foundation there will be plaques with their names in the garden. Each year the names of new contributors will be added in the garden. The garden is 80 feet long and is located in the center of the campus.

Mr. Speaker, I ask the House of Representatives to join me in congratulating the Whaley's Children Center for the construction of a garden that honors those who contributed time and money to underprivileged children.

TRAFICANT TRIAL: A RAILROAD OF JUSTICE

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 2002

Mr. TRAFICANT. Mr. Speaker, the government presented a ten-count indictment against me on May 4, 2001. And convicted me on those ten counts, Thursday, April 11, 2002.

Initially, the two most significant accusations were a contract murder scheme and a purported $150,000 barn to have been built on the Traficant Family Farm for supposed favors. Both matters made national headlines poisoning the jury voir dire, but after the government's intimidation tactics were exposed, I was charged with neither.

The following affidavit by Mrs. Sandy Ferrante, the supposed target, outlines the saga of the alleged murder-for-hire:

AFFIDAVIT OF SANDRA FERRANTE, TUESDAY, APRIL 30, 2002

I hereby swear that the following is a true and accurate statement.

In middle to late August, 2000, three males arrived at my ex-husband's residence on Applegrove Road in North Canton, Ohio. They identified themselves as agents of the F.B.I., Rich Deholm, Chuck Perkins and Mike Pecunis, and requested that we go into the house so that they may talk to me on a matter of great importance. I suggested that we go to a public location. We, my ex-husband, myself and the three agents met at a nearby Wendy's restaurant.

The agents proceeded to play a 40-minute tape for me, which intimated that Jim Traficant wanted to have me murdered. On the tape I heard three voices, Clarence Broad, and two unknown individuals which I was told were an undercover agent of the F.B.I. and another male who dropped the agent off to meet with Broad.

I proceeded to ask if this was something they were using to get me to say something against Jim Traficant. The agents stated that they were only there to protect me. They never stated that Jim Traficant was responsible but led me to believe that he was involved in this conspiracy to take my life.

After this meeting with the agents, I received a phone call from an F.B.I. agent who suggested that to ensure my own safety that I should go public with this information and announce the conspiracy.

At some point afterward, an F.B.I. agent notified me that Clarence Broad was moved to Elkton Prison, in Elkton, Ohio and it was unusual that he was moved to this facility. Also, the agent insinuated that his move could have been done at the request of Jim Traficant.

I testified before a grand jury on two occasions in the matter regarding Jim Traficant. During this time the F.B.I. paid $800 to house my dogs in kennels and also paid for my two round trips to Louisville, Kentucky to testify.

After testifying truthfully and when the government didn't hear what they wanted to hear the U.S. Attorney, Craig Morford proceeded to demean me in front of the grand jury. In addition, at the time of my testimony in front of the grand jury I publicly apologized to Jim (Traficant) and his wife for allowing the government to trick me into believing this conspiracy.

When the indictment came down, I discovered that there were no charges filed in association with the murder issue. In addition, I read news articles that had information that were never on the tape.

Since the time of the first meeting with the F.B.I. agents, my husband has suffered a debilitating stroke and requires constant care and my health continues to deteriorate due to the stress and the traumatic nature of the events in this case.

Signed and sworn before a notary public on April 30, 2002.

Then, Henry Nemenz, a man with a conscience, surprised me at a local restaurant where I was having lunch with a friend, John Innella. At that meeting, Mr. Nemenz apologized for untrue statements he had made to the government to avoid indictment. I asked Mr. Nemenz to sit down and proceeded to ask him questions regarding the so-called $150,000 barn deal and at the completion of that meeting, I did the following two things, (1) secured an affidavit summarizing what John Innella had witnessed take place between myself and Henry Nemenz and (2) telephoned Ms. Robin Best, Henry Nemenz's girlfriend, the next day, who confirmed that ''Henry told me everything about the meeting and the government was furious and hauled him up to Cleveland.''

The following affidavit by John Innella describes the conversation I had with Henry Nemenz:

STATE OF OHIO, COUNTY OF MAHONING, AFFIDAVIT OF JOHN INNELLA

After being duly cautioned on my oath in accordance with the law, I, John Innella, hereby depose and say:

At approximately 1:00 p.m. on Monday, April 30, 2001, I was in the company of James A. Traficant, Jr. and was unexpectedly interrupted by Henry Nemenz.

1. Henry Nemenz voluntarily told James Traficant in my company ''Morford was trying to put words in his mouth.''

2. His (Nemenz) attorney told him to ''tell Morford what they wanted to hear so that he would not be indicted.''

3. In my presence, James Traficant and Henry Nemenz talked about their original deal, which was $17,000 for the barn and additions because Jim Traficant already had the poles and metal for the building.

4. In my presence, they discussed that the construction man said he would bring in twenty (20) Amish and they would get the job done in a week.

5. Nemenz said that he eventually got rid of his construction man because of faulty construction and poor management.

6. Nemenz and Traficant discussed the fact they legitimately came to a reasonable business settlement that Nemenz would have made with anyone under similar circumstances.

7. Nemenz told Traficant that he was told by Morford ''not to talk to Traficant.''

8. Nemenz told Traficant that all money Traficant owed, was paid in full, including the truck.

9. In my presence, Traficant and Nemenz agreed that the stretching out of the work to be performed was the cause of the cost overruns, and that it was not the fault of James

Traficant, which they had mutually agreed to be $17,000.00 in addition to the truck.

10. Traficant and Nemenz agreed in my presence that Traficant had settled the accounts in full.

11. Nemenz stated in my presence that when Morford interviewed him, he had four assistants, and the situation was intimidating. He said that they did not want to hear what he was saying. He said that he basically ''told them what they wanted to hear.''

12. In my presence, Nemenz also said that the conversation was ''bull shit.''

13. Nemenz said that he had agreed to sell Traficant a black corvette. He said that he had realized that Traficant had invested money in the car to make repairs because it had sat so long unused. He further stated that he realized Traficant put hardly any miles on the corvette. But when the flap developed over the barn Nemenz decided he wanted the car back, saying that he would give credit for any of the expenses. The real reason he wanted the car back was that it was purchased as a graduation present for his son, and his son was upset because Henry had sold it. Henry also said that he was also upset over the problems that had developed concerning the construction work at the farm. Nemenz admitted that he agreed to sell the car to Traficant, and thanked Traficant for returning the car.

14. I was present during this entire conversation at Bruno's Restaurant in Poland, Ohio.

Signed and sworn before a notary public on June 13, 2001.

In summary, the government had to back off the big barn hoax, but by that time the damage had already been done to poison the jury pool.

Tomorrow, stop one. . . . I mean count one on the government's railroad regarding the charges involving Anthony Bucci, who was in the process of the 3rd federal plea agreement and perjured himself with his testimony against me.

ON THE 25TH BIRTHDAY OF ISRAELI MIA GUY HEVER

HON. ANTHONY D. WEINER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 2002

Mr. WEINER. Mr. Speaker, I rise today to mark the 25th birthday of Israeli MIA Guy Hever. This is the fifth consecutive year that the Hever family has marked this occasion since Guy disappeared after leaving his base in the Golan in August 1997. While Israeli authorities have been unable to unearth any substantive clue as to Guy's fate, there is growing suspicion that the answers lie in Syria. The Syrians to date, have refused to answer any questions on the topic.

Syria's reticence in this matter comes as no surprise. Over the past twenty years Syrian intransigence has obstructed the efforts of the international community to resolve the cases of both Arabs and Jews who have been held captive in Syria and in Lebanon under Syrian control. In particular, American efforts to secure the release of American citizen, and my former constituent, Zachary Baumel, have been repeatedly stymied by Damascus since his capture in a battle with Syrian forces in 1982.

The Hevers and the other MIA families have not given up hope that their loved ones will come home alive, nor should they. Given Syria's record of holding prisoners incommunicado for as long as twenty years before releasing them, it is not at all inconceivable that live Israelis are being held under Syrian tutelage.

Mr. Speaker, our government should be far more aggressive in demanding the release of Israel's missing men. Israel, the only true democracy in the Middle East, is our closest ally in that region. In 1991, when Americans were held hostage in Lebanon, Israel went to extraordinary lengths to help secure the release of those hostages. As Syria and others in the region who have benefitted from American aid and military assistance equivocate as to whether to assist America in its war on international terror, Israel has always been by our side. Israel's steadfast reliability as an ally should not be forgotten.

The time has come Mr. Speaker, to strike a blow at the hostage industry that Syria and its terrorist proxies have utilized so effectively against Israel and the West over the past twenty years. The events of September 11th have made it abundantly clear to Americans that yesterday's terror in Israel will become tomorrow's tragedy in America—unless we act. And if we allow Syria or other states to remain unaccountable for holding Israeli hostages, we are simply inviting more hostage taking in the Middle East and throughout the world. We cannot be complacent—if Elchanan Tannenbaum, an Israeli taken hostage by Hizbullah in October 2000, can be abducted from Europe, so can any American citizen. If Guy Hever, who was reportedly last seen near the Syrian border, can disappear off the face of the earth without a trace, so can any American traveling in the Middle East. Unless we act more forcefully, Zachary Baumel will not be the last American hostage to be held in Lebanon or Syria, and in the aftermath of September 11th, we will not be able to claim that it could not be foreseen.

Mr. Speaker, in 1999 I cosponsored HR 1175—A Bill to Locate and Secure the Release of Zachary Baumel an American Citizen and other Israeli Soldiers Missing in Action. The bill was passed by Congress and signed by President Clinton. But not enough has been done to ensure compliance with the legislation. H.R. 1175 is the law and it must be upheld. This June, as Syria assumes the rotating Presidency of the United Nations Security Council and Zachary Baumel marks the twentieth anniversary of his capture, I urge the President to stringently apply the provisions of H.R. 1175, which is now Public Law 106-89. I also call on my colleagues to support the Syrian Accountability Act, which will force Syria to end its role in the taking and holding of hostages. And I call on the leadership of this House to bring this bill to a vote.

At this time I also ask my colleagues to join me in support of Guy's parents Rina and Eitan, and Guy's twin siblings Shir and Or, who continue to turn over the world in search of information regarding Guy. Their nobility and determination during these five sleepless years of doubt and terror, should be matched by our own vigilance in enacting initiatives to deprive terrorists and their sponsors of this most cruel weapon of kidnaping. Guy Hever—Eifo Ata? (Where are you, in Hebrew.)

PAYING TRIBUTE TO WAYNE HARBERT

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 2002

Mr. McINNIS. Mr. Speaker, it is with a heavy heart that I take this opportunity to pay tribute to the life of Wayne Harbert. After 81 full years of life, Wayne finally succumbed after a long battle with a difficult illness. Wayne was not only a pillar of the Granby, Colorado community, but also embodied the pioneering spirit of my district. As his family mourns his loss, I think it is appropriate to remember Wayne and pay tribute to him for his contributions to his community.

Wayne was born in a sod house on the plains of Eastern Colorado in January of 1921. In 1942, Wayne left Colorado to join the Navy where he proudly served his country in World War II on several submarine missions. Wayne returned in 1944 on short leave and married his high school sweetheart, Marjorie. In his lifetime, Wayne was a rancher, proprietor of the local general store and equipment dealer, but one thing has remained the same—his work ethic and his gentle nature. No one knows this better than the family who survives him. Wayne was known as a loving husband, devoted father of two, and grandfather of two.

Wayne has long been known in his community as one always willing to give his time to a worthy cause. He was a member of the Middle Park Stockgrowers, the Colorado Hereford and Cattlemen's Association, the VFW, and the American Legion. In service to his community, Wayne gave his time to the Kiwanis Clubs and provided his leadership to the Granby Fire Department Board of Directors and as chairman of the Grand County Republicans. A true Coloradan, Wayne could often be found in the outdoors enjoying the splendor of our state snowmobiling, hunting, fishing, hiking, backpacking, and camping.

Mr. Speaker it is my privilege to bring the life of Wayne Harbert to the attention of this body of Congress. His journey from such humble beginnings, rising to become a pillar of the community, stands as example to us all. His dedication to his family, friends, work, and community certainly deserves recognition. Although Wayne has left us, his good-natured spirit lives on through the lives of those he touched. I would like to extend my thoughts and deepest sympathies to Wayne's family and friends during this difficult time.

HONORING PONTIAC NORTHERN HUSKIES

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 2002

Mr. KILDEE. Mr. Speaker, I rise today to congratulate the Huskies of Pontiac Northern High School, on winning the 2001–2002 Michigan High School Athletic Association Class A State boys basketball championship. The Huskies defended their 2000–2001 championship by defeating the Detroit Redford Huskies 66–58 in the final game, becoming the 15th team in state history to win consecutive titles.

It was certainly an exciting game that showcased some of the best talent the state of Michigan has to offer.

The Huskies are a true testament of what hard work, determination, and a passionate desire to win can accomplish. Under the guidance of Head Coach Robert Rogers and Assistant Coaches Craig Covington, Phillip Dada, Kevin James, and Tim Webb, the championship served as a wonderful finish to a remarkable year, marked with a tremendous record of 23–4.

The Huskies' roster includes: seniors Sean Moore, Dominique Hardiman, Derrick Ponder, David Stephens, Lester Abram, Debon Johnson; juniors Anthony Rogers, Bates Gay, Antonio Bones, Quan Dillahunty, James Smith, Mike Morris, Brian Abram; and sophomore John Cantrell. These young men, led by team captains Abram and Ponder, proved to be leaders in the classroom, the basketball court, and the community. They are all shining examples of the Pontiac School District's strong commitment to success in all aspects of life.

Mr. Speaker, I salute the accomplishments of the Northern Huskies, and share the joy of their victory with Northern students and alumni and especially the people of Pontiac. I ask my colleagues in the 107th Congress to join me in congratulating these fine gentlemen.

TRIBUTE TO COUNCILLOR BILL PIKE

HON. MARTIN T. MEEHAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 2002

Mr. MEEHAN. Mr. Speaker, I rise to pay tribute to Councillor Bill Pike for his lifetime contributions to the newspaper industry, the City of Haverhill and the Commonwealth of Massachusetts.

Councillor Bill Pike was a lifelong resident of Haverhill, Massachusetts, a highly respected political activist and a longtime newspaper reporter. Bill also served on countless boards, including a recent appointment by Governor Jane Swift to the Massachusetts Workforce Investment Board—a business-led, policy-setting board that oversees workforce development initiatives throughout Massachusetts.

Bill demonstrated his passion for the City of Haverhill through his participation in countless social, civic, religious, professional and political associations. He was an active member of St. James Parish, the Lodge of Elks and the American Legion. He also served as former Chairman of the Haverhill Republican City Committee and was an active Board Member of the Haverhill Boys Club.

He established a highly successful professional career as a newspaper reporter, working as a correspondent for the Boston Globe and a reporter for the Beverly Times, Manchester Union Leader and Haverhill Independent. He also dedicated 29 years of service to the Daily Evening Item in Lynn where he retired. He further demonstrated his love for the city by working as a former Editor of the Haverhill Gazette.

Bill is survived by his loving wife Patricia, his four sons William, Robert, Michael and Jeffrey, and his three daughters, Kathleen Jaggers, Elizabeth Shanahan and Sandra Faraci, as well as sixteen grandchildren and several nieces and nephews. Bill was truly a magnificent man who cared about his community. His memory will live in the minds and hearts of his loving family, and his legacy will leave the City of Haverhill a far better place.

A TRIBUTE TO JACK AND WENDY STEVENS

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 2002

Mr. FARR. Mr. Speaker, I rise today to honor two of my constituents on the occasion of their retirement. Jack and Wendy Stevens have given a combined total of more than fifty years of distinguished service to public education in Santa Cruz County. Jack has taught Sociology at Cabrillo College for thirty-four years, and served as Chair of the Social Sciences Division for a decade. Wendy has been a Special Education teacher for thirteen years, helping students with learning disabilities succeed in school. Jack and Wendy have loved their jobs and taught with dedication and devotion. They retire together this June, when they will also celebrate their thirty-sixth wedding anniversary.

After graduating Phi Beta Kappa from the University of Georgia, Jack moved to California, where he met Wendy, a native of Stockton and a San Jose University student. They fell in love and were married in June 1966. Jack then earned a Master's degree in Sociology at the University of California, and later served in the U.S. Army as a First Lieutenant. Upon completion of his service, Jack and Wendy relocated to Santa Cruz County, where he had received a job offer to teach at Cabrillo College.

Jack and Wendy have three sons, John, David, and Michael. After staying home with her children through their early childhood, Wendy began teaching as an aide, and subsequently earned her teacher's credentials. She presently teaches at Harbor High School, from which John, David, and Michael graduated.

Travel lovers, Jack and Wendy twice took sabbaticals to Europe with their children. They plan to continue traveling during their retirement, while maintaining their home in Santa Cruz and their cabin in the Idaho mountains. They also plan to visit extensively with their children and grandchildren in Idaho, Colorado and Washington, D.C. Jack and Wendy will also continue to be active participants in St. John's Episcopal Church in Capitola, where they are known for their compassion, sense of humor, and welcoming attitudes. Supportive of their friends in times of joy and of need, Jack and Wendy have opened their home for many community gatherings and holiday celebrations.

Jack and Wendy Stevens have dedicated their professional lives to education and public service. I offer them my deep appreciation for their years of service, and best wishes for their retirement.

PAYING TRIBUTE TO RICHARD BRUCE CROWELL

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 2002

Mr. McINNIS. Mr. Speaker, I would like to take this opportunity to pay tribute to the life and memory of Richard Bruce Crowell who recently passed away in Grand Junction, Colorado on April 26, 2002. Bruce, as he was commonly referred to, left a legacy of devotion and dedication that will be cherished by his community and loved ones. Grand Junction mourns the loss and celebrates the life of a wonderful citizen, father, grandfather, and husband.

Bruce's accomplishments and achievements exemplify his upstanding character. First, Bruce was an accomplished academic at the College of William and Mary and he accepted, with honor, the James Frederick Carr Memorial Cup for leadership and upstanding character. After completing his PH.D in English literature, he accepted the position as the assistant dean at the University of Arizona. Bruce later became the dean of Liberal Arts at the University of Wisconsin/Platteville, and concluded his accomplished academic career as a Professor of English Literature at Mesa State College. Next, Bruce became the assistant Minister of the First Congregational Church, and strengthened the community's spiritual foundation, deeply touching the lives of numerous children, family, and friends.

Mr. Speaker, Richard Bruce Crowell will be missed tremendously, and although we will grieve the loss of this incredible individual, we'll rejoice over a man of great character and conduct. I would like to express my condolences toward his family including, his son Richard, grandsons Daniel, and Ryan, daughter Nancy, and his beloved wife Frances. Bruce was a kind-hearted man, and he will be greatly missed.

FEDERAL DEPOSIT INSURANCE REFORM ACT OF 2002

SPEECH OF

HON. RICHARD H. BAKER

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 21, 2002

Mr. BAKER. Mr. Speaker, after considerable work and consideration by the Financial Services Committee, the House considered and passed FDIC reform legislation, H.R. 3717. 1 supported and voted for the bill; however, I am concerned about the potential effects of possible FDIC actions to develop and implement risk-based assessment standards under sections 4 and 7 of the legislation. My concern is that the FDIC may give excessive weight to Federal Home Loan Bank advances in the assessment process so that insured institutions with certain amounts or percentages of such advances would be classified as more risky and, therefore, pay higher deposit insurance premiums.

My concern arises from the FDIC's report on deposit insurance reform, issued in April 2001, which indicated that, under a risk-based assessment system, the FDIC could use a

sample risk ''scorecard'' that would result in institutions with increased amounts of FHLB advances paying higher risk-based insurance assessments.

In my opinion, the use by the FDIC of risk-based assessment authority in this way would be contrary to Congress' clear intent to broaden access to FHLB advances in the Gramm-Leach-Bliley Act of 1999. In the Gramm-Leach-Bliley Act, we wanted to ensure that community institutions and housing lenders would be able to obtain adequate, reasonably priced FHLB advances as a source of funds to serve the borrowing needs of their customers. Providing this source of liquidity may actually reduce risk. I would anticipate, should the FDIC place undue weight on FHLB advances for its risk-based assessment system, the agency will likewise account for the risks associated with depository institutions holding U.S. agency debt and securities.

As the principal House sponsor of the FHLB provisions in the Gramm-Leach-Bliley Act, I will follow very closely the FDIC's implementation of any new risk-based assessment standards to ensure such standards do not adversely affect the prudent use or cost of advances.

HONORING THE SAN LUIS OBISPO VOCAL ARTS ENSEMBLE

HON. LOIS CAPPS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 2002

Mrs. CAPPS. Mr. Speaker, I rise today to ask my colleagues to Join me in honoring the San Luis Obispo Vocal Arts Ensemble for the significant contributions their performances have made to the international community for a quarter of a century. This year marks the 25th Anniversary of the founding of this remarkable group. Their singing has created memorable experiences for countless listeners in America and around the globe.

Founded in 1977, the Vocal Arts Ensemble's first international concert was held in 1985 at Canterbury Cathedral. During this tour, the group was awarded third place at the Llangollen International Musical Eisteddfod in Wales. The group participated in a tour throughout Eastern Europe during which Ensemble members lived in the homes of Polish hosts for one week, gaining a greater insight into the lives of Eastern Europeans.

The San Luis Obispo Vocal Arts Ensemble was chosen by audition to be one of the world's finest choirs selected to represent their countries at the 35th Austrian Invitational Choral Competition. Out of eighty choirs from thirty different countries, the Vocal Arts Ensemble proudly placed fourth in this event.

The Vocal Arts Ensemble is comprised of singers throughout the San Luis Obispo County. Singers come from San Luis Obispo, Morro Bay, Creston, Paso Robles, Cambria, Santa Margarita, Atascadero, Santa Maria, Arroyo Grande, Grover Beach, Lompoc and Pismo Beach.

The San Luis Obispo Vocal Arts Ensemble has been funded in part by the California Arts Council and the National Endowment for the Arts. The California Arts Council Grant Evaluation and Selection Committee described the music of the Vocal Arts Ensemble as ''. . . truly superior and extremely fine quality.'' The Committee said the Ensemble's music demonstrated ''an extraordinary breadth of repertory, an eclectic variety of choral styles.'' On June I and 2, the Vocal Arts Ensemble performed music from the Renaissance to the present to commemorate their 25th Anniversary. I am proud to congratulate them on this remarkable record of achievement.

PAYING TRIBUTE TO KITTY ROBERTS

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 2002

Mr. McINNIS. Mr. Speaker, I would like to take this opportunity to pay tribute to Superintendent Kitty Roberts, who is an individual who has selflessly led efforts to establish rules and regulations, that we abide by today. I applaud Kitty's efforts, and it is an honor to recognize her as a thoughtful, upstanding citizen, who gives so selflessly to our nation.

Kitty spent eight years of her career as the National Park Service's Assistant Director, actively involved with legislative and Congressional affairs. Her leadership provided a boost to many legislative programs, and her administration successfully created 230 laws, 15 of which were enacted by Congress. Kitty moreover, served as the NPS inaugural coordinator and she supervised the development of the East Executive Park, White House Visitor's Entrance. Since she arrived at the National Park Service in 1979, Kitty has excelled in many areas, and provided all she worked with the pleasure of experiencing her excellence.

Kitty deservingly received the Andrew Clark Hecht Memorial Public Safety Achievements Award, because she was influential in informing boaters about the threat of carbon monoxide poisoning. She illustrates the upstanding character of an individual who reaches out to help the community. Since 1994, Kitty has been at the forefront in providing ideas and solutions on how to eradicate boating fatalities due to carbon monoxide poisoning, and she has worked diligently with the United States Congress, Coast Guard, and the National Parks Service, to successfully alert the nation of this problem. In paty because of her efforts, boating fatalities involving carbon monoxide have recently fallen. She illustrates the upstanding character of an individual who reaches out to help the community.

Mr. Speaker, it is with great pleasure that I praise the hard work and concern Kitty has exhibited in her work before this body of Congress, and this nation. Her attentiveness to many issues has helped enhance our communities and neighborhoods. Congratulations Kitty, thank you, and good luck in you future endeavors.

A TRIBUTE TO GRACE HAREWOOD

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 2002

Mr. TOWNS. Mr. Speaker, I rise today in recognition of Grace Agard Harewood, a remarkable woman in the senior citizen community, who is being honored at my Ecumenical Seniors Day.

Grace Agard Harewood was born in Barbados, West Indies, but pursued her education in the United States. Grace holds a Bachelor's degree in Sociology from Long Island University, and a Master's of Science Degree in Social Work from Columbia University.

Grace accomplishments do not cease with her educational pursuits, but extend into the senior community. In 1973 at the conception of the Fort Greene Senior Citizens Center, Ms. Harewood was appointed by the Fort Greene Senior Citizens Council to become the Director. She was later appointed to the position of Executive Director and Chief Operation Officer of the Council, where she is responsible for the supervision of senior centers, day care centers and a family day care program. Approximately 2500 elderly and children benefit from these programs.

Mr. Speaker, the woman that I am honoring today has been an exemplary example of leadership in the community, in which she has unselfishly extended a helping hand. Grace has served on numerous state commissions, including the Statewide Committee on Minority Participation in Aging Network Services and the Commission on Nutrition and Poverty. In 1981 she was a State Delegate to the White House Conference on Aging.

In addition to holding a number of positions, Grace is a member of the National Caucus on the Black Aged. She is a former member of the Board of Directors of the Council of Senior Centers and Services, and secretary of the Advisory Board for the Center for Nursing and Rehabilitation. She has also made historical strides to be one of the founding members of her high school association, the Harrison College/Queen's College Alumni (USA) Association.

Grace serves not only her neighborhood but her spiritual community as well. As a member of the St. Augustine's Episcopal Church, she serves as the Warden as well as a Lay Reader and Eucharistic Minister. I thank Grace for her diligence in serving the community and being a great leader. I am proud to honor her altruistic character this year at my Ecumenical Seniors Day.

NEWTON MINOW'S ''THE WHISPER OF AMERICA''

HON. HENRY J. HYDE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 2002

Mr. HYDE. Mr. Speaker, recently the former Chairman of the Federal Communications Commission, Newton Minow delivered the Morris I. Liebman lecture at Loyola University in Chicago.

Mr. Minow's address are entitled ''The Whisper of America,'' and is focused on the need for the United States to significantly increase the resources it devotes to international broadcasting.

I believe Mr. Minow makes a very thoughtful case for expanding our efforts in this area. In order that it may be available to a wider audience, and to call it to the attention of my colleagues, I ask unanimous consent that it be printed in the RECORD.

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

THE WHISPER OF AMERICA

In World War II, when the survival of freedom was still far from certain, the United States created a new international radio service, the Voice of America. On February 24, 1942, William Harlan Hale opened the German-language program with these words: ''Here speaks a voice from America. Every day at this time we will bring you the news of the war. The news may be good. The news may be bad. We will tell you the truth.''

My old boss, William Benton, came up with the idea of the Voice of America. He was then Assistant Secretary of State and would later become Senator from Connecticut. He was immensely proud of the Voice of America. One day he described the new VOA to RCA Chairman David Sarnoff, the tough-minded and passionate pioneer of American broadcasting. Sarnoff noticed how little electronic power and transmitter scope the VOA had via short-wave radio, then said, ''Benton, all you've got here is the whisper of America.''

Although The Voice of America, and later other international radio services, have made valuable contributions, our international broadcasting services suffer from miserly funding. In many areas of the world, they have seldom been more than a whisper. Today, when we most need to communicate our story, especially in the Middle East, our broadcasts are not even a whisper. People in every country know our music, our movies, our clothes, and our sports. But they do not know our freedom or our values or our democracy.

I want to talk with you about how and why this happened, and what we must do about it.

First, some history:

At first, the Voice of America was part of the Office of War Information. When the war ended, the VOA was transferred to the Department of State. With the beginning of the Cold War, officials within the government began to debate the core mission of the VOA: Was it to be a professional impartial news service serving as an example of press freedom to the world? Or was it an instrument of U.S. foreign policy, a strategic weapon to be employed against those we fight? What is the line between news and propaganda? Should our broadcasts advocate America's values—or should they provide neutral, objective journalism?

That debate has never been resolved, only recast for each succeeding generation. In August 1953, for example, our government concluded that whatever the VOA was or would be, it should not be part of the State Department. So we established the United states Information Agency, and the VOA became its single largest operation.

A few years ago, Congress decided that all our international broadcasts were to be governed by a bi-partisan board appointed by the President, with the Secretary of State as an ex-officio member.

This includes other U.S. international broadcast services which were born in the Cold War, the so-called ''Freedom Radios.'' The first was Radio Free Europe, established in 1949 as a non-profit, non-governmental private corporation to broadcast news and information to East Europeans behind the Iron Curtain. The second was Radio Liberty, created in 1951 to broadcast similar programming to the citizens of Russia and the Soviet republics. Both Radio Free Europe and Radio Liberty were secretly funded by the Central Intelligence Agency, a fact not known to the American public until 1967, when the New York Times first reported the connection. The immediate result of the story was a huge controversy, because the radios had for years solicited donations from the public through an advertising campaign known as the Crusade for Freedom. Such secrecy, critics argued, undermined the very message of democratic openness the stations were intended to convey in their broadcasts to the closed, totalitarian regimes of the East.

In 1971, Congress terminated CIA funding for the stations and provided for their continued existence by open appropriations. The stations survived and contributed to American strategy in the Cold War. That strategy was simple: to persuade and convince the leaders and people of the communist bloc that freedom was better than dictatorship, that free enterprise was better than central planning, and that no country could survive if it did not respect human rights and the rule of law. Broadcasting into regimes where travel was severely restricted, where all incoming mail was censored, and all internal media were tools of state propaganda, Radio Free Europe and Radio Liberty communicated two messages that conventional weapons never could—doubt about the present and hope for the future.

They did so against repeated efforts by Soviet and East European secret police to sabotage their broadcast facilities, to create friction between the stations and their lost governments, and even to murder the stations' personnel. In 1962, I personally witnessed an effort by Soviet delegates to an international communication conference in Geneva to eliminate our broadcasts to Eastern Europe. Because I was then Chairman of the Federal Communications Commission, the Soviets assumed I was in charge of these broadcasts. I explained that although this was not my department, I thought we should double the broadcasts.

Listening to the radios' evening broadcasts became a standard ritual throughout Russia and Eastern Europe. Moscow, no matter how hard it tried, could not successfully jam the transmissions. As a result, communism had to face a public that every year knew more about its lies. In his 1970 Nobel Prize speech, Aleksander Solzhenitsyn said of Radio Liberty, ''If we learn anything about events in our own country, it's from there.'' When the Berlin Wall fell, and soon after the Soviet Union crumbled, Lech Walesa was asked about the significance of Radio Free Europe to the Polish democracy movement. He replied, ''Where would the Earth be without the sun?''

Radio Free Europe and Radio Liberty continue to broadcast, from headquarters in downtown Prague, at the invitation of Valclav Havel. The studios are not guarded by tanks in the street to protect against terrorists.

With very little money, Congress authorized several new services: Radio Free Asia, Radio Free Iraq, Radio Free Iran, Radio and TVA Marti, Radio Democracy Africa, and World net, a television service that broadcasts a daily block of American news. After 9/11, Congress approved funding for a new Radio Free Afghanistan. What most people don't know is that this service is not new—Congress authorized funds for Radio Free Afghanistan first in 1985, when the country was under Soviet domination. Even the service was minimal—one half-hour a day of news in the Dari and Pashto languages. When the Soviets withdrew, we mistakenly thought the service was no longer needed. We dismantled it as the country plunged into chaos. We are finally beginning to correct mistakes with a smart new service in the Middle East called ''The New Station for the New Generation.''

Indeed, as the Cold War wound down, we forgot its most potent lesson: that totalitarianism was defeated not with missiles, tanks and carriers, but with ideas—and that words can be weapons. Even though the Voice of America had earned the trust and respect of listeners for its accuracy and fairness, our government starved our international broadcasts. Many of the resources that had once been given to public diplomacy—to explaining ourselves and our values to the world—were eliminated. In the Middle East, particularly, American broadcasting is not even a whisper. An Arab-language radio service is operated by Voice of America, but its budget is tiny and its audience tinier—only about 1 to 2 percent of Arabs ever listen to it. Among those under the age of 30—60 percent of the population in the region—virtually no one listens.

As we fell mute in the Cold War's aftermath, other voices grew in influence.

AL JAZEERA

In the past few months, Westerners began to learn about Al Jazeera as a source of anti-American tirades by Muslim extremists and as the favored news outlet of both Osama bin Laden and the Taliban. The service had its beginnings in 1995, when the BBC withdrew from a joint venture with Saudi-owned Orbit Communications that had provided news on a Middle East channel. The BBC and the Saudi government clashed over editorial judgments, and the business relationship fell apart. Into the breach stepped a big fan of CNN, Qatar's Emir, Sheikh Hamed bin Khalifa Al Thani. He admired CNN's satellite technology and decided to bankroll a Middle East satellite network with a small budget. He hired most of the BBC's anchors, editors and technicians, and Al Jazeera was born. Jazeera means ''the peninsula'' in Arabic, and the name is fitting. Just as Qatar is a peninsula, the station's programming protrudes conspicuously into the world of state-controlled broadcasting in the Middle East. Several commentators, including many Arabs, have sharply criticized the service for being unprofessional and biased. CNN and Al Jazeera had a dispute this year and terminated their cooperative relationship.

Well before September 11, Al Jazeera had managed to anger most of the governments in its own region. Libya withdrew its ambassador from Qatar when Al Jazeera broadcast an interview with a critic of the Libyan government. Tunisia's ambassador complained to the Qatari foreign ministry about a program accusing Tunisia of violating human rights. Kuwait complained after a program criticized Kuwait's relations with Iraq. In Saudi Arabia, officials called for a ''political fatwa'' prohibiting Saudis from appearing on any Al Jazeera programming. In March 2001, Yasser Arafat closed Al Jazeera's West Bank news bureau, complaining of an offensive depiction of Arafat in a documentary. Algeria shut off electricity to prevent its citizens from watching Al Jazeera's programs. Other countries deny Al Jazeera's reporters entry visas.

And of course, our own country has plenty to complain about Al Jazeera.

Al Jazeera came to our notice first because a 1998 interview with Osama bin Laden called upon Muslims to ''target all Americans.'' Al Jazeera broadcast the tape many times. As the only network with an office in Afghanistan, Al Jazeera was the only one the Taliban allowed to broadcast from the country. On October 7, 2001, the network's Kabul office received a videotape message from Osama bin Laden, which it transmitted around the world. Hiding in caves, Osama could still speak to the world in a voice louder than ours because we allowed our story to be told by our enemies.

Forty years ago, I accompanied President Kennedy on a tour of our space program facilities. He asked me why it was so important to launch a communications satellite. I

said, ''Mr. President, unlike other rocket launches, this one will not send a man into space, but it will send ideas. And ideas last longer than people do.'' I never dreamed that the ideas millions of people receive every day would come from Al Jazerra.

THE GLOBAL MEDIA MARKETPLACE

Whatever one thinks of Al Jazeera, it teaches an important lesson: The global marketplace of news and information is no longer dominated by the United States. Our own government, because it has no outlet of its own in the area, is looking into buying commercial time on Al Jazeera to get America's anti-terrorism message out. And because of privatization and deregulation in the international satellite business, a huge number of Americans now have direct access to Al Jazeera through the EchoStar satellite service.

The point is simply this: Whether the message is one of hate or peace, in the globalized communications environment it is impossible either to silence those who send the message, or stop those who want to receive it. Satellites have no respect for national borders. Satellites surmount walls. Like Joshua's Trumpet, satellite blow walls down.

That was the last lesson of the Cold War. In Beijing, the Chinese government would not begin its brutal sweep through Tianamen Square until it thought the world's video cameras were out of range. In Manila, Warsaw and Bucharest, dissenters first captured the television station—the Electronic Bastille of modern revolutions. In Prague, a classic urban rebellion became a revolution through television. The Romanian revolution was not won until television showed pictures of the Ceaucescus' corpses and scenes of rebels controlling the square in Bucharest. In the final days of the Soviet Union, the August 1991 coup against President Mikhail Gorbachev failed when video of the supposedly ill president was broadcast by satellite around the world. Those satellites, Gorbachev later said, ''prevented the triumph of dictatorship.'' Now, we have the newer technologies of the internet and e-mail—technologies the Voice of America and the Freedom Radios use with enthusiasm without adequate support.

What we have failed to realize is that the last lesson of the Cold War is also the first lesson of the new global information age. We live now in a world where we are the long superpower, and the target of envy and resentment not just in the Middle East but elsewhere. Terror is now the weapon of choice.

But if you believe we are only in a war against terrorism, you are only half-right. Nation-states can sponsor terrorism and provide cover to terrorists, but the war against terrorism is asymmetric. This is my friend Don Rumsfeld's favorite word—asymmetric. This means that war is not waged by a state against another state per se, but against an ideology. Think of the campaign of the past few moths. The enemy has been a band of religious zealots and the Al-Qaida terrorists they harbor, not the people of Afghanistan. President Bush has been emphatic and effective on this point, as have Prime Minister Tony Blair and other world leaders.

Asymmetry also refers to the strategies and tactics used by those who cannot compete in a conventional war. In an asymmetric war, it is not enough to have Air Forces to command the skies, Navies to roam the seas, or Armies to control mountain passes. Although the Cold War led to staggering advances in military technology to win the battles, there is not a corresponding change in our government's use of communications technology to win the peace.

Asymmetry, in other words, is not limited to what happens on the battlefield. While U.S. Special Operations forces in Afghanistan use laptops and satellites and sophisticated wireless telecommunications to guide pilots flying bombing missions from aircraft carriers in the Arabian Sea, we still use obsolete, clumsy and primitive methods, such as short-wave radio, to communicate to the people.

Here is another incongruity: American marketing talent is successfully selling Madonna's music, Pepsi Cola and Coca Cola, Michael Jordan's shoes and McDonald's hamburgers around the world. Our film television and computer software industries dominate their markets worldwide. Yet, the United Stats government has tried to get its message of freedom and democracy out to the 1 billion Muslims in the world and can't seem to do it. How is it that America, a nation founded on ideas—not religion or race or ethnicity or clan—cannot explain itself to the world?

In the months since September 11, Americans have been surprised to learn of the deep and bitter resentment that much of the Muslim world feels toward us. Our situation is not just a public relations problem. Anyone who has traveled the world knows that much anti-American sentiment springs from disagreements with some of our economic and foreign policies. Our support of authoritarian regimes in the Muslim world has not endeared us to the people who live there. And there is no more poisonous imagery than that of Palestinians and Israelis locked in mortal and what seems to be never-ending combat.

Still, the United States has an important story to tell, the story of human striving for freedom, democracy and opportunity. Since the end of the Cold War, we have failed to tell that story to a world waiting to hear it on the radio and see it on television. We have failed to use the power of ideas.

Within days of the Taliban's flight from Kabul, television was back on the air in the country. The Taliban had not only banned television broadcasts, but confiscated and destroyed thousands of TV sets. They hung the smashed husks of TV sets on light poles, along with videocassettes and musical instruments, as a warning to anyone who might try to break the regime's reign of ignorance. And yet no sooner were the Taliban driven from the city than hundreds of TV sets appeared from nowhere. Even in the midst of a totalitarian, theocratic regime, there had been a thriving underground market for news and information. Television antennas were quickly hung outside of windows and on rooftops. The antennas are like periscopes, enabling those inside to see what is happening outside.

Where were we when those people needed us? Where were we when Al Jazeera went on the air? It was as if we put on our own self-created burka and disappeared from sight. The voices of America, the voices of freedom, were not even a whisper.

THE NEW CHALLENGE

I believe the United States must re-commit itself to public diplomacy—to explaining and advocating our values to the world. As Tom Friedman put it in his New York Times column not long ago: ''It is no easy trick to lose a PR war to two mass murderers—(Osama bin Laden and Saddam Hussein) but we've been doing just that lately. It is not enough for the White House to label them 'evildoers.' We have to take the PR war right to them, just like the real one.''

There are two leaders of both parties who need our support in this fight for aggressive, vigorous public diplomacy. Illinois Republican Congressman Henry Hyde, chairman of the House International Relations Committee, wants to strengthen the Voice of America and the many Freedom Radio services that broadcast from Cuba to Afghanistan. Democratic Senator Joseph Biden, Chairman of the Senate Foreign Relations Committee, is on the same page. He has developed legislation known as ''Initiative 911'' to give special emphasis to more programming for the entire Muslim world, from Nigeria to Indonesia. In November, Congress finally set aside $30 million to launch a new Middle East radio network. The AM and FM broadcasts (not short wave) will offer pop music—American and Arabic—along with a mix of current events and talk shows. The proposal to fund Radio Free Afghanistan is for $27.5 million this year and next, and will allow about 12 hours a day of broadcasting into the country. The goal is to make our ideas clear not just to leaders in the Muslin world, but to those in the street, and particularly the young, many of whom are uneducated and desperately poor, and among whom hostility toward the United States is very high.

These efforts are late and, in my view, too timid. They are tactical, not strategic. They are smart, not visionary. The cost of putting Radio Free Afghanistan on the air and underwriting its annual budget, for example, is less than even one Commanche helicopter. We have many hundreds of helicopters which we need to destroy tyranny, but they are insufficient to secure freedom. In an asymmetric war, we must also fight on the idea front.

Bob Schieffer put the issue well not long ago on CBS' ''Face the Nation'': ''The real enemy is not Osama, it is the ignorance that breeds the hatred that fuels his cause.'' This is what we have to change. I realized what an enormous job that was going to be the other day when I heard a young Pakistani student tell an interviewer that everyone in his school knew that Israel was behind the attacks on the Twin Towers and everyone in his school knew all the Jews who worked there and stayed home that day.

What we have all come to realize now is that a large part of the world not only misunderstands us but is teaching its children to hate us. Steve Forbes, who once headed the Broadcasting Board of Governors, put the issue even more bluntly: ''Washington should cease its petty, penny-minded approach to our international radios and give them the resources and capable personnel to do the job that so badly needs to be done right. . . . What are we waiting for?''

THE PROPOSAL

What are we waiting for? I suggest three simple proposals. First, define a clear strategic mission and vision for U.S. international broadcasting. Second, provide the financial resources to get the job done. Third, use the unique talent that the United States has—all of it—to communicate that vision to the world.

First, and above all, U.S. international broadcasting should be unapologetically proud to advocate freedom and democracy in the world. There is no inconsistency in reporting the news accurately while also advocating America's values. The real issue is whether we will carry the debate on the meaning of freedom to places on the globe, where open debate is unknown and freedom has no seed. Does anyone seriously believe that the twin goals of providing solid journalism and undermining tyranny are incompatible? As a people, Americans have always been committed to the proposition that these goals go hand in hand. As the leader of the free world, it is time for us to do what's right—to speak of idealism, sacrifice and the nurturing of values essential to human freedom—and to speak in a bold, clear voice.

Second, if we are to do that, we will need to put our money where our mouths are not.

We now spend more than a billion dollars each day for the Department of Defense. Results in the war on terrorism demonstrate that this is money well invested in our national security.

Whatever Don Rumsfeld says he needs should be provided by the Congress with pride in the extraordinary service his imaginative leadership is giving our country. As President Bush has proposed, we will need to increase the defense budget. When we do, let's compare what we need to spend on the Voice of America and the Freedom Radio services with what we need to spend on defense. Our international broadcasting efforts amount to less than two-tenths of one percent of Defense expenditures. Al Jazeera was started with an initial budget of less than $30 million a year. Now Al Jazeera reaches some 40 million men, women and children every day, at a cost of pennies per viewer every month.

Congress should hold hearings now to decide what we should spend to get our message of freedom, democracy and peace into the non-democratic and authoritarian regions of the world. One suggestion is to consider a relationship between what we spend on defense with what we spend on communication. For example, should we spend 10 percent of what we spend on defense for communication? That would be $33 billion a year. Too much. Should we spend 1 percent? That would be $3.3 billion, and that seems about right to me—one dollar to launch ideas for every $10 we invest to launch bombs. This would be about six times more than we invest now in international communications. We must establish a ratio sufficient to our need to inform and persuade others of the values of freedom and democracy. More importantly, we should seek a ratio sufficient to lessen our need for bombs.

Third, throwing money alone at the problem will not do the job. We need to use all of the communications talent we have at our disposal. This job is not only for journalists. As important as balanced news and public affairs programming are to our public diplomacy mission, the fact is that we are now in a global information marketplace. An American news source, even a highly professional one like the VOA, is not necessarily persuasive in a market of shouting, often deceitful and hateful voices. Telling the truth in a persuasive, convincing way is not propaganda. Churchill's and Roosevelt's words—''never was so much owed by so many to so few''—''The only thing we have to fear is fear itself''—were as powerful as a thousand guns.

When Colin Powell chose advertising executive Charlotte Beers as Under Secretary of State for public diplomacy and public affairs, some journalists sneered. You cannot peddle freedom as you would cars and shampoo, went the refrain. That is undoubtedly so, and Beers has several times said as much herself. But you can't peddle freedom if no one is listening, and Charlotte Beers is a master at getting people to listen—and to communicate in terms people understand.

So was another visionary in this business, Bill Benton. Before he served as Assistant Secretary of State, Benton had been a founding partner in one of the country's largest and most successful advertising firms, Benton and Bowles. To win the information war, we will need the Bentons and Beers of this world every bit as much as we will need the journalists. We have the smartest, most talented, and most creative people in the world in our communications industries—in radio, television, film, newspapers, magazines, advertising, publishing, public relations, marketing. These men and women want to help their country, and will volunteer eagerly to help get our message across. One of the first people we should enlist is a West Point graduate named Bill Roedy, who is President of MTV Networks International. His enterprise reaches one billion people in 18 languages in 164 countries. Eight out of ten MTV viewers live outside the United States. He can teach us a lot about how to tell our story.

In 1945, a few years after the VOA first went on the air, the newly founded United Nations had 51 members. Today it has 189. In the last decade alone, more than 20 countries have been added to the globe, many of them former Soviet republics, but not all. Some of these new countries, as with the Balkan example, have been cut bloodily from the fabric of ethnic and religious hatred. Some of these countries are nominally democratic, but many—especially in Central Asia—are authoritarian regimes. Some are also deeply unstable, and thus pose a threat not only to their neighbors, but to the free world. Afghanistan, we discovered too late, is a concern not only to its region, but to all of us.

In virtually every case, those whose rule is based on an ideology of hate have understood better than we have the power of ideas and the power of communicating ideas. The bloodshed in the Balkans began with hate radio blaring from Zagreb and Belgrade, and hate radio is still common in the region today. The murder of 2 million Hutus and Tutsis in central Africa could not have happened but for the urging of madmen with broadcast towers at their disposal. The same has been true of ethnic violence in India and Pakistan.

I saw this first hand in the Cuban Missile Crisis of 1962. President Kennedy asked me to organize eight American commercial radio stations to carry the Voice of America to Cuba because the VOA was shut out by Soviet jamming. We succeeded, and President Kennedy's speeches were heard in Spanish in Cuba at the height of the crisis. As we kept the destroyers and missiles out of Cuba, we got the Voice of America in because we had enough power to surmount the jamming. On that occasion, our American broadcasts were more than a whisper.

Last spring—well before the events of September 11—Illinois Congressman Henry Hyde put the need eloquently. I quote him: ''During the last several years it has been argued that our broadcasting services have done their job so well that they are no longer needed. This argument assumes that the great battle of the 20th century, the long struggle for the soul of the world, is over: that the forces of freedom and democracy have won. But the argument is terribly shortsighted. It ignores the people of China and Cuba, of Vietnam and Burma, of Iraq and Iran and Sudan and North Korea and now Russia. It ignores the fragility of freedom and the difficulty of building and keeping democracy. And it ignores the resilience of evil.''

Fifty-eight years ago, Albert Einstein returned from a day of sailing to find a group of reporters waiting for him at the shore. The reporters told him that the United States had dropped an atomic bomb on Hiroshima, wiping out the city. Einstein shook his head and said, ''Everything in the world has changed except the way we think.''

On September 11 everything changed except the way we think. It is hard to change the way we think. But we know that ideas last longer than people do, and that two important ideas of the 20th century are now in direct competition: the ideas of mass communication and mass destruction. The great question of our time is whether we will be wise enough to use one to avoid the other.

HONORING BUNNY AND JERRY FRANKEL FOR THEIR CONTRIBUTIONS TO THE HOLLIS HILLS JEWISH CENTER

HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 2002

Mr. ACKERMAN. Mr. Speaker, I want to ask the House to join me in recognizing Bunny and Jerry Frankel. Bunny and Jerry represent a true New York mixed marriage: She's from the Bronx, he's from Brooklyn and, for the sake of *shalom bayit* (peace in the home), they reside in Queens.

For the past twenty-eight years they have given unstintingly of themselves to the Hollis Hills Jewish Center and the Jewish community in Queens. Currently, Bunny is serving her second term as Administrative Vice President of the Center. Previously, she served for fourteen years as the synagogue's executive director and during those years, thanks to her expertise and her tireless work, the Center has flourished.

In addition to her extraordinary business sense and management skills, Bunny's insight, sensitivity and gracious personality made her especially effective in dealing with the many people needed to keep the Center operating: clergy, officers, trustees, committee chairpersons, professional staff, assorted *machers* and *yentas,* and synagogue members at large. Bunny always found ways to enable each of them make their own unique contribution to the synagogue.

With Jerry's constant support, insight and encouragement, Bunny has been a calm, cool leader with a special gift for problem resolution. And all of these contributions have been made while they were raising three extremely active, bright children, their twin daughters, Sheryl and Wanda, and their son, Scott. All three have gone on to become leaders in their own respective professions of marketing, education, and computer technology.

To note all of Bunny's incredible achievements for the Hollis Hills Jewish Center is impossible—the list is endless. But just to begin, it would have to include implementing superior budgetary controls; facilitating synagogue programs; organizing, tracking and managing all of the many fund raising activities, like the Dinner Dance, the Goods and Service Auction, the Bazaar and the Art Auction, among others; writing grants; administering personnel procedures and policies; negotiating vendor contracts; and supervising the office staff.

Bunny has been responsible for administering every aspect of the Center. For the religious school, Bunny interviewed staff, helped plan and coordinate programs, such as consecration, graduation, Purim carnivals, religious science fairs, high school seminars, and out-of-state trips for teens; and arranged for housing, transportation and touring. She coordinated all the committees, the nursery school, the summer camp, the junior congregation, the nursery parent rap groups, the college outreach, the adult education programs, the Holocaust Torah Scroll renewal, the *Selichot* service, the Sukkah-mobile, the lunch-and-learn sessions, the blood drives, the Russian clothing and food drives, the singles program, the groundbreaking ceremony, the room rental requests, and the list goes on and on.

Bunny's track record of creativity and competence brought her to the attention of the National Association of Synagogue Administrators. At their national conferences, Bunny delivered papers and led seminars which earned her a national reputation for professional excellence.

Following her employment in the synagogue, Bunny went on to work for State Senator Leonard Stavisky as head of his administrative staff. After two years of exciting work in government service, Bunny was invited to join the Solomon Schechter School of Queens as its executive director. In short order, Bunny revolutionized the administration and management of the flagship day school of the Conservative Movement.

As a citizen Bunny has not neglected her civic responsibilities. She is an active member of the Franklin D. Roosevelt Democratic Association of Queens where she has served in numerous executive board committee positions, including two terms as president. Currently , she is chairperson of the board.

Jerry is a longtime member of the executive board of the FDR Association where he has served as vice president of programming and is currently vice president of administration.

Jerry's work in the community is beautifully represented by his service as a docent at the Ridder Museum in Roslyn, where some of his own masterworks in the art of miniaturization have been displayed to the general public.

Jerry have given freely and fully of his time to the Center in his own capacity as a caring, committed Center member who has impacted powerfully on the good work of the *Bikur Cholim* Committee and other committees as well as serving as in-house videographer for countless Center programs.

Mr. Speaker, Bunny and Jerry Frankel are a model American couple who have provided exemplary service to the Hollis Hills Jewish Center and the Jewish community in Queens. I know the whole House of Representatives joins me in thanking them for their years of dedication and commitment.

TRIBUTE TO ERNANI C. FALCONE

HON. CHARLES A. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 2002

Mr. GONZALEZ. Mr. Speaker, I rise today in honor of a man of conviction and honor, Ernani C. Falcone. Regretfully, Ernani Falcone passed away on Monday, May 13, 2002, but his strong, booming voice that always embraced the downtrodden and defended democratic ideals, will resonate with us forever.

Ernani, who many affectionately called ''Nani'', was many things at once, both a commander and a warrior; both a dedicated Democratic leader respected by the political elite, and a champion of the little guy; both a revered member of the San Antonio community and an activist who fought for local environmental preservation. He was colorful, charismatic, controversial, and always willing to stand up against special interests. San Antonio Mayor Ed Garza said of ''Nani'' who was a close friend and advisor, ''He often spoke in a loud roar, but he did so thinking with his big heart.''

A native Philadelphian by birth, but a Texan by nature, Ernani was a graduate of Princeton University who always made a point of challenging the status quo and on occasion, unleashing a devilish laugh. He gained widespread recognition when, 10 years ago, he began positioning himself at the center of all major policy debates in San Antonio.

Ernani's political career began in Delaware County, a Philadelphia suburb, where he was the chair of the Delaware Democratic Party for 12 years. In 1987, he moved his family south, where he embroiled himself in Texas politics. Brash and flamboyant, he took San Antonio politics by the reins—becoming the founder of the Northwest Neighborhood Alliance and president of the Braun Station West Community Improvement Association.

A lover of nature, Ernani helped develop San Antonio's 1996 tree-preservation ordinance and later fought to make the ordinance stronger. It is difficult to think of someone who has worked harder, and with more devotion, to protect the environment of our ever growing city. Ernani was the kind of guy who, facing a city of growing skyscrapers, would notice even the smallest trees.

Most recently, Ernani was serving on a technical advisory committee that monitored revisions of San Antonio's Unified Development Code and was a member of the Zoning Commission. He never gave up. When decisions were being made that affected the San Antonio people that he loved so much, Ernani was there. Dressed flamboyantly in his bright shirts and ties that matched his personality, he was never a silent bystander.

It would be unwise, and perhaps impossible to forget Ernani Falcone. More than a president, commissioner, founder, or educator, he was an apotheosis for all politicians. He came to San Antonio with a bang, and the memory of his humanitarianism will not leave quietly. I stand here today to bid a farewell to ''Nani'' for all to hear. It is a fitting way to say goodbye.

HONORING DEPUTY SHERIFF DENNIS PHELPS

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 2002

Mr. RADANOVICH. Mr. Speaker, I rise today in memory of Fresno County Deputy Sheriff Dennis Phelps. Deputy Phelps was killed in the line of duty on May 19, 2002.

Dennis was born in Leon, Iowa, on October 11, 1954. His family moved to Fresno, California, where he graduated from McLane High School in 1972.

Deputy Phelps began his career in law enforcement in the early 1980s as a special guard/bailiff assigned to the courts in Fresno County. After some time away from the department, he returned as a reserve deputy sheriff in June of 1999. He was hired as a full-time peace officer on October 30, 2000. Deputy Phelps successfully completed field training and was promoted to Deputy Sheriff Two on January 7, 2002. Dennis was Deputy Sheriff on Patrol of the Northeast Field Services.

In this time of unyielding resolve in our support of those who protect our nation both internally and externally, I offer my deepest sympathy and heartfelt appreciation to Deputy Phelps' wife, Dana, and children, Nicole and Kenny. I also thank the Fresno County Sheriff's Department for the services they provide and extend my condolences to them as they grieve the loss of their colleague. Deputy Phelps is a hero for his service and his sacrifice and we honor him for both.

Mr. Speaker, I rise today in memory of Deputy Sheriff Dennis Phelps. I invite my colleagues to join me in a moment of silence and in honoring Deputy Phelps for his service to the community.

TRIBUTE TO CEDAR INTERNATIONAL FELLOWSHIP

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 2002

Mr. TOWNS. Mr. Speaker, I rise today to pay tribute to the Cedar International Fellowship, of Brooklyn New York, and the visionary whose efforts have made this whole endeavor possible, Reverend Robert L.A. Reaves.

In the fall of 2001, while at the Cedar of Lebanon Baptist Church, located at 220 Hegeman Avenue, Brooklyn, New York, Reverend Reaves conducted a meeting for the express purpose of organizing a new church. On November 17, 2001, with the purpose of equipping the new church for the perfecting of saints for the work of the ministry, Reverend Reaves organized a church growth symposium at the Seaview Diner.

The new church was born on January 26, 2002, at 400 Thatford Avenue, in Brooklyn. Reverend Reaves resigned his position in the old Cedar Church, and assumed the role of founder and Senior Pastor of the new church, which was to be called the Cedar International Fellowship. The first worship service, attended by 108 members as well as by numerous visitors, was held on February 3, 2002. The spirituality of this ecstatic service reached such a peak, that the members joyously proclaimed: ''Thus Saith the Lord, I will also take off the highest branch of the high cedar, and will set it; I will crop off from the top of his young twigs a tender one, and will plant it upon a high mountain.''

But this was not a one-time occurrence. The International Fellowship has been described as a place ''where the worshipers worship and the word comes alive.'' It focuses on Evangelism through the expository preaching of the word of God and the discipling of its members. Subsequently, the Church's vision statement is ''winning one to win one to win another.'' This atmosphere of outreach has caused the Church's membership to multiply to the extent that, only several months after its inception, the Church can now boast of having 1000 members.

Therefore, I urge my colleagues to recognize the achievements of Reverend Reaves and the Cedar International Fellowship Church.

A PROCLAMATION RECOGNIZING LUCAS JEFFREY CIFRANIC

HON. ROBERT W. NEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 2002

Mr. NEY. Mr. Speaker,

Whereas, Lucas Jeffrey Cifranic has devoted himself to serving others through his membership in the Boy Scouts of America Troop 811; and

Whereas, Lucas Jeffrey Cifranic has shared his time and talent with the community; and

Whereas, Lucas Jeffrey Cifranic has demonstrated a commitment to meet challenges with enthusiasm, confidence and outstanding service; and

Whereas, Lucas Jeffrey Cifranic must be commended for the hard work and dedication he put forth in earning the Eagle Scout Award;

Therefore, I join with the entire 18th Congressional District of Ohio in congratulating Lucas Jeffrey Cifranic for his Eagle Scout Award.

CONGRESS HALL IN CAPE MAY, NEW JERSEY

HON. FRANK A. LoBIONDO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 2002

Mr. LoBIONDO. Mr. Speaker, I rise today to recognize the reopening of Congress Hall, a very special historic landmark in Cape May, New Jersey.

Opened in 1816, Congress Hall was originally built by Thomas Hughes as a boarding house for summer visitors to the Cape May area. The house was a success and, in 1828, when Hughes was elected to Congress, it was renamed Congress Hall in his honor. An 1878 fire destroyed the Hall but within a year it was rebuilt.

As the hotel and its surrounding city became more popular, it attracted an even more diverse stream of visitors. Presidents Ulysses S. Grant, Franklin Pierce and James Buchanan all chose to vacation here. President Benjamin Harrison deemed Congress Hall his ''summer White House.'' Composer John Phillip Sousa conducted concerts on the lawn of the Hall and, in 1882, composed the ''Congress Hall March.''

Closed during the Great Depression and reopened after the end of the Second World War, it seemed that the days of Congress Hall and the grandeur it had been associated with had passed. From 1968 until 1995, Congress Hall was protected from demolition when it became the home of the Cape May Bible Conference led by Reverend Carl McIntire. Then, in 1995, the property was purchased and prepared for extensive renovation.

Today, Congress Hall is reopened, recalling its original splendor, fit for Presidents, dignitaries and visitors the world over. I am pleased to claim Congress Hall as part of my Congressional District's proud history and welcome a new generation of vacationers to visit the historic hotel. Best wishes to all the people involved with Congress Hall and to the citizens of Cape May as they celebrate this special milestone in their community's history.

THE SPOKANE TRIBE OF INDIANS OF THE SPOKANE RESERVATION GRAND COULEE DAM EQUITABLE COMPENSATION SETTLEMENT ACT

HON. GEORGE R. NETHERCUTT, JR.

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 2002

Mr. NETHERCUTT. Mr. Speaker, I am honored today to introduce legislation that will provide an equitable settlement of the meritorious claims of the Spokane Tribe of Indians concerning its contribution to the production of hydropower by the Grand Coulee Dam.

Similar settlement legislation was enacted in 1994 to compensate the neighboring Confederated Colville Tribes as a consequence of the Grand Coulee Dam. That legislation, P.L. 103–436, provided for a $53 million lump sum payment for past damages and roughly $15 million annually from the ongoing proceeds from the sale of hydropower by the Bonneville Power Administration. The Spokane settlement legislation, which I am introducing today, would provide a settlement of the Spokane Tribe of Indians claims directly proportional to the settlement afforded the Colville Tribes based upon the percentage of lands appropriated from the respective tribes for the Grand Coulee Project, or approximately 39.4 percent of the past and future compensation awarded the Colville Tribes pursuant to the 1994 legislation. Though the proposed Spokane settlement is proportionately less, the losses sustained by the Spokane Tribe are substantially the same as those sustained by the Colville Tribes and arise from the same actions of the United States Government. The difference being that the Spokane Tribe lost its entire salmon fishery, the base of its economy.

Grand Coulee Dam is the largest concrete dam in the world, the largest electricity producer in the United States, and the third largest electricity producer in the world. It produces four times more electricity than Hoover Dam on the Colorado River and is three times its size. Grand Coulee is one mile in width; its spillway is twice the height of Niagara Falls. It provides electricity and water to one of the world's largest irrigation projects, the one million acre Columbia Basin Project. The Grand Coulee Project is the backbone of the Northwest's federal power grid and agricultural economy.

For more than half a century, the Grand Coulee Project has produced enormous revenues for the United States Government and brought prosperity to the Pacific Northwest. The construction of the dam and the electricity it produced, helped pull the Northwest out of the Great Depression. It provided electricity to the aluminum plants that built the air force that helped to defeat Germany and Japan in World War II.

To the Spokane Tribe of Indians, however, the dam is a monument to the destruction of their way of life. The Dam flooded their reservation on two sides. The Spokane River—the ancestral umbilical cord to Spokane existence and the heart of their reservation—was changed from a free flowing waterway that supported plentiful salmon runs, to barren slack water that now erodes away the southern lands of the Reservation with every change in the reservoir level. The enormous benefits that accrued to the Nation and the Northwest were made possible by uncompensated and irreparable injury to the Native Americans of the Columbia and Spokane Rivers.

From 1927 to 1931, at the direction of Congress, the U.S. Army Corps of Engineers investigated the Columbia River and its tributaries. In its report to Congress, the Corps identified a number of potential sites and recommended the Grand Coulee site for hydroelectric development by either the State of Washington or private concerns. Shortly thereafter, the Columbia River Commission, an agency of the State of Washington applied for and, in August 1933, was granted a preliminary permit from the Federal Power Commission for the water power development of the Grand Coulee site. However, on November 1, 1933, Harold Ickes, Secretary of the Interior and Director of Public Works Administration, federalized the project under the National Industrial Recovery Act of 1933. Excavation for the dam commenced on December 13, 1933. However, its legal authorization was in question and Congress reauthorized the Dam in the Rivers and Harbors Act of 1935. In 1940, very belatedly and inadequately (at the urging of the Department of the Interior), Congress did enact a statute to authorize the Secretary of the Interior to designate whichever Indian lands he deemed necessary for Grand Coulee construction and to receive all rights, title and interest the Indians had in them in return for his appraisal of its value and payment of compensation by the Secretary. The only land that was appraised and supposedly compensated for was the newly flooded lands. Pursuant to this legislation, 54 Stat. 703 (1940), the Spokane Tribe received the grand total of $4,700. There is no evidence that the Department advised or that Congress knew that the Tribes' water rights were not extinguished. Nor had the Indian title and trust status of the Tribal land underlying the river beds been extinguished. No compensation was included for the power value contributed by the use of the Tribal resources nor the loss of the Tribal fisheries or other damages to tribal resources.

Although the Department of the Interior and other federal officials were well aware of the flooding of Indian trust lands and other severe impacts the Grand Coulee Project would have on the fishery and other critical resources of the Spokane and Colville Tribes, no mention was made of these impacts or the need to compensate the Tribes in either the 1933 or 1935 authorizations. Federal inter-departmental and intra-office correspondence of the Department of the Interior from September 1933 thru October 1934 clearly demonstrate that the Federal government knew that the Colville and Spokane Tribes should be compensated for the flooding of their lands, destruction of their fishery and other resources, destruction of their property and annual compensation from power production for the use of the Tribes' land and water resources contributing to such power production. As pointed out in a 1976 Opinion of Lawrence Aschenbrenner, the Acting Associate Solicitor, Division of Indian Affairs, Department of the Interior:

> The 1940 act followed seven years of construction during which farm lands, and timber lands were flooded, and a fishery destroyed, and during which Congress was silent as to the Indian interests affected by

the construction. Both the Congress and the Department of the Interior appeared to proceed with the Grand Coulee project as if there were no Indians involved there.

. . . . .

The Department correspondence and memoranda on the subject of Indian rights apparently came to an abrupt halt [after 1934]. There is no tangible evidence, currently available, to indicate that the Department ever consulted with the tribes during the 1933–1940 period concerning the ongoing destruction of their land and resources and proposed compensation therefore.''

The Opinion goes on to point out:

It is our conclusion that the location of the dams on tribal land and the use of the water for power production, without compensation, violated the Government's fiduciary duty toward the Tribes.

. . . . .

The situation at hand involves a conflict-of-interest on the part of the Department of the Interior. . . . The Department of the Interior has responsibility for protecting the Tribes' Winters Rights [water rights] as well as its property rights in the bed of the river. Recognizing the value of the river as a power production and irrigation site, the Department of the Interior . . . has used this land and the water for its own purposes, without ensuring that consideration and benefit from the development of those resources flowed to the Tribes who own part of them. The case fits squarely into the reasoning of Manchester Band, Navajo Tribe and Pyramid Lake cases, where ''. . . a fiduciary who learns of an opportunity, prevents the beneficiary from getting it, and seizes it for himself.'' (Citations omitted)

. . . . .

Throughout the construction, the Department's apparent failure to communicate with the Tribes concerning their land and water rights is appalling. No case law grants executive agencies authority to unilaterally abrogate Indian rights. [T]he posture of the Department can be described not as . . . an exercise of guardianship, but an act of confiscation.'' (Citations omitted).

Why did the 1994 Colville settlement legislation not also include a settlement of the claims of the Spokane Tribe of Indians? The Colville settlement legislation ratified a settlement agreement reached between the United States and the Colville Tribes to settle the claims of the Tribes to a share of the hydropower revenues from the Grand Coulee Dam. This claim was among the claims which the Colville Tribes filed with the Indian Claims Commission (ICC) under the Act of August 13, 1946 (60 Stat. 1049) and later transferred to the U.S. Court of Claims. Pursuant to that Act, there was a five year statute of limitations to file claims before the Commission which expired August 13, 1951. Prior to the statute of limitations deadline, the Colville Tribes had already been formally organized with a functioning tribal government for more than 15 years. The Spokane Tribe, however, did not formally organize and receive approval of its constitution until June 27, 1951—only 16 days prior to the ICC statute of limitations deadline. The Tribe's attempt to retain legal counsel to file its claims before the ICC was delayed due to the then Commissioner of Indian Affairs, Dillion Meyer's efforts to impose restrictive conditions on attorney contracts with the tribes nationwide. While these conditions were subsequently repudiated by the Secretary of the Interior, significant and precious time had elapsed and the Tribe's legal counsel was left with insufficient time to fully investigate the full range of potential claims of the Tribe prior to the filing deadline. Additionally, the ICC Act imposed a duty on the Bureau of Indian Affairs to apprise the various tribes of the provisions of the Act and the need to file claims before the Commission. While the BIA was well aware of the potential claims of the Spokane Tribe to a portion of the hydropower revenues generated by Grand Coulee, there is no evidence that the BIA ever advised the Tribe of such claims. As stated in the testimony of the Assistant Secretary for Indian Affairs, concerning the 1994 Colville Settlement legislation: ''Over the next several years the Federal Government moved ahead with the construction of the Grand Coulee Dam, but somehow the promise that the Tribe would share in the benefits produced by it was not fulfilled.''

In 1974 the Solicitor of the Department of the Interior issued an Opinion which concluded, among other things, that the Spokane and Colville Tribes each retained ownership of the lands underlying the Columbia River and, in the case of the Spokane Tribe, the lands underlying the Spokane River. The Opinion suggested that the resource interests of the Tribes were being utilized in the production of hydroelectric power at Grand Coulee.

In 1976, in response to this Opinion, the Senate Appropriations Committee directed the Secretary of the Interior and the Secretary of the Army to ''open discussions with the Tribes to determine what, if any, interest the Tribes have in such production of power, and to explore ways in which the Tribes might benefit from any interest so determined.'' (S. Rept. 94–505 at 79). A technical team was subsequently composed of representatives of various federal agencies, BPA and the Tribes. On May 7, 1979, the Solicitor for the Department of the Interior forwarded to OMB a lengthy memorandum proposing legislative resolution of the claims of both the Colville Tribes and Spokane Tribe. However, no further action occurred.

When the Colville settlement legislation was moving forward in 1994, the Spokane Tribe pressed for an amendment to waive the statute of limitations and allow the Spokane Tribe to seek just and equitable compensation resulting from the construction of the Grand Coulee Dam. Fearful that the Spokane Tribe's efforts might delay and jeopardize final enactment of the Colville settlement legislation, the Colville Tribes and others requested that the Spokane Tribe defer its efforts to seek settlement of its claims. The Spokane Tribe honored that request. During the joint House and Senate hearings on the Colville legislation, the Assistant Secretary for Indian Affairs did commit in her testimony that she would study the merits of the Spokane claim. The day after the hearings, the Solicitor of the Department committed the Department to examine, independent of the Colville Bill, the Spokane Tribe's claims. The House Resources Committee Report accompanying the Colville legislation stated that the Spokane claim was ''identical in many respects'' to the harm suffered by the Colville Tribes. The Committee noted ''that the Spokane Tribe has a moral claim and requests that the Department of the Interior and the Department of Justice work with the Spokane Tribe to develop a means to address the Spokane's claim.'' In the Senate, Senators INOUYE, Bradley, MURRAY, MCCAIN and Hatfield joined in a colloquy expressing their concern that the claims of the Spokane Tribe should be addressed and urged the Administrative agencies to work with the Spokane Tribe to resolve the Tribe's claims.

Following a subsequent commitment from Associate Attorney General, John R. Schmidt, that the Department and other federal agencies would undertake an ''earnest'' and ''fair evaluation'' of the Tribe's claims, the Tribe committed a great deal of time, resources and funding to fully research and document its claims. By late 1995, the Tribe was prepared to formally request that the Interior and Justice Departments establish a federal ''negotiating team''. In a meeting with Interior Department officials in December 1995, Tribal representatives were astounded when they were advised that the Tribe should return to Congress and renew the Tribe's request for a waiver of the statute of limitations.

On July 9, 1996, Senators MURRAY, MCCAIN, INOUYE, Bradley and I sent a letter to Secretary Bruce Babbitt stating the federal/tribal negotiations urged by Congress in 1994 were not predicated on the Tribe's first obtaining a waiver of the statute of limitations; that the requirement for such an undertaking was ''totally contrary to the understanding of the Tribe and to the direction of Congress''; and urged that the Interior Department ''proceed as soon as possible to negotiate with the Tribe on its power value and fishing claims as previously directed by Congress.'' Unfortunately, viable and equitable settlement negotiations have not materialized.

Enactment of settlement legislation addressing the meritorious claims of a Tribe, claims otherwise barred by a statute of limitations, is neither new or precedent setting. There is ample precedent for Congressional recognition of the moral claims of Indian tribes and provision of appropriate compensation. Several tribes within the Missouri River Basin suffered very significant damage because of inundation of reservation bottom lands through construction of the Pick-Sloan Project dams. In recognition of these damages, Congress has provided substantial compensation to the Affiliated Tribes of the Fort Berthold Reservation and the Standing Rock Sioux Tribe (P.L. 102–575), the Crow Creek Sioux Tribe (P.L. 104–233), and the Lower Brule Sioux Tribe (P.L. 105–132). Compensatory legislation for the Cheyenne River Sioux Tribe (S. 964) and the Santee Sioux and Yankton Sioux Tribes (S. 1148) are currently pending before this Congress and are expected to move through the Senate Committee on Indian Affairs shortly.

The Federal Government, by its own admission, had a conflict of interest and blatantly breached its fiduciary trust responsibility to the Spokane Tribe. Having breached that trust by converting the Tribe's resources to its own benefit, it also failed to advise the Tribe in a timely manner of its potential claims and frustrated and critically delayed the Tribe's attempt to secure independent legal counsel to research and file such claims. Now, it seeks to avoid fair and honorable negotiations with the Tribe it betrayed because the Tribe failed to timely file its claims before the expiration of the statute of limitations. As quoted by the Assistant Secretary for Indian Affairs in her testimony on the Colville settlement legislation:

. . . I am reminded of the words of Justice Black . . . in litigation about another dam flooding the lands of another tribe's territory: ''Great nations, like great men, should keep their word.'' When the Congress enacts

and the President signs this legislation, we can all be proud that we are, at last, acting as a great nation should.

I urge my colleagues to keep the word of our Nation and act expeditiously and favorably on this legislation as it proceeds through the Congress.

CODEL WELDON, OBSERVATIONS AND DIRECTION

HON. SOLOMON P. ORTIZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 2002

Mr. ORTIZ. Mr. Speaker, I rise to join my colleagues tonight to talk about what we have seen in a part of the world that has vexed American policy makers for generations.

First I want to commend Chairman WELDON for his high-energy, unyielding approach to seeing as much as possible on these delegation trips. Our focus is always on bringing back information that will enlighten and inform U.S. policy makers, both in the Congress and in the Administration.

At this difficult moment in the world, our trip was a good opportunity to speak to our legislative colleagues in the Russian Duma. We arrived in Moscow in the wake of the historic signing of the strategic arms reduction treaty by Presidents Bush and Putin. While we were there, NATO nations met in Rome to agree to limited membership for Russian in NATO, India and Pakistan danced dangerously close to a nuclear confrontation, the cycle of violence continued between the Israelis and the Palestinians, and the war on terrorism continued in Afghanistan. So there was a great deal on our plate with which to deal.

We last went to Russia in September 2001, after the attacks on the United States and after the war began, and came away with a real partnership with many of our colleagues in the Russian Duma. We began then to talk about areas of commonality through which members of our respective legislatures (the U.S. Congress and the Russian Duma) could work. In our last visit, we presented a document entitled: ''U.S.-Russia Partnership.''

In our visit this time around, we were told that our document's recommendations were the basis for the Russian initiatives presented to President Bush during his recent visit in Russia. Discussions in Russia generally followed concerns such as: combating international terrorism, using academics and science to address political problems, joint environmental—and economic—efforts, and engaging young people of both countries in issues of mutual interest (such as sports and cultural events).

Russia is an important strategic partner for the United States and for NATO. After entering the 21st Century through columns of fire, our relationship with Russia is on a considerably stronger foundation. For the first time, there is mutual agreement on goals and values, and on a shared vision for the security threats we both face in this world.

When we met with Uzbekistani President Karimov, I was impressed with the geopolitical environment of the region. He, too, supported Chairman WELDON'S proposal to establish a joint U.S. Congress-Uzbek parliamentary working group, based on the success of the U.S. Congress-Duma work of last year.

The best part of being in Uzbekistan was seeing the satisfaction on the faces of the young men and women serving in support of Operation Enduring Freedom in Afghanistan. They are the ones carrying our battle to our enemies, and they are gung-ho about their mission. We got a good deal of intelligence on the ground—literally—intelligence about the daily activities of our troops and how they see their jobs every day. We had the privilege of distributing homemade cookies baked by people here at home for these brave men and women. They very much enjoyed the special gifts from home.

As always, I saw a host of Texans stationed in Uzbekistan doing then-duty for the United States, including Specialist Harwig from Corpus Christi, Texas.

We also went to Beijing, China, to talk with senior officials about a host of defense-related and economic-related topics. With China, as always, the topic of Taiwan was paramount in the minds of the Chinese. They continually expressed the importance of the ''one-China'' policy. We emphasized the wide breath of things on which the United States and China agree, and urged both nations to find agreement rather than disagreement.

Several members of our delegation surmised that the issue of Taiwan will diminish as a divisive issue over time due to the large—and increasing—investment by Taiwan interests in mainland China.

India and Pakistan are adjoining neighbors, and the nuclear saber-rattling in the subcontinent is unnerving all the nations of the world . . . most noticeably the Chinese. Both nations are China's neighbors, and they continue to hope the difference over Kashmir can be solved peacefully. This is no place for a hair-trigger on a nuclear weapon.

The CODEL also met with members of the government of the Republic of Korea (ROK, South Korea) and thanked the ROK for their prompt and significant support for the United States after 9–11. The ROK stepped up quickly to support our war against the Taliban and al Queda in Afghanistan, providing shipping, aircraft and a field hospital to support U.S. operations in the area.

We were particularly disappointed that the North Koreans refused to meet with us. The ROK, we were told by the foreign ministry, continues to talk of peace with North Korea, but the pace of discussions was extraordinarily slow.

Chiefly, discussions with the ROK centered on trade, U.S. forces in Korea in the DMZ, our war on terrorism, political and military stability on the Korean Peninsula, and the strong desire—on their part—for reunification. We even had significant discussions about internet voting in the ROK, ''E'' government initiatives, and the digital divide in the ROK.

There are also a number of Texans serving in uniform as we visited the Demilitarized Zone (DMZ). The DMZ never ceases to amaze me . . . it stands as a tribute to the standoff between ideologies along the Pacific Rim, and on the south side of it is the best reason for the conflict in the first place: democracy and free commerce in the highly developed south, with the north side practicing communism and starving their citizens and their economy.

Our trip proved, once again, the importance of going beyond our borders to see first hand, and hear first hand, the particular situations in the nations of our friends and those whom we hope to make our friends.

HONORING FLINT POWERS CATHOLIC CHARGERS

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 2002

Mr. KILDEE. Mr. Speaker, I rise today to congratulate the Chargers of Flint Powers Catholic High School, on winning the 2001–2002 Michigan High School Athletic Association Class B State girls basketball championship. The Chargers defended their 2000–2001 championship in a repeat of last year's final game, defeating the Detroit Country Day Yellowjackets 54–53. It was certainly an exciting game that showcased some of the best talent the state of Michigan has to offer.

The Chargers are a true testament of what hard work, determination, and a passionate desire to win can accomplish. Under the guidance of 26-year Head Coach Kathy McGee, and Assistant Coaches Brad Terebinski, Betsy Kreston, and Kae Edison, the championship served as a wonderful finish to a remarkable year, marked with a perfect record of 28–0. In addition, the Michigan High School Coaches Association named Coach McGee Women's Basketball Coach of the Year.

The Chargers' roster includes: seniors Rachael Carney, Rebekah Sirna, Ellen Tomek; juniors Brittney Brindley, Elizabeth Flemming, Jessica Guilbault, Michelle Landaal, Victoria Lucas-Perry, Shannon Rettenmund, Ann Skufca; sophomores Erin Carney, Lauren Goggins, Maddison Snow; and freshmen Tia Duncan, Cari Pigott. These young women, led by team captains Carney, Lucas-Perry, and Tomek, proved to be leaders in the classroom, the basketball court, and the community. They are all shining examples of the Lansing Diocese's strong commitment to success in all aspects of life.

Mr. Speaker, I salute the accomplishments of the Powers Chargers, and share the joy of their victory with Powers students and alumni and especially the people in my hometown of Flint. I ask my colleagues in the 107th Congress to join me in congratulating these fine ladies.

MOURNING THE LOSS OF HALA SALAAM MAKSOUD

HON. NICK J. RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 2002

Mr. RAHALL. Mr. Speaker, a memorial service honoring the work and achievements of Hala Salaam Maksoud will be held on Wednesday, June 5 at Georgetown University. Hala Maksoud was a great champion for civil rights and human rights. It was truly a sad day on Friday, April 26, 2002, when she lost her hard-fought battle with cancer.

Hala Maksoud was a passionate and vital advocate for Arab American concerns. As president of the American-Arab Anti-Discrimination Committee (ADC) from 1996–2001, she helped propel the concerns of Arab Americans

to the forefront of our national debates. She led ADC in combating defamation and negative stereotyping of Arab Americans in the media and wherever else it is practiced. Her commitment to defending the rights of Arab Americans and promoting Arab-American cultural heritage was not only visionary but necessary. I would like to share with my colleagues the ADC Press Release mourning the loss of Hala Salaam Maksoud.

[From ADC Press Release, Apr. 26, 2002.]

ADC MOURNS LOSS OF HALA SALAAM MAKSOUD

It is with a profound sense of loss and sadness that the Board of Directors and the national office staff of the American-Arab Anti-Discrimination Committee (ADC) mourn the passing of Dr. Hala Salaam Maksoud, who died today after a long illness. Funeral arrangements will be announced by the family after they are finalized.

One of the most influential and important leaders in ADC's history, Dr. Maksoud served as ADC President from 1996 to 2001. Dr. Maksoud had been actively involved with ADC since its inception in 1980, and was a member of the Executive Committee of the Board of Directors for many years.

Dr. Maksoud held a Ph.D. in political theory and an M.A. in government from Georgetown University, and an M.A. in mathematics from the American University of Beirut. She taught courses at George Mason University and at Georgetown. In addition to her academic career, Dr. Maksoud was a prominent Arab-American leader and participated in the founding of several organizations, including the American Committee on Jerusalem, the Association of Arab-American University Graduates, and the Arab Women's Council. Dr. Maksoud was a nationally recognized advocate of civil and human rights, and was the recipient of a lifetime achievement award from the American Immigration Law Foundation in March 2002.

Dr. Maksoud is survived by her husband, Dr. Clovis Maksoud, former Ambassador of the League of Arab States to the United States and the United Nations, and current professor of international relations at American University.

ADC President Ziad Asali said ''this is a devastating loss for the entire Arab-American community, as well as for me personally. Hala was a visionary leader who charted a path to empowerment we will be following for many years to come. Her extraordinary command of politics was matched by exceptional compassion and a genuine commitment to human rights. She had a remarkable ability to communicate effectively with and inspire people of very different cultural and political backgrounds and across lines of religion and social class. Leaders of Hala's caliber are exceedingly rare and we shall miss her guidance and wise counsel. Our task now at ADC is to try to live up to the standard she set for us all.''

FISCAL YEAR 2003 NATIONAL DEFENSE AUTHORIZATION ACT, PART IV

HON. PETER A. DeFAZIO

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 2002

Mr. DeFAZIO Mr. Speaker, today I rise to conclude my remarks about H.R. 4546, the fiscal year 2003 Department of Defense authorization act. As I outlined previously, H.R. 4546 continues to fund, to the tune of hundreds of billions of dollars, weapons that have little or no relevance to the threats our nation faces in the 21 st century.

My previous remarks detailed the amendments I offered to eliminate or reform the Crusader artillery system, the Comanche helicopter and the F–22 Raptor fighter jet program.

I want to switch gears a little bit and move away from my concerns about unnecessary weapons systems. I'd like to conclude my remarks on the defense authorization bill by focusing on the most solemn obligation of Congress, our constitutional powers to decide issues of war and peace,

The final amendment I offered to H.R. 4546 was a ''Sense of Congress'' amendment relating to congressional war powers under the U.S. Constitution. This was a bipartisan amendment I offered with Representative Ron Paul of Texas.

Our amendment was in response to the public musings of members of the Bush Administration about where the United States should project our military force next in the campaign against terrorism. Iraq is the most talked about target, but several other countries have been mentioned as well.

I am concerned that the Administration believes it can wage war anywhere, at any time, for any reason, at any cost. The executive branch seems to forget that the sole authority to declare war is reserved under the U.S. Constitution for Congress.

The amendment I drafted noted that the U.S. Constitution grants Congress the power ''to declare war,'' to lay and collect taxes to ''provide for the common defense'' and general welfare of the United States, to ''raise and support armies,'' to ''provide and maintain a navy,'' to ''make rules for the regulation for the land and naval forces,'' to ''provide for calling forth the militia to execute the laws of the Union, suppress insurrections and repel invasions,'' to ''provide for organizing, arming, and disciplining, the militia,'' and to ''make all laws necessary and proper for carrying into execution . . . all . . . powers vested by this Constitution in the Government of the United States.'' Congress is also given exclusive power over the purse. The Constitution says, ''No money shall be drawn from the Treasury but in consequence of appropriations made by law,''

By contrast, the war powers granted to the executive branch through the President are limited to naming the President ''commander-in-chief'' of the armed forces. While this means the President conducts the day-to-day operations of a given military campaign, the President does not have the authority to send U.S. troops into hostile situations without prior approval from Congress.

This right was recognized by the earliest leaders of our nation. In 1793, President George Washington, when considering how to protect inhabitants of the American frontier, instructed his Administration that ''no offensive expedition of importance can be undertaken until after [Congress] have deliberated upon the subject, and authorized such a measure.''

In 1801, President Thomas Jefferson sent a small squadron of frigates to the Mediterranean to protect against possible attacks by the Barbary powers. He told Congress that he was ''unauthorized by the Constitution, without the sanction of Congress, to go beyond the line of defense.'' He further noted that it was up to Congress to authorize ''measures of offense also.''

John Jay, generally supportive of executive power, warned in Federalist paper number four that ''absolute monarchs will often make war when their nations are to get nothing by it, but for purposes and objects merely personal, such as a thirst for military glory, revenge of personal affronts, ambition, or private compacts to aggrandize or support their particular families or partisans. These and a variety of other motives, which affect only the mind of the sovereign, often lead him to engage in wars not sanctified by justice or the voice and interests of his people.''

Henry Clay said, ''A declaration of war is the highest and most awful exercise of sovereignty. The convention which framed our Federal constitution had learned from the pages of history that it had been often and greatly abused. It had seen that war had often been commenced upon the most trifling pretexts; that it had been frequently waged to establish or exclude a dynasty; to snatch a crown from the head of one potentate and place it upon the head of another; that it had often been prosecuted to promote alien and other interests than those of the nation whose chief had proclaimed it, as in the case of English wars for Hanoverian interests; and, in short, that such a vast and tremendous power ought not to be confined to the perilous exercise of one single man . . . Congress, then in our system of government, is the sole depository of that tremendous power.''

During congressional consideration of a war with Mexico, Daniel Webster said, ''It must be admitted to be the clear intent of the constitution that no foreign war would exist without the assent of Congress. This was meant as a restraint on the Executive power.'' He went on to say, ''If we do not maintain this doctrine; if it is not so—if Congress, in whom the war-making power is expressly made to reside, is to have no voice in the declaration or continuance or war; if it is not to judge of the propriety of beginning or carrying it on—then we depart at once, and broadly, from the Constitution.''

Abraham Lincoln outlined the rationale for placing the war-making power in the Congress. He wrote to a friend, ''Kings had always been involving and impoverishing their people in wars, pretending generally, if not always, that the good of the people was the object. This our convention [U.S. Constitutional Convention] understood to be the most oppressive of all kingly oppressions, and they resolved to so frame the constitution that no man should hold the power of bringing this oppression upon us.''

Senator Robert LaFollette made a similar point during the floor debate on whether to enter World War I. He said, ''We all know from the debates which took place in the constitutional convention why it was that the constitution was so framed as to vest in the Congress the entire war-making power. The framers of the Constitution knew that to give to one man that power meant danger to the rights and liberties of the people. They knew that it mattered not whether you call the man king or emperor, czar or president, to put into his hands the power of making war or peace meant despotism. It meant that the people would be called upon to wage wars in which they had no interest or to which they might

even be opposed. It meant secret diplomacy and secret treaties. It meant that in those things, most vital to the lives and welfare of the people, they would have nothing to say.''

While early presidents deferred to Congress, later presidents have latched on to the fact that the Constitution declares the president commander-in-chief of the armed forces to justify their use of the military without prior authorization from Congress. This led Congress to enact the War Powers Resolution of 1973 to further clarify that the solemn duty to decide when to send U.S. troops into hostilities belonged to Congress.

According to Section 2(c) of the War Powers Resolution the President can introduce U.S. forces into hostile situations ''only pursuant to (1) a declaration of war, (2) specific statutory authorization, or (3) a national emergency created by attack upon the United States, its territories or possessions, or its Armed Forces.''

In the aftermath of the terrorist attacks on September 11, 2001, Congress approved a resolution authorizing President Bush to take action against the parties responsible for the heinous attacks. However, the authorization was limited in scope.

Specifically, the joint resolution stated:

''That the President is authorized to use all necessary and appropriate force against those nations, organizations or persons he determines planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001, or harbored such organizations or persons, in order to prevent any future acts of international terrorism against the United States by such nations, organizations or persons.''

In other words, Congress only authorized the President to take action against those responsible for the horrific attacks of September 11, 2001. The President must have compelling evidence of the complicity of another nation in the September 11 attacks in order to use the U.S. military to take action against that nation. Absent such evidence, the President would be required under the Constitution to come back to Congress seeking an additional authorization of force resolution before expanding the military campaign.

This interpretation was confirmed by Mr. Louis Fisher, Senior Specialist in Separation of Powers at the Congressional Research Service, who recently testified before the Senate Judiciary Committee that ''military operations against countries other than Afghanistan can be appropriately initiated only with additional authorization from Congress.''

It is critical, as a representative democracy, that profound decisions on war and peace rest with the branch closest to the people—the legislative branch.

The amendment I offered with Representative PAUL was intended to send the message that the President has a constitutional obligation to return to Congress to seek authorization before expanding the military campaign against terrorism. Unfortunately, the Rules Committee refused to allow a discussion on this, one of the most difficult and solemn issues that confronts our nation.

Mr. Speaker, I am disappointed that my Republican colleagues were unwilling to go on record in support of the DeFazio-Paul amendment, which was intended to defend congressional war powers from encroachment by the executive branch.

THE POWER OF STEEL

HON. HEATHER WILSON

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 2002

Mrs. WILSON of New Mexico. Mr. Speaker, today is a heartfelt day for people from one of the most historic neighborhoods in my district. They are involved in something very special this morning in New York City. The Sacred Heart Roman Catholic Church, where as many as 800 people meet weekly to worship and give thanks, is in Barelas, one of Albuquerque's oldest neighborhoods. In the 1970's the church, including two prominent bell towers, was razed because the structure was unsound. Parishioners then moved across the street, into the existing Church gymnasium. The bells were lost until recently, when one was found in somebody's backyard.

Now that one of those bells has reappeared, the Parish and members of the community hope to once again sound the bells throughout Barelas.

This need and an inspired idea were the beginning of a wonderful journey that has brought together the people of New Mexico and the citizens of New York.

Leaders in the community asked Archbishop Michael Sheehan and others, including me, to ask the City of New York for two steel beams from the World Trade Center. Those beams, the hope was, would be incorporated into the design of the new bell tower in a manner that would respect and remember the terrible terrorist attacks against our country the morning of September 11, 2001.

A delegation from New Mexico, including Father Moore, John Garcia, Sosimo Padilla, Stan Tinker, and a member of my staff, are in New York this morning at Ground Zero. They are meeting with construction workers to pick up two 20-foot beams, remnants of the World Trade Towers and very generous gifts from the people of the City of New York. Father Moore will bless the beams for their safe journey to a new beginning.

Those bells rang when World War II ended. They rang for weddings and funerals. They rang every Sunday morning over the City of Albuquerque to call people to worship. We are pleased in Albuquerque and thankful to the people of New York that the bell towers will be rebuilt and the bells will ring again. They will ring as a call to prayer, and they will now ring in remembrance.

We saw the face of evil on September 11th. And in the aftermath, we saw the depth of America's goodness and a return to simple faith. We are a strong, loving people and a faithful people. New Mexico will rebuild this bell tower and remember. This bell tower will remind us and call us to worship for many years to come.

President Bush said that terrorism cannot dent the steel of American resolve. I agree. These beams, this parish, this community, represent the strength of our American character and all the best our Nation has to offer. I'm honored to be a part of this.

PERSONAL EXPLANATION

HON. JIM KOLBE

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 2002

Mr. KOLBE. Mr. Speaker, I was absent during the votes of the following measures considered on May 15, 2002:

1. Final passage of H. Res. 420, allowing the House to consider a report from the Rules Committee on the same day it is presented to the House. Had I been present, I would have voted ''aye'' (#164).

2. On ordering the previous question for H. Res. 422, allowing the House to consider H.R. 4737 to reauthorize and improve the program of block grants to States for temporary assistance for needy families and improve access to quality child care. Had I been present, I would have voted ''aye'' (#165).

3. Final passage of H. Res. 422, allowing the House to consider H.R. 4737 to reauthorize and improve the program of block grants to States for temporary assistance for needy families and improve access to quality child care. Had I been present, I would have voted ''aye'' (#166).

PERSONAL EXPLANATION

HON. LUIS V. GUTIERREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 2002

Mr. GUTIERREZ. Mr. Speaker, I was briefly absent from this chamber on May 22, 2002 and missed voting on rollcall vote 196. I want the record to show that had I been present in this chamber, I would have voted ''yea'' on rollcall vote 196. Also, due to a family situation, I was unavoidably absent from this chamber on May 23, 2002 and I would like the record to show that had I been present in this chamber, I would have voted ''yea'' on rollcall vote 197, ''no'' on rollcall vote 198, ''yea'' on rollcall vote 199, ''yea'' on rollcall vote 200, ''yea'' on rollcall vote 201, ''yea'' on rollcall vote 202, ''no'' on rollcall vote 203, ''no'' on rollcall vote 204, ''yea'' on rollcall vote 205 and ''no'' on rollcall vote 206.

A TRIBUTE TO NANCY T. SUNSHINE

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 2002

Mr. TOWNS. Mr. Speaker, I am honored today to recognize Nancy T. Sunshine as she is inducted as president of the Brooklyn Bar Association. Her climb to the top of this association is a fine example for us all.

Currently, Ms. Clark is the Chief Clerk in the Appellate Term, Second Department, where she oversees the daily functions of the second, ninth, tenth, and eleventh judicial districts and is a confidential assistant to the Court. Among her responsibilities are long-term planning, budgeting, and personnel issues including interviewing candidates for non-judicial positions. Part of her professional success is attributable to the valuable experience that she

obtained working first as an Assistant District Attorney in New York County and later as a Principal Law Clerk to a Justice of the Supreme Court and the Associate Justice of the Appellate Term in Kings County.

In addition, Ms. Sunshine has been an active member in the Brooklyn Bar Association for seven years while simultaneously serving as a member of the New York Bar Association. Prior to becoming President of the Brooklyn Bar Association, she was recognized in 2001 by former Mayor Rudy Guiliani. He appointed her to his Advisory Committee on the Judiciary. Also, she has been honored with the Distinguished Service Award from the Brooklyn Bar Association. I know that she is an excellent person for this job.

Even with all this activism, Ms. Sunshine still maintains a full family life. She is married to Jeffrey S. Sunshine, the Acting Justice of Richmond County Supreme Court, with two daughters. I am glad to see that though her work and activities are demanding, she is still able to demonstrate the value and importance of family life. I commend her for her ability to achieve.

From the awards, to her public appointment, to her presidential induction, Ms. Sunshine is an all around achiever. I urge my colleagues to join me in honoring this truly remarkable Brooklynite.

HONORING ANTONIA PANTOJA

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 2002

Mr. RANGEL. Mr. Speaker, I rise today to honor and remember Dr. Antonia Pantoja, who died in New York on May 24th. As a central figure of the Puerto Rican Civil Rights Movement, Dr. Pantoja's kind heart and brilliant leadership will always be remembered.

Dr. Pantoja was born in 1922 to an impoverished Puerto Rican family. Though she spent much of her childhood hungry and diseased, Dr. Pantoja invested all her efforts in education and politics. She fought for a decent education and, in 1940, was accepted to the University of Puerto Rico. Two years later she received a degree in education and became a schoolteacher.

After teaching for a few years in Puerto Rico, Dr. Pantoja moved to New York City. Working as a welder in a lamp factory, Dr. Pantoja suffered racism against Puerto Ricans at its worst. To fight back, she spread information on civil rights and how to organize a union. From that point on she dedicated her life to empowering the Puerto Rican community through organization, leadership, and, above all, education.

Dr. Pantoja really did do what she set out to do. She completed a Bachelor's Degree of the Arts at Hunter College of New York, received a Masters of Social Work from Columbia, and was awarded Ph.D from the Union of Experimental Colleges and Universities in Yellow Springs, Ohio. Meanwhile, she founded a number of Puerto Rican-American organizations including ASPIRA, PRACA, and the National Puerto Rican Forum. She was responsible for the creation of the bilingual college, Universidad Boricua, and the Puerto Rican Research Center, each promoting youth education. In Puerto Rico, Dr. Pantoja set up PRODUCIR to help the rural community build up its economy.

In recognition of her outstanding contributions to Puerto Ricans, Dr. Pantoja received numerous awards. In addition to the Hispanic Heritage Award, the Julia de Burgos Award and the National Mujer Award, Dr. Pantoja received the Presidential Medal of Freedom, the highest civilian honor bestowed by the United States of America.

Dr. Antonia Pantoja truly was the highest example for the Puerto Rican community. As a model leader, she valued education, civil rights, and equality of opportunity. Her memory will live forever in respect and dignity.

A TRIBUTE TO BALTIMORE SUN REPORTER KAREN HOSLER: A GOOD JOURNALIST, A GOOD FRIEND

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 2002

Mr. HOYER. Mr. Speaker, I rise today to pay tribute to my friend, Karen Hosler, an outstanding reporter at the Baltimore Sun.

Over three decades, Karen has chronicled the political system from small town Maryland to the Nation's Capital, with the Sun as her outlet since 1977.

She and I have traveled through Maryland state and national politics together, although on different sides of the street as reporter and politician.

We both graduated from the University of Maryland, albeit a number of years apart.

After a short stint as a staffer on Capitol Hill, she began her career as a journalist covering county government and politics at a weekly newspaper in the Maryland suburbs of Washington, the Prince George's County News, shortly after my own career in politics had begun in that county as a state senator.

The first time that we met I was a little bit less than friendly to the new reporter at the Prince George's County News. I was frustrated by an unbalanced story written by her predecessor just before the election. But Karen held her ground and we embarked on a relationship based on respect for the other's role in the democratic process that eventually would become a friendship.

Three years later, she joined the staff of a historic daily newspaper in Maryland's capital city of Annapolis, the Capital. Karen covered state politics, including the governor and the state legislature, for the Capital from 1974 to 1977 which matched my election to the presidency of the Maryland State Senate in 1975.

She was always a tough interrogator of a politician. She asked the hard questions that we didn't always like to answer, but she always got it out of us. Karen asked not just what but why. She took her responsibility as a reporter very seriously and her readers were the better for it. They were better informed and better able to make judgments about their representatives, their government and its policies.

In 1977, Karen joined the Sun, one of our country's preeminent newspapers. She began at the Sun where she originally started her career—covering local government.

Two years later, she was back in Annapolis covering politics and state government.

In 1983, Karen moved from Annapolis politics to national politics—after four years on the state political beat, Karen was assigned to cover the Maryland congressional delegation on Capitol Hill. I had been elected to Congress in a special election two years before.

For the next twenty years, she reported from Washington for the Sun from numerous vantage points, while I worked hard to represent the Fifth Congressional District well, and our paths crossed often.

After five years of following the congressional delegation she moved to the White House. Five years later, in 1993, she was back on Capitol Hill as the national congressional correspondent. I was in my fourth year as Chairman of the Democratic Caucus.

In 1998 she became the acting Deputy Washington Bureau Chief directing national, international and Washington regional coverage until January 1999, when she returned to the national political beat.

Now, after thirty years of outstanding political reporting at all levels, Karen is leaving her friends and colleagues in Washington to join the Sun's editorial board in Baltimore.

Karen will bring to the Editorial Board a perspective shaped by three decades of observation and analysis of every level of government.

Thomas Jefferson, who both used the press to proselytize and suffered under opponents' vicious attacks delivered through newspapers, said the following: ''. . . were it left to me to decide whether we should have a government without newspapers or newspapers without a government, I should not hesitate a moment to prefer the latter.''

Jefferson knew that the press is an essential cog in democracy's engine, without which our country would not enjoy the quality of government and freedoms it has. It is the men and women behind the newsprint who perform the vital role of examiner of government and act as a crucial source of information for citizens.

Without the hard work and intellect of reporters and editors the vaunted principle of the freedom of the press would surely wither and die.

Karen Hosler, as one such reporter, has contributed immensely to educating the citizenry on local, state and national politics throughout her career at the Baltimore Sun.

I have great respect for Karen, the journalist, who through her political reporting has done more than her share to keep our democracy vital. And, as her friend, I wish her great success in the exciting new challenge on which she now embarks.

I wish Karen Hosler the best of luck in her new position at the Sun, where she will have a broader opportunity than ever before to shape opinion and inform her readers.

HONORING THE TENTH ANNIVERSARY OF THE AMERICAN CHAMBER OF COMMERCE IN UKRAINE

HON. BOB SCHAFFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 2002

Mr. SCHAFFER. Mr. Speaker, on June 6, 2002, the American Chamber of Commerce in

Ukraine will celebrate the tenth anniversary of its founding. It is with a tremendous amount of respect and admiration that I rise today, both to congratulate it on the longevity and success of the organization, and recognize the true spirit of American enterprise and capitalism this institution provides in Ukraine.

The founding of ''AmCham Ukraine'' was inspired by a June 1992 meeting of U.S. Ambassador to Ukraine, Roman Papadiuk and the American business community having operations or financial interests in Ukraine. During the meeting, all participants agreed upon the overwhelming need to create a private, non-governmental organization, under which companies could strengthen themselves through one common voice, and achieve designated goals to further advance American business interests in Ukraine. As a result, the decision was made to formally establish the American Chamber of Commerce in Ukraine. Its two principle objectives are to provide cohesive support for member companies, and promote the entrance of new foreign investors.

The success of AmCham Ukraine has been monumental. Member companies currently represent a majority of the foreign direct investment in Ukraine and provide Ukrainian citizens with more than 300,000 jobs. In addition, AmCham Ukraine members contribute a large share of tax revenues to Ukraine's budget each year. The group also promotes new foreign investors in the Ukrainian market by assisting them in gathering information and making the appropriate contacts, thereby enabling the advancement of strategic business plans.

As a founding member of our Congressional Ukrainian Caucus, and Co-Chairman, I have found AmCham Ukraine to be an indispensable partner in our efforts to strengthen the relationship between the United States, this House, and the Ukrainian people. AmCham's leadership in identifying key issues and providing timely research has been invaluable in promoting prosperity among Ukraine's citizens and cooperation between the two countries.

Mr. Speaker, the American Chamber of Commerce in Ukraine is an institution founded on the basic American principles of free-markets, competition, and democracy through capitalism. I am proud to speak before the entire House of Representatives today to mark such a worthy occasion, and extend my sincere congratulations to all AmCham Ukraine administrators and the member companies. While I cannot be in Ukraine to personally attend the scheduled celebration there, I extend my personal thanks to my good friend, Prime Minister Antoliy Kinakh, Deputy Head of the Presidential Administration, Palov Haydutsky, and all my friends in the Verkhouna Rada for their attendance and support.

Thank you, Mr. Speaker.

SHEER ENERGY'S $80 MILLION CONTRACT WITH IRAN

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 2002

Mr. LANTOS. Mr. Speaker, today I am introducing a resolution condemning Iran's continued support for international terrorism, its efforts to acquire weapons of mass destruction and the means to deliver them, and a recent investment that supports these heinous activities, which are of utmost concern to the national security interests of the United States and to the war on terrorism. In particular, this resolution addresses the Canadian oil company Sheer Energy and the National Iranian Oil Company recent announcement of an $80 million contract for development of an Iranian petroleum field.

I am appalled that a Canadian oil company would aid and abet Iran's campaign of international terrorism by cutting a deal with the regime's oil exploration and development arm. The $80 million contract to develop oil fields in Iran shows conspicuous contempt for the terrorist threat that Iran clearly represents. Furthermore, Iran is clearly embarked on a policy of developing weapons of mass destruction with oil profits such as those to be gained through this deal. I call on the Administration to impose the stiffest sanctions on this rogue company in accordance with the law of the land. We cannot permit greedy multinational corporations to lubricate the machinery of terrorism operating in Iran and elsewhere through such corrupt and inhumane oil deals.

Mr. Speaker, this oil deal flouts much more than United States law. It flouts every principle America and all civilized nations are fighting for in the war against terrorism. It flouts the memory of all those innocent men and women that perished on September 11th, including a number of Canadian nationals. The profits reaped from this deal by the ayatollahs in Iran will be used to bankroll terrorist organizations, such as Hizbollah, that target U.S. citizens and interests abroad. I am introducing a resolution today which urges the Bush Administration to punish the Canadian company with economic and financial sanctions in accordance with the Iran-Libya Sanctions Act. We must shut off the spigot of blood money to Iran now—or pay the price in lives lost later.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, June 6, 2002 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JUNE 7

9:30 a.m.
Joint Economic Committee
To hold hearings to examine employment-unemployment situation for May.
1334 Longworth Building

JUNE 11

9:30 a.m.
Appropriations
District of Columbia Subcommittee
To hold hearings on proposed budget estimates for fiscal year 2003 for the government of the District of Columbia, focusing on the Anacostia Waterfront Initiative.
SD–192

Commerce, Science, and Transportation
Communications Subcommittee
To hold hearings to examine spectrum management, focusing on improving the management of government and commercial spectrum domestically and internationally.
SR–253

10 a.m.
Governmental Affairs
International Security, Proliferation and Federal Services Subcommittee
To hold hearings to examine cruise missiles and unmanned aerial vehicle threats to the United States.
SD–342

Judiciary
To hold hearings to examine the criminal justice system and mentally ill offenders.
SD–226

2:30 p.m.
Health, Education, Labor, and Pensions
Aging Subcommittee
To hold hearings to examine the prevention of elderly falls.
SD–430

Judiciary
Technology, Terrorism, and Government Information Subcommittee
To hold hearings on S. 2541, to amend title 18, United States Code, to establish penalties for aggravated identity theft.
SD–226

Foreign Relations
African Affairs Subcommittee
To hold hearings to examine U.S. policy in Liberia.
SD–419

JUNE 12

9:30 a.m.
Governmental Affairs
To hold hearings to examine the status of childhood vaccines.
SD–342

Environment and Public Works
To hold hearings to examine the costs and benefits of multi-pollutant legislation.
SD–406

10 a.m.
Health, Education, Labor, and Pensions
Business meeting to consider S. 710, to require coverage for colorectal cancer screenings; S. 1115, to amend the Public Health Service At with respect to making progress toward the goal of eliminating tuberculosis; S. 2184, to provide for the reissuance of a rule relating to ergonomics; S. 2558, to amend the Public Health Service Act to provide for the collection of data on benign brain-related tumors through the national program of cancer registries; S. 2328, to amend the Public Health Service Act and the Federal Food, Drug, and Cosmetic Act to ensure a safe pregnancy for all women in the United States, to reduce the rate of maternal morbidity and mortality, to eliminate racial and ethnic disparities in maternal health outcomes, to reduce pre-term, labor, to examine the impact of pregnancy on the short and long term health of women, to expand knowledge about the safety and dosing of drugs to treat pregnant women with chronic conditions and women who become sick during pregnancy, to expand public health prevention, education and outreach, and to develop improved and more accurate data collection related to maternal morbidity and mortality; and the nominations of Thomas Mallon, of Connecticut, Wilfred M. McClay, of Tennessee, and Michael Pack, of Maryland, each to be a Member of the National Council on the Humanities, National Foundation On the Arts and the Humanities.
SD–430

2:30 p.m.
Commerce, Science, and Transportation
Science, Technology, and Space Subcommittee
To hold hearings to examine Internet corporations for assigned names and numbers.
SR–253

Judiciary
Constitution Subcommittee
To hold hearings to examine issues with respect to reducing the risk of executing the innocent, focusing on the Report of the Illinois Governor's Commission on Capital Punishment.
SD–226

JUNE 13

10 a.m.
Appropriations
Interior Subcommittee
To hold hearings on proposed budget estimates for fiscal year 2003 for the Department of the Interior.
SD–124

Foreign Relations
To hold hearings on the Convention on the Elimination of All Forms of Discrimination Against Women, adopted by the United Nations General Assembly on December 18, 1979, and signed on behalf of the United States of America on July 17, 1980 (Treaty Doc. 96–53).
SD–419

2:30 p.m.
Commerce, Science, and Transportation
Surface Transportation and Merchant Marine Subcommittee
To hold hearings to examine cross border trucking issues.
SR–253

JUNE 19

10:30 a.m.
Judiciary
Crime and Drugs Subcommittee
To hold hearings to examine penalties for white collar offenses.
SD–226

Daily Digest

HIGHLIGHTS

The House agreed to the conference report on S. 1372, Export-Import Bank Reauthorization.

The House passed H.R. 4664, Investing in America's Future Act.

Senate

Chamber Action

Routine Proceedings, pages S4991–S5061

Measures Introduced: Fourteen bills and one resolution were introduced, as follows: S. 2579–2592, and S. Res. 281. **Pages S5043–56**

Supplemental Appropriations Act: Senate continued consideration of H.R. 4775, making supplemental appropriations for the fiscal year ending September 30, 2002, taking action on the following amendments proposed thereto: **Pages S4996–S5023**

Adopted:

Reid Amendment No. 3570, to direct the Secretary of Agriculture to carry out a certain transfer of funds. **Pages S4996–97**

Rejected:

Santorum Amendment No. 3765 (to Amendment No. 3764), to adopt the concurrent resolution on the budget for fiscal year 2003 reported by the Committee on the Budget for the Senate. (By a unanimous vote of 96 yeas (Vote No. 134), Senate tabled the amendment.) **Pages S5018–21**

Withdrawn:

Kennedy Amendment No. 3583 (to Amendment No. 3570), to provide emergency school funding. **Pages S4996–97**

Kennedy Modified Amendment No. 3608, to provide emergency school funding. **Pages S4997–S5004**

Pending:

Daschle Amendment No. 3764, to extend budget enforcement. **Pages S5015–18**

During consideration of this measure, Senate also took the following action:

By 38 yeas to 60 nays (Vote No. 132), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 205 of H. Con. Res. 290, the Fiscal Year 2001 Concurrent Resolution on the Budget with respect to Kennedy Modified Amendment No. 3608, to provide emergency school funding. Subsequently, a point of order that the amendment was in violation of section 205 of H. Con. Res. 290, the Fiscal Year 2001 Concurrent Resolution on the Budget, since it contains nondefense spending with an emergency designation, was sustained, and the emergency designation was thus removed. **Pages S4997–S5004**

By 49 yeas to 49 nays (Vote No. 133), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 306 of the Congressional Budget Act of 1974 with respect to Gregg Amendment No. 3687, to extend and strengthen procedures to maintain fiscal accountability and responsibility. Subsequently, a point of order that the amendment was in violation of section 306 of the Congressional Budget Act of 1974 was sustained, and the amendment thus fell. **Pages S5004–15**

A second motion was entered to close further debate on the bill and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a cloture vote will occur on Friday, June 7, 2002. **(See next issue.)**

A unanimous-consent-time agreement was reached providing for further consideration of the bill at 10:30 a.m., on Thursday, June 6, 2002, with a vote on the motion to close further debate on the bill to occur at approximately 11 a.m. Further, that Senators have until 10:30 a.m. to file second degree amendments to the bill. **Page S5059**

Nominations Confirmed: Senate confirmed the following nominations:

A routine list in the Foreign Service. **Page S5061**

Nominations Received: Senate received the following nominations:

Carolyn W. Merritt, of Illinois, to be Chairperson of the Chemical Safety and Hazard Investigation Board for a term of five years.

Carolyn W. Merritt, of Illinois, to be a Member of the Chemical Safety and Hazard Investigation Board for a term of five years.

James Irvin Gadsden, of Maryland, to be Ambassador to the Republic of Iceland.

John Randle Hamilton, of North Carolina, to be Ambassador to the Republic of Guatemala.

Michael Klosson, of Maryland, to be Ambassador to the Republic of Cyprus.

Larry Leon Palmer, of Georgia, to be Ambassador to the Republic of Honduras.

Randolph Bell, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, for the rank of Ambassador during his tenure of service as Special Envoy for Holocaust Issues.

Paul William Speltz, of Texas, to be United States Director of the Asian Development Bank, with the rank of Ambassador.

1 Army nomination in the rank of general.

Routine lists in the Army, Navy. **Pages S5059–61**

Messages From the House: **Pages S5037–38**

Measures Referred: **Page S5038**

Measures Placed on Calendar: **Page S5038**

Executive Communications: **Pages S5038–40**

Executive Reports of Committees: **Pages S5040–41**

Additional Cosponsors: **Pages S5041–43**

Statements on Introduced Bills/Resolutions: **Pages S5043–55**

Additional Statements: **Pages S5034–37**

Amendments Submitted: **Pages S5056–59 (continued next issue)**

Authority for Committees to Meet: **(See next issue.)**

Privilege of the Floor: **(See next issue.)**

Record Votes: Three record votes were taken today. (Total—134) **Pages S5003, S5014–15, S5021**

Adjournment: Senate met at 9:15 a.m., and adjourned at 6:33 p.m., until 9:30 a.m., on Thursday, June 6, 2002.

Committee Meetings

(Committees not listed did not meet)

ACADEMY SUPERINTENDENTS

Committee on Appropriations: Subcommittee on Defense concluded hearings to examine the mission, goals, and challenges of service academy superintendents, after receiving testimony from Lt. Gen. William J. Lennox, Jr., USA, Superintendent, and 2Lt. Andrew Blickhahn, USA, both of the United States Military Academy, United States Army; Col. John R. Allen, USMC, Commandant of Midshipmen, and ENS Benjamin A. Drew, USN, both of the U.S. Naval Academy; and Lt. Gen. John R. Dallager, Superintendent, and Cadet First Class Todd Garner, both of the USAF Academy, United States Air Force.

NOMINATIONS

Committee on Armed Services: Committee ordered favorably reported 1,066 military nominations in the Army, Navy, Marine Corps, and Air Force.

LEAD-BASED PAINT POISONING

Committee on Banking, Housing, and Urban Affairs: Subcommittee on Housing and Transportation concluded oversight hearings to examine Federal responses to lead-based paint poisoning and childhood lead poisoning prevention, after receiving testimony from David E. Jacobs, Director, Office of Healthy Homes and Lead Hazard Control, Department of Housing and Urban Development; Ruben King-Shaw, Jr., Deputy Administrator/Chief Operating Officer, Center for Medicaid and Medicaid Services, and Richard J. Jackson, Director, National Center for Environmental Health, Centers for Disease Control and Prevention, both of the Department of Health and Human Services; Thomas L. Sansonetti, Assistant Attorney General, Environment and Natural Resources Division, Department of Justice; and Adam Sharp, Associate Assistant Administrator, Office of Prevention, Pesticides, and Toxic Substances, Environmental Protection Agency.

NOMINATION

Committee on Commerce, Science, and Transportation: Committee concluded hearings on the nomination of Steven Robert Blust, of Florida, to be a Federal Maritime Commissioner, after the nominee testified and answered questions in his own behalf. Testimony was also received from Hal Creel, Chairman, Federal Maritime Commission.

BUSINESS MEETING

Committee on Energy and Natural Resources: Committee ordered favorably reported the following business items:

S. 1768, to authorize the Secretary of the Interior to implement the Calfed Bay-Delta Program, with an amendment in the nature of a substitute;

S. 281, to authorize the design and construction of a temporary education center at the Vietnam Veterans Memorial, with an amendment in the nature of a substitute;

S. 454, to provide permanent funding for the Bureau of Land Management Payment in Lieu of Taxes program;

S. 691, to direct the Secretary of Agriculture to convey certain land in the Lake Tahoe Basin Management Unit, Nevada, to the Secretary of the Interior, in trust for the Washoe Indian Tribe of Nevada and California;

S. 1010, to extend the deadline for commencement of construction of a hydroelectric project in the State of North Carolina;

S. 1175, to modify the boundary of Vicksburg National Military Park to include the property known as Pemberton's Headquarters, with an amendment in the nature of a substitute;

S. 1227, to authorize the Secretary of the Interior to conduct a study of the suitability and feasibility of establishing the Niagara Falls National Heritage Area in the State of New York, with amendments;

S. 1240, to provide for the acquisition of land and construction of an interagency administrative and visitor facility at the entrance to American Fork Canyon, Utah, with an amendment;

S. 1325, to ratify an agreement between the Aleut Corporation and the United States of America to exchange land rights received under the Alaska Native Claims Settlement Act for certain land interests on Adak Island, with an amendment;

S. 1649, to amend the Omnibus Parks and Public Lands Management Act of 1996 to increase the authorization of appropriations for the Vancouver National Historic Reserve and for the preservation of Vancouver Barracks, with amendments;

S. 1843, to extend hydro-electric licenses in the State of Alaska;

S. 1852, to extend the deadline for commencement of construction of a hydroelectric project in the State of Wyoming;

S. 1894, to direct the Secretary of the Interior to conduct a special resource study to determine the national significance of the Miami Circle site in the State of Florida as well as the suitability and feasibility of its inclusion in the National Park System as part of Biscayne National Park, with an amendment;

S. 1907, to direct the Secretary of the Interior to convey certain land to the city of Haines, Oregon, with an amendment;

S. 1946, to amend the National Trails System Act to designate the Old Spanish Trail as a National Historic Trail, with amendments;

H.R. 223, to amend the Clear Creek County, Colorado, Public Lands Transfer Act of 1993 to provide additional time for Clear Creek County to dispose of certain lands transferred to the county under the Act;

H.R. 308, to establish the Guam War Claims Review Commission;

H.R. 309, to provide for the determination of withholding tax rates under the Guam income tax;

H.R. 601, to redesignate certain lands within the Craters of the Moon National Monument;

H.R. 640, to adjust the boundaries of Santa Monica Mountains National Recreation Area, with an amendment;

H.R. 1384, to amend the National Trails System Act to designate the route in Arizona and New Mexico which the Navajo and Mescalero Apache Indian tribes were forced to walk in 1863 and 1864, for study for potential addition to the National Trails System;

H.R. 1456, to expand the boundary of the Booker T. Washington National Monument;

H.R. 1576, to designate the James Peak Wilderness and Protection Area in the Arapaho and Roosevelt National Forests in the State of Colorado;

H.R. 2234, to revise the boundary of the Tumacacori National Historical Park in the State of Arizona;

H.R. 2440, to rename Wolf Trap Farm Park as "Wolf Trap National Park for the Performing Arts";

S.J. Res. 34, approving the site at Yucca Mountain, Nevada, for the development of a repository for the disposal of high-level radioactive waste and spent nuclear fuel, pursuant to the Nuclear Waste Policy Act of 1982; and

The nominations of Guy F. Caruso, of Virginia, to be Administrator of the Energy Information Administration, and Kyle E. McSlarrow, of Virginia, to be Deputy Secretary, both of the Department of Energy.

NUCLEAR SECURITY

Committee on Environment and Public Works: Committee concluded hearings S. 1586, to amend the Atomic Energy Act of 1954 to authorize the carrying of firearms by employees of licensees, and S. 1746, to amend the Atomic Energy Act of 1954 and the Energy Reorganization Act of 1974 to strengthen security at sensitive nuclear facilities, after receiving testimony from Representative Markey; Richard A. Meserve, Chairman, Nuclear Regulatory Commission; David Lochbaum, Union of Concerned Scientists, Jack Skolds, Exelon Nuclear, and Danielle Brian, Project On Government Oversight, all of Washington, D.C.; Irwin Redlener, Children's Hospital at Montefiore, New York, New York, on behalf of the Children's Health Fund; and Donna J. Miller Hastie, Marietta, Georgia.

STRATEGIC OFFENSIVE REDUCTIONS TREATY

Committee on Foreign Relations: Committee met in closed session to receive a briefing on the President's trip to Europe and the Strategic Offensive Reductions Treaty from Colin L. Powell, Secretary of State.

CUBA AND BIOLOGICAL WEAPONS

Committee on Foreign Relations: Subcommittee on Western Hemisphere, Peace Corps and Narcotics Affairs concluded open and closed hearings to examine Cuba's pursuit of biological weapons, focusing on research, production, and stockpiling, after receiving testimony from Carl W. Ford Jr., Assistant Secretary of State for Intelligence and Research.

House of Representatives

Chamber Action

Measures Introduced: 13 public bills, H.R. 4864–4876; and 1 resolution, H. Con. Res. 413, were introduced. **Pages H3228–29**

Reports Filed: Reports were filed as follows:

H.R. 3380, to authorize the Secretary of the Interior to issue right-of-way permits for natural gas pipelines within the boundary of Great Smoky Mountains National Park (H. Rept. 107–491);

H.R. 4609, to direct the Secretary of the Interior to conduct a comprehensive study of the Rathdrum Prairie/Spokane Valley Aquifer, located in Idaho and Washington (H. Rept. 107–492);

H.R. 3969, to enhance United States public diplomacy, to reorganize United States international broadcasting, amended (H. Rept. 107–493);

H. Res. 435, providing for consideration for H.R. 2143, to make the repeal of the estate tax permanent (H. Rept. 107–494); and

H.R. 2486, to authorize the National Weather Service to conduct research and development, training, and outreach activities relating to tropical cyclone inland forecasting improvement, amended (H. Rept. 107–495).

Guest Chaplain: The prayer was offered by the guest Chaplain, Bishop Neff Powell, the Episcopal Diocese of Southwestern Virginia, Roanoke, Virginia. **Page H3163**

Journal Vote: Agreed to the Speaker's approval of the Journal of Tuesday, June 5 by a yea-and-nay vote of 363 yeas to 40 nays with 2 voting "present", Roll No. 209. **Page H3164**

Recesses: The House recessed at 10:30 a.m. and reconvened at 10:31 a.m. and recessed at 10:34 a.m. and reconvened at 10:45 a.m. **Page2 H3164–65**

Official Photo of the House in Session: Pursuant to H. Res. 378, the official photo of the House in session was taken. **Pages H3164–65**

Export-Import Bank Reauthorization: The House agreed to the conference report on S. 1372, to reauthorize the Export-Import Bank of the United States by a yea-and-nay vote of 344 yeas to 78 nays, Roll No. 210. **Pages H3171–82**

Agreed to the H. Res. 433, the rule that waived points of order against the conference report was agreed to by voice vote. **Pages H3167–71, H3185**

Investing in America's Future Act: The House passed H.R. 4664, to authorize appropriations for fiscal years 2003, 2004, and 2005 for the National Science Foundation by a recorded vote of 397 ayes to 25 noes, Roll No. 212. **Pages H3185–H3203**

Pursuant to the rule, the Committee on Science amendment in the nature of a substitute now printed in the bill (H. Rept. 107–488) was considered as an original bill for the purpose of amendment. **Page H3194**

Agreed To:

Rivers amendment that makes part-time students eligible for scholarships under the Computer Science, Engineering, and Mathematics Scholarship (CSEMS) program. **Pages H3196–97**

Rejected:

Woolsey amendment that sought to create a biosafety research program to study safety with respect to the effects of biological research on organisms and the environment (rejected by a recorded vote of 165 ayes to 259 noes, Roll No. 211). **Pages H3197–H3202**

Agreed to H. Res. 432, the rule that provided for consideration of the bill was agreed to by voice vote. **Pages H3182–85**

Privileged Resolution: Representative Kucinich gave notice of his intention to offer a privileged resolution. **Pages H3203–04**

Joint Meeting to Receive the Prime Minister of Australia: Agreed that it be in order at any time on Wednesday, June 12, 2002, for the Speaker to declare a recess, subject to the call of the Chair, for the purpose of receiving in Joint Meeting the Honorable John Howard, Prime Minister of Australia. **Page H3204**

Quorum Calls—Votes: Two yea-and-nay votes and two recorded votes developed during the proceedings of the House today and appear on pages H3194, H3182, H3202, and H3203. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 7:38 p.m.

Committee Meetings

DEFENSE APPROPRIATIONS

Committee on Appropriations: Subcommittee on Defense met in executive session to hold a hearing on the Crusader; Testimony was heard from the following officials of the Department of Defense: E.C. Aldridge, Under Secretary, Acquisition, Technology and Logistics; Michael W. Wynne, Principal Deputy Under Secretary, Acquisition, Technology and Logistics; Gen. Montgomery C. Meigs, USA, Commanding General, U.S. Army Europe and Seventh Army; Lt. Gen. John S. Caldwell, Jr., USA, Military Deputy/Director, Army Acquisition Corps, Office of the Assistant Secretary of the Army, Acquisition, Logistics and Technology; Maj. Gen. William L. Bond, USA, Director, Force Development Office of the G8, U.S. Army; and Maj. Gen. Michael D. Maples, USA, Commanding General, U.S. Army Field Artillery Center and Ft. Sill.

DISTRICT OF COLUMBIA APPROPRIATIONS

Committee on Appropriations: Subcommittee on the District of Columbia held a hearing on Fiscal Year 2003 District of Columbia Budget. Testimony was heard from the following officials of the District of Columbia: Anthony A. Williams, Mayor; Linda W. Cropp, Chairman, Council; and Julia Friedman, Deputy Chief Financial Officer, Research and Analysis.

COMMON FISCAL ISSUES—INTERNATIONAL PERSPECTIVES

Committee on the Budget: Held a hearing on International Perspectives on Common Fiscal Issues. Testimony was heard from public witnesses.

CITIZEN SERVICE ACT

Committee on Education and the Workforce: Subcommittee on Select Education approved for full Committee action, as amended, H.R. 4854, Citizen Service Act of 2002.

SPORTS AGENT RESPONSIBILITY AND TRUST ACT

Committee on Energy and Commerce: Subcommittee on Commerce, Trade, and Consumer Protection held a hearing on H.R.4701, Sports Agent Responsibility and Trust Act. Testimony was heard from Representative Osborne; Howard Beales, Director, Bureau of Consumer Protection, FTC; and public witnesses.

CLEAN AIR ACT IMPLEMENTATION

Committee on Energy and Commerce: Subcommittee on Energy and Air Quality held a hearing entitled ''Clean Air Act Implementation: Experience of State and Local Regulators.'' Testimony was heard from Dianne Nielson, Executive Director, Department of Environmental Quality, State of Utah; Chris Jones, Director, Environmental Protection Agency, State of Ohio; Doug Lempke, Administrator, Air Quality Control Commission, Department of Public Health and Environment, State of Colorado; and a public witness.

FCC'S UWB PROCEEDING

Committee on Energy and Commerce: Subcommittee on Telecommunications and the Internet held a hearing entitled ''The FCC's UWB Proceeding: An Examination of the Government's Spectrum Management Process.'' Testimony was heard from Michael Gallagher, Deputy Assistant Secretary, National Telecommunications and Information Administration, Department of Commerce; Stephen Price, Deputy Assistant Secretary, Spectrum, Space, Sensors and C3 Policy, Department of Defense; Jeff Shane, Associate Deputy Secretary, Department of Transportation; Julius Knapp, Deputy Chief, Office of Engineering and Technology, FCC; and public witnesses.

OVERSIGHT—PERFORMANCE—DC COURT OF APPEALS AND SUPERIOR COURT

Committee on Government Reform: Subcommittee on the District of Columbia held a hearing on ''Oversight Hearing on the Performance of the Court of Appeals and the Superior Court of the District of Columbia.'' Testimony was heard from Cornelia M. Ashby, Director, Education, Workforce and Income Security Issues, GAO; the following officials of the District of Columbia: Annice M. Wagner, Chief Judge, Court of Appeals; Rufus G. King III, Chief Judge, Superior Court; Lee F. Satterfield, Presiding Judge, Family Court; Anne Wicks, Executive Officer, Superior Court; Olivia Golden, Director, Child and Family Services; and Arabella Teal, Principal Deputy Corporation Counsel; and a public witness.

FOLLOWING DANFORTH REPORT

Committee on International Relations: Held a hearing on Following the Danforth Report: Defining the Next Step on the Path to Peace in Sudan. Testimony was heard from the following officials of the Department of State: Walter Kansteiner, Assistant Secretary, Bureau of African Affairs; and Roger P. Winter, Assistant Administrator, Bureau of Democracy, Conflict and Humanitarian Assistance, AID; Michael K. Young, Chairman, U.S. Commission on International Religious Freedom; and public witnesses.

FREE MARKET ANTITRUST IMMUNITY REFORM (FAIR) ACT

Committee on the Judiciary: Held a hearing on H.R. 1253, Free Market Antitrust Immunity Reform (FAIR) Act of 2001. Testimony was heard from Charles James, Assistant Attorney General, Antitrust Division, Department of Justice; and public witnesses.

OVERSIGHT

Committee on the Judiciary: Subcommittee on Courts, the Internet and Intellectual Property held an oversight hearing on ''DRM: The Consumer Benefits of Today's Digital Rights Management Solutions.'' Testimony was heard from public witness.

MISCELLANEOUS MEASURES

Committee on Resources: Held a hearing on the following bills: H.R. 3048, Russian River Land Act; H.R. 3148, to amend the Alaska Native Claims Settlement Act to provide equitable treatment of Alaska Native Vietnam Veterans; and H.R. 4734, Alaska Federal Lands Management Demonstration Project Act. Testimony was heard from Paul Hoffman, Deputy Assistant Secretary, Fish and Wildlife and Parks, Department of the Interior; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Resources: Subcommittee on Water and Power approved for full Committee action H.R. 4638, to reauthorize the Mni Wiconi Rural Water Supply Project.

The Subcommittee also held a hearing on the following bills: H.R. 2202, Lower Yellowstone Reclamation Projects Conveyance Act; and H.R. 3223, Jicarilla Apache Reservation Rural Water System Act. Testimony was heard from John W. Keys, Commissioner, Bureau of Reclamation, Department of the Interior; and public witnesses.

PERMANENT DEATH TAX REPEAL ACT

Committee on Rules: Granted, by voice vote, a modified closed rule providing 1 hour of debate on H.R. 2143, Permanent Death Tax Repeal Act of 2002. The rule provides for consideration of the amendment in the nature of a substitute printed in the Rules Committee report accompanying the resolution, if offered by Representative Rangel or his designee, which shall be considered as read and shall be separately debatable for one hour equally divided and controlled by the proponent and an opponent. The rule waives all points of order against the amendment in the nature of a substitute. Finally, the rule provides one motion to recommit with or without instructions

GSA'S CAPITAL INVESTMENT AND LEASING PROGRAM

Committee on Transportation and Infrastructure: Subcommittee on Economic Development, Public Buildings and Emergency Management held a hearing on U.S. General Services Administration's Fiscal Year 2003 Capital Investment and Leasing Program. Testimony was heard from Joseph Moravec, Commissioner, Public Buildings Service, GSA; and Jane R. Roth, Judge, U.S. Courts of Appeals, 3rd Circuit.

FUTURE IMAGERY ARCHITECTURE

Permanent Select Committee on Intelligence: Subcommittee on Technical and Tactical Intelligence met in executive session to hold a hearing on Future Imagery Architecture. Testimony was heard from departmental witnesses.

Joint Meetings

9/11 INTELLIGENCE INVESTIGATION

Joint Hearing: Senate Select Committee on Intelligence and the House Permanent Select Committee on Intelligence met in closed session to consider events surrounding September 11, 2001.

Committees will meet again tomorrow.

COMMITTEE MEETINGS FOR THURSDAY, JUNE 6, 2002

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: Subcommittee on Interior, to resume hearings on proposed budget estimates for fiscal year 2003 for the U.S. Forest Service, Department of Agriculture, 10 a.m., SD–116.

Subcommittee on Labor, Health and Human Services, and Education, to hold hearings on proposed budget estimates for fiscal year 2003 for the Department of Labor, 11:30 a.m., SD–192.

Committee on Banking, Housing, and Urban Affairs: Subcommittee on Financial Institutions, to hold oversight hearings to examine capital investments in Indian country, 10 a.m., SD–538.

Committee on Energy and Natural Resources: Subcommittee on Water and Power, to hold hearings on S. 1310, to provide for the sale of certain real property in the Newlands Project, Nevada, to the city of Fallon, Nevada; S. 2475, to amend the Central Utah Project Completion Act to clarify the responsibilities of the Secretary of the Interior with respect to the Central Utah Project, to redirect unexpended budget authority for the Central Utah Project for wastewater treatment and reuse and other purposes, to provide for prepayment of repayment contracts for municipal and industrial water delivery facilities, and to eliminate a deadline for such prepayment; S. 1385, to authorize the Secretary of the Interior, pursuant to the

provisions of the Reclamation Wastewater and Groundwater Study and Facilities Act to participate in the design, planning, and construction of the Lakehaven water reclamation project for the reclamation and reuse of water; S. 1824/H.R. 2828, to authorize payments to certain Lama Project water distribution entities for amounts assessed by the entities for operation and maintenance of the Project's irrigation works for 2001, to authorize funds to such entities of amounts collected by the Bureau of Reclamation for reserved works for 2001; S. 1883, to authorize the Bureau of Reclamation to participate in the rehabilitation of the Wallowa Lake Dam in Oregon; S. 1999, to reauthorize the Mni Wiconi Rural Water Supply Project; and H.R. 706, to direct the Secretary of the Interior to convey certain properties in the vicinity of the Elephant Butte Reservoir and the Caballo Reservoir, New Mexico, 2:30 p.m., SD–366.

Committee on Environment and Public Works: Subcommittee on Clean Air, Wetlands, and Climate Change, to hold hearings on wetlands, focusing on the impacts of the revisions to the Clean Water Act regulatory definitions of ''fill material'' and ''discharge of fill material'', 10 a.m., SD–406.

Committee on Governmental Affairs: Subcommittee on International Security, Proliferation and Federal Services, to hold hearings to examine difficulties and solutions concerning nonproliferation disputes and export controls between Russia and China, 2:30 p.m., SD–342.

Committee on Health, Education, Labor, and Pensions: to hold hearings to examine the Individuals with Disabilities Education Act, focusing on accountability, 9:30 a.m., SD–430.

Select Committee on Intelligence: to hold joint closed hearings with the House Permanent Select Committee on Intelligence to examine events surrounding September 11, 2001, 10 a.m and 2:30 p.m., S–407 Capitol.

Committee on the Judiciary: to hold oversight hearings on counter-terrorism issues, 9:30 a.m., SH–216.

Committee on Veterans' Affairs: business meeting to mark up pending calendar business, 2 p.m., SR–418.

House

Committee on Agriculture, Subcommittee on Department Operations, Oversight, Nutrition and Forestry, hearing on Public Safety Concerns and Forest Management Hurdles in the Black Hills National Forest, 1 p.m., 1300 Longworth.

Committee on Armed Services, Special Oversight Panel on Terrorism, hearing on the question ''Are Yasser Arafat and the Palestinian Authority Credible Partners for Peace?'' 8:30 a.m., 2212 Rayburn.

Committee on Education and the Workforce, Subcommittee on Education, hearing on ''Learning Disabilities and Early Intervention Strategies: How to Reform the Special Education Referral and Identification Process,'' 10 a.m., 2175 Rayburn.

Committee on Energy and Commerce, Subcommittee on Health, hearing entitled ''The National Institutes of Health: Investing in Research to Prevent and Cure Disease,'' 10 a.m., 2322 Rayburn.

Subcommittee on Oversight and Investigations, hearing entitled ''DOE's FreedomCAR: Hurdles, Benchmarks for Progress, and Role in Energy Policy,'' 9:30 a.m., 2123 Rayburn.

Committee on Financial Services, to consider the following bills: H.R. 1701, amended, Consumer Rental Purchase Agreement Act; and H.R. 3951, amended, Financial Services Regulatory Relief Act of 2002, 10 a.m., 2128 Rayburn.

Committee on Government Reform, Subcommittee on Government Efficiency, Financial Management, and Intergovernmental Relations, hearing on ''The Federal Financial Management Improvement Act of 1996: Are Agencies Meeting the Challenge?'' 10 a.m., 2247 Rayburn.

Committee on International Relations, Subcommittee on International Operations and Human Rights, hearing on An Assessment of Cuba Broadcasting—The Voice of Freedom, 10:30 a.m., 2172 Rayburn.

Subcommittee on the Middle East and South Asia, hearing on The Current Crisis in South Asia, 10 a.m., 2141 Rayburn.

Committee on Resources, Subcommittee on National Parks, Recreation and Public Lands, hearing on the following bills: H.R. 3815, Presidential Historic Site Study Act; H.R. 4141, Red Rock Canyon National Conservation Area Protection and Enhancement Act of 2002; and H.R. 4620, America's Wilderness Protection Act, 2 p.m., 1334 Longworth.

Committee on Small Business, Subcommittee on Regulatory Reform and Oversight and the Subcommittee on Workforce, Empowerment, and Government Programs, joint hearing on The Cost of Regulations to Small Business, 2 p.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, Subcommittee on Railroads, hearing on Recent Derailments and Railroad Safety, 10 a.m., 2167 Rayburn.

Committee on Veterans' Affairs, Subcommittee on Benefits, hearing on the status of the VA's implementation of the VA Claims Processing Task Force's recommendations, and the potential for a greater VA/Veterans Service Organization ''partnership,'' 10 a.m., 334 Cannon.

Committee on Ways and Means, hearing on Corporate Inversions, 10:45 a.m., 1100 Longworth.

Joint Meetings

Joint Meetings: Senate Select Committee on Intelligence, to hold joint closed hearings with the House Permanent Select Committee on Intelligence to examine events surrounding September 11, 2001, 10 a.m. and 2:30 p.m., S–407 Capitol.

Next Meeting of the SENATE

9:30 a.m., Thursday, June 6

Senate Chamber

Program for Thursday: After the transaction of any morning business (not to extend beyond 10:30 a.m.), Senate will continue consideration of H.R. 4775, Supplemental Appropriations Act, with a vote on the motion to close further debate on the bill to occur at approximately 11 a.m.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Thursday, June 6

House Chamber

Program for Thursday: Consideration of H.R. 2143, to make the repeal of the estate tax permanent (modified closed rule, one hour of general debate).

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